

**MINISTER FOR EMERGENCY SERVICES —  
ROLEYSTONE–KELMSCOTT BUSHFIRES — KEELTY REPORT**

*Matter of Public Interest*

**THE SPEAKER (Mr G.A. Woodhams):** Today I received within the prescribed time a letter from the Leader of the Opposition in the following terms —

I wish to raise the following as a matter of public interest today.

“That the House —

Condemn the Minister for Emergency Services for the Government’s failure to make public the Keelty report into the February 2011 Perth hills bushfires and calls on the Premier to immediately relieve the Minister of this portfolio for his mismanagement of this area.”

If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

**MR E.S. RIPPER (Belmont — Leader of the Opposition) [3.07 pm]:** I move —

That the house condemns the Minister for Emergency Services for the government’s failure to make public the Keelty report into the February 2011 Perth hills bushfires and calls on the Premier to immediately relieve the minister of this portfolio for his mismanagement of this area.

What a sorry history the government has in the aftermath of major bushfires in this state. In December 2009 a bushfire at Toodyay caused the second worst amount of property damage from a fire in the state’s history. Rather than respond to the opposition’s calls for a comprehensive inquiry into that fire the government ended up with three separate inquiries—none of which did the job satisfactorily from the point of view of the people of Toodyay. EnergySafety conducted two inquiries into that matter. The outcomes of those two inquiries contradicted each other. The government said that it accepted the finding of the second report that Western Power’s equipment had caused that Toodyay fire; however, the government did not go on to compel Western Power to accept the consequences of that report and settle the legal matters with those people whose properties had been burnt out as a result of Western Power’s equipment failure.

Now we are dealing with the aftermath of the Roleystone–Kelmescott fires early this year. These fires were the worst ever in the state’s history for property damage. We are complaining today about the government’s failure to release the report of that inquiry, but let me go first to the history of the commissioning of that report. This was an inquiry that the government had to be dragged into—absolutely dragged into!

On Tuesday, 8 February, the opposition called for an independent inquiry into the bushfires. The shadow Minister for Emergency Services, Hon Margaret Quirk, called for an independent inquiry into Western Australia’s firefighting capabilities, the relationship between firefighting agencies, how resources are deployed, laws relating to fire bans, communication strategies, roles of local governments in resourcing fire brigades, prescribed burning programs and firefighting equipment. She said at the time that an inquiry is not about directing blame but is about ensuring that world’s best practices are applied to cope with the increased risk.

The Premier’s response at the time was absolutely extraordinary. The Premier’s statement of Thursday, 10 February was reported in *The West Australian* on Friday, 11 February and reads —

“FESA will do its own investigation, which we have full confidence in,” he said. “Every time there’s a fire there are calls, ‘Lets have an inquiry, lets have a review’. Sorry. It worked brilliantly.

“For 72 homes to be totally destroyed and no one to have lost their lives or suffered serious injury is just fantastic.”

That is what the Premier said in early February when the opposition called for an independent inquiry into these fires. As Paul Murray wrote at the time in one of his columns —

The Premier sarcastically rejected pleadings from the Opposition, the lobby group of concerned ex-foresters and Liberal politicians called the Bushfire Front and the Fire Fighters Union:

He sarcastically rejected calls for an inquiry. In the end, there were so many calls for an inquiry that the government had to commission the Keelty inquiry; it was dragged into calling a commission against the expressed displeasure of the Premier. This is an inquiry that the government did not want, and it is a report that it is now withholding. The way in which the government has treated this report is really quite remarkable. The front page of *The West Australian* on Saturday, 13 August, delivered some very, very disturbing information. This is what was included in that news article by Ben Harvey. He stated —

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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The inquiry by former Australian Federal Police boss Mick Keelty into the Kelmscott–Roleystone blaze, which destroyed 72 homes in February, delivers a withering assessment of FESA ...

Later on, the article again refers to an element of the report. It states

In his report, Mr Keelty singles out a purple circle of senior FESA officials for savage criticism.

Someone—I do not know who—apparently knows something about the report and describes it, according to the article, as a “complete hatchet job” on FESA officials. This is what has been published on the front page of *The West Australian*, and the government is apparently happy to let that material stand. The government could actually clear the air and table the report, and let everyone see what the report says. We do not know; is *The West Australian* report right? Are the sources right? We do not know. We are moving a motion against the Minister for Emergency Services because the government is refusing to table the report. The government is using the bogus excuse of cabinet-in-confidence to avoid tabling the report. It is just spin; it is just media management.

Let me give members three examples of where governments, on major inquiries and major reports, have not followed this course of action. The report of the royal commission into the devastating Victorian fires was given to the public of Victoria the same day it was given to the government. The report of the inquiry into the Queensland floods was given to the Queensland public the same day as it was given to the government. I sat in a Western Australian state cabinet that received a major royal commission report, and that report was given to the public of Western Australia on the same day it was given to the cabinet of Western Australia. That is the right way.

**Mr C.J. Barnett:** Royal commissions report to the Parliament.

**Mr E.S. RIPPER:** Royal commissions report to the government. Get it right. A royal commission is an agency of the executive. The Premier should know that.

Those are three examples of major inquiries to which the government has delivered its response after the public has had a chance to look at the report, and the public has received the report on the same day as the government. This cabinet-in-confidence defence, this argument that the government will develop a response, is just media management; it is just spin. What the government wants to do is tie it all up in a bow, find a couple of public service scapegoats, and then release that information together with the report and say to the public, “You don’t need to worry about it, we’ve fixed it all; we’ve shot a couple of people in the public service”.

That is exactly the way in which the government is going to approach it, but there is a downside for the Minister for Emergency Services. His reputation is compromised and he is open to all sorts of criticism because the government will not clear the air by tabling the report. Now, there is another explanation, and that explanation is that the report is so bad that it will only worsen the position of the Minister for Emergency Services, but I think that what we are arguably seeing is the Premier’s media management drive, with his new media manager, taking precedence over any collateral damage that might otherwise occur to the Minister for Emergency Services.

As the Premier has already commented, we in the opposition in this Parliament are having some difficulty debating this issue because the government is withholding the information. We have to rely on what unnamed sources have told *The West Australian* newspaper, and what the newspaper has been confident enough to put on its front page. But that is bad enough; that requires us to debate the issue in the Parliament, and it is absolutely outrageous that the government has refused to provide this Parliament with the basic information needed to explore this issue properly.

When an agency, after the worst fire for property damage in the state’s history, receives a withering assessment and savage criticism of its senior managers, the minister has a case to answer. The minister is responsible; the minister cannot allow those comments to stand without giving the report to the Parliament and the public so that we can see exactly what Mr Keelty found. I do not think the government can wait, tie it all up with a bow, give us its response, and then table the report. The government has to be better at accepting ministerial responsibility than it has been of late. We have seen the Minister for Lands blame his public servants and real estate agents for the fact that Nigerian scammers can sell people’s homes without their consent. We have seen the Minister for Housing blame his own department for things that have gone wrong in that portfolio. And we have seen the Minister for Education blame the Department of Education for the fact that two different versions of a sensitive report existed and were distributed.

It is not good enough for the government to blame public servants, but that is only part of a broader pattern. The Premier, whenever there is any difficulty for his government, blames the federal government or the previous state Labor government. His ministers, when they get into difficulty, blame public servants. Ministers are responsible; they are responsible for what they do and they are responsible for what they do not do. They certainly should be held responsible when we have had the two worst fires for property damage in the state’s

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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history in a period of just over 12 months, and when there have been very significant criticisms of the state's firefighting capacity and of the performance and behaviour of officials within the agency for which the minister is responsible, yet the Minister for Emergency Services apparently does nothing. That is something for which the minister has to accept responsibility. It is not good enough for him to face the television cameras and say, "I've done nothing; I don't need to resign". In fact, the fact that he has done nothing is the very reason he should be held accountable for the poor performance of the agency, as revealed in *The West Australian*. The government cannot contradict that because it refuses to table the report.

I will conclude by saying this: when the Premier gets around to tabling the report, he should table it with a major ministerial statement so that the opposition will have a chance to respond to what the government says. He should not come in here, slip it into the house at five o'clock in the afternoon or with a brief ministerial statement, and give the opposition no chance to debate this major issue. It certainly is a major issue when we have had the two worst fires in the state's history for property damage.

**Mr C.J. Barnett** interjected.

**Mr E.S. RIPPER:** Yes, these were the two worst fires in the state's history for property damage, and the Premier is refusing to provide the report to the Parliament and to the public of Western Australia.

**MS M.M. QUIRK (Girrawheen)** [3.19 pm]: This last weekend, the Minister for Emergency Services was asked by the news media whether he should resign. His response, of course, was to reject this proposition, saying he had done nothing. Well, for once, we are in fierce agreement. Yesterday, the Premier told 6PR that he was surprised about the strong line taken by Mr Keelty in the report. Both these comments, I think, speak volumes about the government's lack of appreciation and understanding of the underlying issues and policies that many have been very concerned about for some years. Both of these comments speak volumes that the lessons learned from previous inquiries have made no impact on them. If they had, they would share the concerns of many that the same findings are occurring in inquiry after inquiry without ever being properly addressed.

Today we are debating a matter of public interest, and nothing can be of greater public interest than access to a report that will shed light on aspects of the firefighting response and efforts of those fateful days in February this year. Despite the fact that the government received the report in late June of this year, we are still waiting for its release. Maybe I am naive, but I consider that a report of this import should have warranted some attention in the nine weeks or so since it was first received by government. If the government needed time to consider its contents, I would say it has had that time, yet it was only apparently considered by cabinet yesterday. That speaks volumes about the level of priority that this government places on these issues. It is not clear why we must rely solely on speculation and leaks. It is not clear what the reasons are for further delay in the release of the Keelty report. Over the past few days I have made a comparison with other state governments that have had to grapple with similar issues in recent times, and the Leader of the Opposition referred to both Victoria and Queensland and the fact that on the same day that those governments received their royal commission reports, they tabled them in Parliament. I think the example of Victoria in particular is very instructive; not only did it table the royal commission report on the same day, but also it arranged, within a fortnight, to provide an interim answer. It also arranged, in that time, a whole day's sitting of Parliament so that the report could be debated, and on top of that, it provides regular progress updates as to how the recommendations are being implemented.

So I ask the question: why is the Western Australian public being held in such contempt that the report is still being kept under wraps? What is in the report that the Premier and Minister Johnson would prefer not be released? As we have said all along, this is not about attributing blame; it is about ensuring an impartial and objective analysis of how we could do better in the future. In the absence of that report, we must speculate on its contents. We are all grateful and appreciate that no lives were lost in the February fires, but I think we need a public discussion about whether, for example, the inflexible application of a policy that property loss was a subsidiary concern may have, in fact, hampered firefighting efforts. For example, the damage to Buckingham bridge on Brookton Highway meant that additional appliances could not get in to fight the fires. When houses were destroyed hours after the fire front went through, we need to ask whether the damage could have been avoided or mitigated in some way. When those evacuated were unable to get information about what had happened to their houses, for what would have seemed like an interminable amount of time—in some cases it was days—we need to ask: could that have been done better? Just as we need to ask whether regimes to reduce fuel loads were rigorously pursued in the lead-up to last summer. Volunteer fire crews, such as those from Albany, travelled for many hours in searing heat, and when they arrived at the scene they were never deployed; the round trip took some 40 hours. We need to ask: why did this occur? We also need to ask whether taking appliances off the road to wait for fuel that never arrived could have been better coordinated. We need to ask whether current arrangements between the Fire and Emergency Services Authority and the Water Corporation for hydrant maintenance are optimal, whether the response to these fires left the rest of Perth dangerously exposed, and what contingency plans were in place. We should also be asking: does the current structure of

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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FESA assist or confound the firefighting response and efforts? Is the division of firefighting responsibility between different agencies most effective in light of the vastness of our state and the added changes climate changes present? The report must also address how resources can be best allocated. It is not unreasonable for the community to ask, since the emergency services levy has gone up by over 32 per cent for the last three years, whether that has been strategically invested and spent to reflect where the risk to resources is greatest.

All this is mere speculation, but I anticipate that the report will have much to say about the responsibility of homeowners with building codes in fire-prone areas, and on community education. In the months leading up to the fire season everyone in our community needs to understand and act on their respective responsibilities, but to do so we need to have a public debate, and to have a public debate, we really need to see the Keelty report. We need to be clear exactly what those responsibilities entail, and on the respective roles and obligations of individual groups and agencies. This report is an important catalyst for that discussion. Government can exercise leadership, or it can duck for cover. We ask: which is it to be?

That brings me to the issue of previous reports and what measures and recommendations Minister Johnson has acted upon, which is the kernel of this motion today. As I noted earlier, previous reports have iterated and reiterated what needs to be done. Although the government is clearly not responsible for the elements and adverse climate conditions, it is responsible for ensuring that the recommendations of previous reports are acted upon. It is clear that this is not the case when it comes to Rob Johnson and the Barnett government.

*Withdrawal of Remark*

**Mr C.J. BARNETT:** It is totally inappropriate to refer to the minister as “Rob Johnson”; the member knows that.

**Ms M.M. QUIRK:** I said “Minister Rob Johnson”.

**Mr C.J. Barnett:** No, you didn’t say that.

**Ms M.M. QUIRK:** I will withdraw that.

**THE ACTING SPEAKER (Mr P.B. Watson):** Member, you will refer to the minister by his proper title.

**Ms M.M. QUIRK:** Thank you, Mr Acting Speaker; I am sorry for that inadvertence.

*Debate Resumed*

**Ms M.M. QUIRK:** It is clear that this is not the case, and Minister Rob Johnson and the Barnett government —

**Mr C.J. Barnett:** So she does it again.

**Ms M.M. QUIRK:** — must take full responsibility for that not occurring.

Since coming to government, there have been a number of inquiries touching upon our firefighting capacity, notably the coronial inquest into the Boorabbin fires; several reports into the Toodyay fires, including the major incident review by consultants Noetic in August 2010; and the major incident review into the Kelmscott–Roleystone fires by Stuart Ellis, released in June of this year. The latter document recognises, at page 55, the previous work by noting, in the Toodyay management review, that FESA needed to implement measures that will ensure unity and clarity of the command.

Recommendation 2 states —

FESA and DEC take a whole of capability approach to joint operations ...

And so on. The review continues —

Recommendation 3: FESA, in partnership with other agencies and the community, develops Western Australia’s urban interface firefighting capability and capacity

Which was very important in the Kelmscott–Roleystone area. The review continues —

Recommendation 6: FESA establishes a process ... to mobilise staff to an incident —

Significantly —

incorporating pre-formed multi-agency Incident Management Teams ...

Recommendation 7: FESA maintains inter-agency relationships and arrangements ...

So what is noted by the Ellis report is that these are all recommendations of the Toodyay management review, and yet they are reoccurring in the context of the Kelmscott–Roleystone review. So, in other words, the very same recommendations that were identified in the Toodyay inquiries are still an issue in the context of current

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

---

inquiries. Those familiar with the findings of the Boorabbin coronial inquest will also recognise that similar issues were raised there.

They say the definition of madness is doing the same thing over and over again and expecting a different outcome, and that is exactly what Minister Johnson can be accused of. He endorses FESA conducting business as usual, without taking it to task on any of its performance whatsoever. That, frankly, reflects very badly on the minister and his capacity to perform the job. What is common in all of these inquiries—I suspect it will emerge when we see the Keelty report—is the enormous admiration for the courage of individual firefighters, both volunteer and career, and for police and other individuals who exercised courage, initiative, endurance and resolve in challenging and dangerous conditions. That is a given. However, we need to stress that our criticisms are about how the fires were handled, and that should not be a reflection on these individuals.

The consistent criticism, however, that I do maintain relates to management and to why this minister sits back and endorses this lack of real meaningful change. Those with an education such as mine will be familiar with the term “sins of omission”. I charge Minister Johnson with committing sins of omission, and he does so regularly when it comes to managing effective change in the Fire and Emergency Services Authority, an agency for which he is responsible.

In a joint press release with the Premier on 23 February this year Minister Johnson is quoted as saying —

The Liberal–National government is committed to continually improving the State’s preparedness for these major incidents and will welcome any input into whether anything can be done to mitigate the possibility of destructive bushfires in the future.

I simply cannot see any evidence of this so-called continuous improvement. I will make specific reference to one of the flaws that the Ellis report highlighted.

**The ACTING SPEAKER:** Excuse me. Member for Alfred Cove, you do not walk past the Chair. You acknowledge the Chair before you go through.

**Ms M.M. QUIRK:** The Minister for Education just walked past, while we are at it!

One of the flaws that the Ellis report highlighted was the need to pre-form incident management teams so that time is not wasted on the day. This is something that was mentioned in the Toodyay report but happened again in the Kelmscott–Roleystone fires. Similarly, there is a reference to the need for a greater effort in working together and for cooperation between the Department of Environment and Conservation and FESA. The sins of omission, therefore, also relate to the failure of the minister to follow the recommendations of the inquiry into the fire and emergency legislation, the report on which was handed down in 2006. The minister did enact some legislative amendments to the Bush Fires Act in 2009, which the committee recommended, but he has done nothing to change the structure of FESA, which is what I speculate will be a core issue in the Keelty report. In fact, the performance review report from the CEO of FESA states that last year FESA established an emergency services act team and that drafting instructions are being developed. In other words, nothing has been done in this term of government to enact the recommendations of the parliamentary committee, which was a very comprehensive inquiry chaired by my colleague and good friend the member for Joondalup. All these recommendations are, therefore, gathering dust under the Liberal government.

We therefore have a minister who publicly praises firefighters and will appear in photo opportunities with them while at the same time refusing to meet with their union. The United Firefighters Union has from time to time sounded alarms, for example, about the potential for fires on the urban fringe, and in one case the president of the union was disciplined by FESA for sounding a warning. It was a very prescient warning about a year before the fires occurred. I therefore have to say that FESA is shooting the messenger.

To conclude, for too long our firefighting authorities have been fighting fires with their hands behind their backs because they are not accountable to the very people they are supposed to protect and for too long have been hampered by artificial and bureaucratic impediments that are the minister’s duty to eliminate.

**MR C.J. BARNETT (Cottesloe — Premier)** [3.34 pm]: Mr Acting Speaker (Mr P.B. Watson), it will not surprise you that the government does not agree with this motion before the house. Before I talk about the fires, I want to refer very briefly to some of the natural disasters and economic events that this government has faced and how we have responded.

The first issue that we had to deal with was lead contamination in Esperance. That was an issue that occurred perhaps through neglect by the previous government, and an issue that the previous government deliberately tried to conceal and keep quiet about during the election campaign. When this government came into power, we immediately looked at the issue and immediately acted, and we have spent so far around \$30 million in dealing

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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with the problems at Esperance port and cleaning up the residences of Esperance. The opposition in government, without any doubt at all, ignored the issue and tried to hide it in the lead-up to the election campaign.

Several members interjected.

**Mr C.J. BARNETT:** The next major incident that this government had to deal with was the Toodyay fires. I was in Toodyay immediately after the fires and I can say that the efforts of the firefighters, both professional and volunteers, was absolutely superb. Not a person in Toodyay, to my knowledge, questioned the fighting of that fire. There was, of course —

**Ms M.M. Quirk** interjected.

**Mr C.J. BARNETT:** We listened to the member for Girrawheen in silence. I will sit down, as will the minister, unless she wants to have this debate.

**The ACTING SPEAKER:** Member for Girrawheen!

**Mr C.J. BARNETT:** The member for Girrawheen has a choice. We can conclude right now, as I have no interest unless she is going to listen or be quiet!

**Mrs M.H. Roberts:** You have double standards then, minister. You interjected on the member for Girrawheen.

**The ACTING SPEAKER:** Member for Midland!

**Mr M.P. Whitely** interjected.

**Mr C.J. BARNETT:** Mr Acting Speaker, what is the point?

**The ACTING SPEAKER:** Premier, if you keep provoking, you have got to expect to get it back. You just said that you are going to sit down and you are not going to answer. That is being provocative, so if you just get on with your speech, I will protect you.

**Mr C.J. BARNETT:** Good, because we listened in silence to members opposite.

**Mrs M.H. Roberts** interjected.

**Mr C.J. BARNETT:** The EnergySafety report on the Toodyay fire suggested that the fire had started around Western Power infrastructure. The report did not establish negligence, yet the opposition immediately demanded that people, whether or not they were insured, be fully paid out and all sorts of things. The state government, in conjunction with Western Power, allocated a total of \$10 million in ex gratia payments with no requirement that people were not free to pursue legal action. We therefore acted. I have to say that not everyone but most people in Toodyay are very pleased with the way in which this government dealt with that situation. I should know, because I am in Toodyay every other weekend.

The next issue was, probably following the global financial crisis, the closure of the Ravensthorpe nickel project. That created a major dislocation with some 1 500 jobs lost. This government—the Minister for Regional Development played a key role—provided up to \$5 million to keep local services going. We invested in the community and we also invested in measures to open up and improve tourist facilities in Fitzgerald River National Park.

The next issue was the earthquake in Kalgoorlie, more specifically in Boulder. Again this government acted and made \$5 million available for safety measures, restoration of buildings and the like.

The next issue was the Carnarvon floods. Again, an amount of about \$5 million was made available to assist and deal with the emergency and also rehabilitation of the sites and so on.

The most recent issue was the devastating flood in the Aboriginal community of Warmun. Again the Minister for Regional Development and the Minister for Health performed a miracle with that community to have them basically relocated into that area and to have the whole town rebuilt.

Every issue is different and every response of government is accordingly different, but this government has a good record—in fact an outstanding record—in dealing with natural disasters or economic events that cause mass disruption and loss to local communities.

With respect to the fire in the foothills of the Kelmscott—Armadale area, I am sure most members remember well that weekend when there were very hot, very strong winds. It was a very dangerous situation. I remember it particularly well. I was in the country, not that far away actually from the fires, driving and listening to the media reports coming over the radio and then the warnings. I have to say that I dreaded what I expected to hear later that day. I expected, from the nature of the reports coming through and the descriptions people gave of the conditions in that fire, that there would be a significant loss of life in that fire. It is a great relief to everyone in

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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this state that there was no loss of life and in fact only one serious injury relating to a vehicle movement. Again, along with the minister, I visited that site early in the morning following the fire. Indeed the fire was still out of control in some parts. Water bombing was still taking place and firefighters, both professional and volunteer, were out there. I remember one group of them sitting by the side absolutely exhausted, as they had worked all night. They just sort of laughingly waved but I could see that they were absolutely exhausted from the work they had been doing. In that environment, our concern as a government—as was the firefighters’—was certainly the safety of the public, and then the clean-up of the area, and to make sure that we acknowledged the efforts of firefighters during that process. From any fire, from any natural disaster, there will be lessons to be learnt. I was not impressed, I have to say, with some of the calls that were coming from various parts of the community—accusations against firefighters, this organisation and that organisation. I was very unimpressed, as an Australian, and as a Western Australian, that some of those claims were made in the aftermath of the fire, when people were still out there fighting the fires. Indeed, as the minister can confirm, there were firefighters in firefighting vehicles who went past their own homes, which were in danger of fire, to go and save the homes of others. In that environment, I do not think it is appropriate for people to be calling for blood, virtually, and recrimination the following day. That is not the way I behave; it is not the way this government behaves. Nevertheless, it was a very serious fire and there was a very large amount of property damage.

FESA undertook its major incident report. That was a matter of course; that does and should happen. The government listened to some of the issues and talked to the people involved, and it decided that there would be a full and independent review; not a royal commission, but an independent review. The fire was on the weekend of 5 and 6 February. Within two weeks of the fire, Mr Mick Keelty, a former head of the Australian Federal Police, accepted a commission to undertake that review. That was announced on 23 February; it was hardly a long delay. Of course he had other responsibilities and work that he was doing. The report was to get to the point and report quickly back to government. The report that was prepared was received by the Public Sector Commission on 16 June. So it did not come to government until around the final weeks of the last session. The Public Sector Commission, because the report related to organisations and individuals, and I guess in recognition of natural justice, made copies of sections of that report available to individuals who were mentioned in the report, and to the organisations, so that they would have the capacity to respond, to make any corrections or whatever. That happened before the report came anywhere near the government. That was a proper process of the Public Sector Commission.

**Mr E.S. Ripper:** Are you saying that no minister knew what was in the report?

**Mr C.J. BARNETT:** I am not saying anything. I am just answering. I am speaking.

Several members interjected.

**The ACTING SPEAKER (Mr P.B. Watson):** Members!

**Mr P. Papalia:** Ops normal!

**Mr C.J. BARNETT:** You’re a bunch of idiots, aren’t you! You really are!

*Withdrawal of Remark*

**Mr M. McGOWAN:** Mr Acting Speaker, whilst the Premier did not refer to a specific member, I think the use of that sort of language is offensive, and the Premier should withdraw offensive language if it is used.

**Mr C.J. BARNETT:** I withdraw, Mr Acting Speaker.

*Debate Resumed*

**Mr C.J. BARNETT:** The report was received by the Public Sector Commission on 16 June. On 17 June, the Public Sector Commission provided all, or probably parts, of the report, to the minister, FESA, DEC and some individuals named in the report simply on grounds of natural justice. The report, which was commissioned by the Premier and was to come to the Premier, did not come to me until 23 June. That was right at the very end of the last session, and that was the first time the report was sent to the Premier.

On 25 July, the report was provided to cabinet ministers and was noted by cabinet. We then made arrangements for Mr Keelty to be available to come and go through it in detail with cabinet. That happened, as members would be aware—it has been reported—on 15 August; on Monday of this week. The report, quite properly, should be tabled in Parliament. If members have not noticed, this is the first week that Parliament has been back. This week is the first opportunity for the government to table the report in the Parliament.

Several members interjected.

**Mr C.J. BARNETT:** The report went to cabinet on Monday, and this now provides our first opportunity to table it.

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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Several members interjected.

**Mr C.J. BARNETT:** Mr Acting Speaker, it is absolutely pointless, absolutely pointless.

**The ACTING SPEAKER:** Members!

**Mr C.J. BARNETT:** I am trying to get to the point, if the Leader of the Opposition would control his members. The report was noted by cabinet. Arrangements were made for Mick Keelty to be available to brief cabinet. That happened this Monday. If members want to know, for over two hours cabinet went through the report, recommendation by recommendation—a long discussion. On the advice of Mick Keelty, the minister and I are now considering some aspects of that report, and it will be tabled in Parliament this week. I do not think that is in any way sitting on the report. It will be tabled this week.

**Ms M.M. Quirk:** So what makes you different from Premier Bligh or Brumby? Why should you behave differently from Premier Bligh or Brumby, Premier?

**The ACTING SPEAKER:** Member for Girrawheen!

**Mr C.J. BARNETT:** Because they were royal commissions. This is a report to the Premier and to cabinet.

**Ms M.M. Quirk:** What is the difference?

**Mr C.J. BARNETT:** There is a big difference.

Several members interjected.

**The ACTING SPEAKER:** Members!

**Mr C.J. BARNETT:** I am going to sit down. This is absolutely pointless. Members opposite come in here with what they purport to be a serious issue, and they do not treat it as such.

Several members interjected.

**Mr C.J. BARNETT:** Members opposite can ask me questions in question time.

**Mr M.P. Whitely** interjected.

**The ACTING SPEAKER:** Member for Bassendean, I call you to order for the first time.

**Mr C.J. BARNETT:** That has been the history of this report. It was discussed in cabinet in a detailed briefing this week. This week is the first opportunity to table the report, and it will be tabled this week in the Parliament, as is correct.

**Mr E.S. Ripper:** Will you take a question?

**Mr C.J. BARNETT:** No, I will not.

The second part of the motion deals with the minister standing down or being stood down. Members opposite did not even make a case for that—there is not a case for that, but they did not even try to make a case for that. I am not going to comment in any way about the content of the report other than to say that the report does not reflect in any way whatsoever about the Minister for Emergency Services. It is not about the minister. It is about the fighting of that fire and implications that can be drawn from it. So here members opposite are again. They jump in. They move a motion against a minister that he should be stood down. They do not even have the report. They will have it this week, and when they get the report and they read it, maybe then they might form some opinion. But they are just flying a kite, throwing a knife in the dark, hoping they can have a go at the minister. The only thing I will tell members opposite about the report is that in no way does it reflect on the Minister for Emergency Services.

**DR A.D. BUTI (Armadale)** [3.47 pm]: Indeed, this fire on 6 February was a very serious matter for my local community. There are a couple of points I want to make. The fire occurred at 11.41 am on 6 February. If we take 3.00 pm today, in that period of time, six months, 10 days, three hours and 19 minutes have elapsed, and this government has done nothing to address the problems that occurred on that day. The Premier has just tried to give us a reason why the report has not been released. I think he also mentioned that it went to the minister before the Premier received it.

**Mr C.J. Barnett:** Yes.

**Dr A.D. BUTI:** If the report was commissioned by the Premier, why did it go to the minister before the Premier received it? Does that mean there is an adverse finding against the minister? If not, why did it go to the minister first?

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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I am also appalled by what has been reported in the local *Comment News*; and, if it is incorrect, the Premier has the opportunity to correct it. A question was put to the Premier with regard to stamp duty exemption. This relates to families who have lost their homes and have decided that they do not wish to build in a fire-prone area and want to purchase a home. The Premier said that he would not agree to that. He also referred it to the Treasurer, who has responded to me in correspondence. The Premier was quoted as saying that it is not like the Victorian fires, because no people lost their lives. Exactly—no people lost their lives. But people lost their properties. People lost their life memories. People lost their treasured possessions. People in my local community are appalled by what the Premier said. It just shows an incredible insensitivity to the gravity of the loss that occurred on 6 February, and the inaction by this government in not doing anything since 6 February and in not releasing the report. It has been two months since the government received the report. The government has had sufficient time to release that report. It will be very interesting when that report is released to see what it says. The Premier said it is not like the Victorian fires; people did not lose their lives. But what about the people who lost their properties? What about the people who lost their possessions? He said that he was appalled on 6 February when there was criticism of certain fire prevention exercises. I can tell him that people in my local community today are appalled by the actions of and the words that have been spoken by this Premier and the inaction of the minister and the government. It is about time that Armadale was recognised as part of Western Australia, and that the Premier and the minister look at what happened in Armadale, Kelmscott and Roleystone and address that issue forthwith. As I said, six months, 10 days, three hours and 19 minutes have elapsed since the bushfire.

**MR R.F. JOHNSON (Hillarys — Minister for Emergency Services)** [3.50 pm]: I could not believe it when I saw the matter of public interest that has been raised by the Leader of the Opposition today. It condemns me as the Minister for Emergency Services for the government's failure to make public the Keelty report into this particular fire. I think it has been explained time and again, although the opposition does not seem to understand, that this was not my report; this was the Premier's report. Of course, it is up to the Premier to table it when he has had a chance to carefully digest the report and once it has been before cabinet. The Premier explained quite clearly what happened. As opposition members are aware, cabinet did not consider this report until Monday of this week. Cabinet sat for quite a long time this Monday to give Mr Keelty —

**Mr R.H. Cook:** Why?

**Mr R.F. JOHNSON:** I am not taking interjections. Mr Keelty gave about a two-hour explanation and went through —

**Mr R.H. Cook** interjected.

**Mr R.F. JOHNSON:** Ask it at question time. Mr Keelty went through the report he has now given to the government, and quite rightly so. Questions were asked, explanations were given and comments were made. As the Premier said, the report will be tabled this week, but that is the Premier's decision, not mine. I am not in control —

Several members interjected.

**The ACTING SPEAKER (Mr P.B. Watson):** Members, give the minister an opportunity to speak.

**Mr R.F. JOHNSON:** I have no control over the tabling of this report. That is the Premier's responsibility, and that is what he will do: he will table it this week.

The opposition never lets the truth get in the way of a good attack against the Minister for Police and Emergency Services. The member for Girrawheen does it weekly, almost daily. Other members of the Labor Party do it almost as often as that. Quite frankly, members opposite have to have some sort of case and some sort of evidence. They cannot simply—

**Mr E.S. Ripper:** You're such a tempting target!

**Mr R.F. JOHNSON:** Yes, I might be. It is probably my good looks, Leader of the Opposition. I said I was not going to accept any interjections, so I apologise for accepting that one, but it sounded quite a good one.

Some of the comments that opposition members have made so far have actually related to me as the minister, a lot of them related to the Premier and some of them related to the actions of the firefighting agencies that dealt with the fires not only at Kelmscott–Roleystone but also at Toodyay and other places.

I have nothing but admiration for all our firefighters—career firefighters, volunteer firefighters and bush fire brigades.

**Mr E.S. Ripper** interjected.

**Mr R.F. JOHNSON:** The Leader of the Opposition should ask me a question tomorrow, and I will answer it.

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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**Mr E.S. Ripper** interjected.

**Mr R.F. JOHNSON:** Why did the Leader of the Opposition not ask me that question today? I have nothing but admiration for the bush fire brigades and all of our State Emergency Service volunteers. They do a fantastic job across our state. I visit them regularly, and I tell them what a fantastic job they are doing. They appreciate the support that this government has given to all our firefighters—career firefighters, volunteer firefighters and SES volunteers.

When a tragedy happens, as it did during the floods at Warmun when about 350 people were evacuated from Warmun to Kununurra —

**Mr E.S. Ripper** interjected.

**Mr R.F. JOHNSON:** I am not taking interjections; I do not want any interjections. The opposition does not want to hear this. During that tragic situation of those dreadful floods, the member for Girrawheen wanted to visit the police station in Kununurra. She did the right thing; she contacted my office, and I said, “No, it is not appropriate at the moment. The police are under enormous stress dealing with the influx of 300-odd people and the problems emanating from that.” She wanted to be entertained for an hour or two by police who were doing a fantastic job. Quite rightly, I said, “No. Go after the problems have been dealt with and people are back into their normal stable positions. Then you can go and visit the police station and be entertained for an hour or two.” Wherever the member for Girrawheen goes, she leaves a wake of discontentment. The member for Girrawheen keeps accusing me of not doing anything in my portfolio area. The Leader of the Opposition almost certainly implied that as well by signing this dreadful, inaccurate and ridiculous matter of public importance.

What have I done? Let me just say what the opposition members did not do. Do members opposite remember this report, “Inquiry into Fire and Emergency Services Legislation”? This was the report of a committee chaired by an opposition member, the member for Joondalup. The then government had the numbers on that committee. In all fairness to the member for Joondalup, I think he did a very comprehensive job. It is a huge report; there are 88 recommendations. That was tabled in the house in October 2006. What happened to it? It went on the shelf and gathered dust. Nothing at all happened to it until we came into government. I hit the ground running, because I took this report and said, “We’ve got to implement some of these recommendations. Some of them are very serious.” I compliment the member for Joondalup for chairing the committee. I think it did a very worthwhile report. What did I do? Within a month or six weeks of becoming a minister, I took recommendations to cabinet, and I got cabinet endorsement to fulfil the most critical recommendations contained within the report. That is what I did within six weeks of becoming the minister. I made amendments to the Bush Fires Act.

Several members interjected.

**Mr R.F. JOHNSON:** I understand that the Premier gets frustrated with all the interjections from some of the members opposite, who do not want to hear the truth. They hate the truth. They say, “Never let the truth get in the way of a good story or a good attack on a government minister.” That is what we have seen today. Today we have seen a motion that condemns me because I did not release the report that was commissioned by the Premier. The Premier commissioned this report. It goes to cabinet, as I have explained to opposition members; that is what happens.

**Mr E.S. Ripper:** So you blame him?

**Mr R.F. JOHNSON:** No, I do not blame him.

**Mr J.N. Hyde** interjected.

**Mr R.F. JOHNSON:** I would respond, but I am not taking interjections; they are rather inane. The Premier has already covered many of the areas. What do we say? The opposition is asking for me to be stood down. What have we heard? We have heard a speech that was probably co-written by the United Firefighters Union, because I recognise some of the comments. I have said before that she is just a mouthpiece of that particular union. The union thinks I should resign; that is what it said. What did it say about the former minister? I am sure he will not want me to tell members this, but an article of 5 April 2008 was entitled “Minister must go, say firefighters”. Who was the minister then? It was the member for Balcatta, and that is what the union said. Another article, headed “Lives, homes put at risk, firefighters say”, attacked the then Minister for Emergency Services. Who was that? It was the member for Balcatta. An article headed “Fire alarm” stated —

People will die in Perth’s inner suburbs because there’s not enough firefighters, their union has warned.

It was another attack on the then minister. Let me read a quote. The union said that the member for Balcatta was negligent and a liability to the state. According to my notes, former union secretary David Bowers stated —

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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We've been trying to tell the Government, but no-one's listening. Kobelke does not care. In his words, I should shut up and just go away he doesn't care.

That is a direct quote. That is what David Bowers from the UFU said about the former Minister for Police and Emergency Services. Did he stand down? Did the member for Girrawheen stand down when she was under attack in relation to a certain area in her portfolio? No, she did not.

**Ms M.M. Quirk:** There was never a motion moved that I should resign.

**Mr R.F. JOHNSON:** Many people thought she should have resigned.

What have I done? I have done quite a bit since I have been the responsible minister.

**Mr E.S. Ripper:** Why has Keelty found all these problems if you've been so active?

**Mr R.F. JOHNSON:** We can always do better. Everyone can do better. The Leader of the Opposition could do a lot better. Alannah MacTiernan thinks so. She has said it many times. She has become the Labor Party's new spokesperson. She seems to cover every portfolio there is in the Labor Party these days.

**Mr F.M. Logan:** She did in government.

**Mr R.F. JOHNSON:** I know she did. She is even worse out of government. She is becoming a celebrity. She really wants the top job in the Labor Party.

**Mr E.S. Ripper:** Come back to the issue.

**Mr R.F. JOHNSON:** I certainly will.

**Mr E.S. Ripper:** What have you actually done since the Toodyay fire and why was Mr Keelty so critical of FESA if you've been on top of your game?

**Mr R.F. JOHNSON:** I have done quite a bit since then.

**Mr E.S. Ripper:** You can't find the briefing note.

**Mr R.F. JOHNSON:** No, I am just trying to make sure I have them in the right order. I am aware of all the different reviews that have taken place. I know what has been dealt with and approved and what may be still ongoing. There is hardly anything ongoing now. From all of the reviews that have taken place into the devastating —

**Ms M.M. Quirk:** What have you done?

**Mr R.F. JOHNSON:** I will tell the member what I have done. I instigated and initiated an interdepartmental agency committee incorporating —

**Mr E.S. Ripper:** An IDC?

**Mr R.F. JOHNSON:** Yes; I did this last year. It incorporated FESA, DEC and local government so they would work more closely together. They have been meeting for some time. They have formed subcommittees, all at my direction basically. There have been problems with our firefighting agencies for decades. They occurred under the Labor government. The opposition is fully aware of that. In nearly eight years it did nothing about it whatsoever—a big zero. That applies to most things that happened when it was in government. Zero; that is what the opposition did. It did not address any problems. I have set up that committee since I have been the minister, and I have done many other things. I have secured massive funding for firefighting equipment for FESA by making sure we guaranteed two type 1 helicopters. We have four helitacks. DEC has the water bombers. We spent record amounts of money—\$128 million—for services and equipment for our firefighters. A total of \$26 million or \$28 million was spent to increase the number of career firefighters to 102 over this period. There are other amounts of money. I am very happy to give them to members but I know that one of my colleagues would love to take part in this debate. I am sure that this will not be the last debate we will have on this issue. There is no substance to this motion whatsoever, and we will certainly reject it.

**MR J.M. FRANCIS (Jandakot) [4.04 pm]:** A couple of years ago I joined my volunteer fire brigade out at Jandakot as a volunteer firefighter. I got pretty involved with it. In the past couple of years I have seen firsthand from the front-line how the Fire and Emergency Services Authority interacts with the Department of Environment and Conservation and how the red trucks work with the white trucks. I have been fairly vocal in some of my criticisms of FESA. I think *The West Australian* has even reported some of my comments when I criticised FESA for certain things. I do that because I do not think that this issue should be a party-political issue.

I will make one point about this motion. I notice that the member for Rockingham did not speak on this motion. The Leader of the Opposition made a very important point when he criticised the government for sitting on the

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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Keelty report and using cabinet-in-confidence as an excuse to do it. I had a quick look at the record of the Labor government during its last couple of years and some of the reports it sat on. This is why the member for Rockingham was too gutless to speak on this issue. The previous government sat on Dawn Casey's "Report of the Review of the Department of Indigenous Affairs" for eight months and used the excuse of cabinet confidentiality not to release it. It sat on the Sanderson report, which was released at the same time, for 10 months. It also sat on the Twomey report—this is the member for Rockingham's golden child—for seven months. I ask the Premier: How long have we had this report? Has it been two months? We have had it for two months. We should look at the excuses the Labor Party used for not releasing the Twomey report. A newspaper article dated 26 April 2008 states —

Education Minister Mark McGowan came under renewed pressure yesterday to release a five-month-old report hailed as the solution to WA's alarming teacher shortage ...

...

Mr McGowan said the report, which was completed by teacher shortage task force chairman Lance Twomey late last year, would be released publicly once Cabinet had considered it.

It is okay for the Labor Party to do it in government but it is not okay for us to consider it in cabinet. Is that what it is saying? It now has a totally different view. The article continues —

But Mr McGowan yesterday blamed the five-month delay on the State Government's moves to develop a comprehensive response to the report before it is released.

On 10 June 2008, another article states —

There are two possible reasons for the failure of the State Government to produce the Twomey report into WA's alarming teacher shortage. One is that Education Minister Mark McGowan has not had the political skill or clout to ensure that the report made its way through Cabinet in the six months since it was handed down.

The former government sat on that one for seven months. Seven months later we were still calling for the government to release the Twomey report. The reason the then minister gave for not releasing it after seven months was cabinet confidentiality.

I have a newspaper article headed "Cabinet secrets a ruse to hide bad news, say MPs". The Labor Party was the party of cover-ups and sitting on reports. It made the trade of sitting on reports in cabinet a work of art; it mastered it. One reason the Labor Party lost government is that it sat on reports time and time again.

I will leave members of the opposition with a great quote from Andre Gide, who won the 1947 Nobel Prize for Literature. He said, "The true hypocrite is the one who ceases to perceive his deception, the one who lies with sincerity". Members of the opposition should listen to that quote and learn from it. There is a lot of hypocrisy in this Parliament right now. When it comes to governments sitting on reports, those opposite mastered it.

Question put and a division taken with the following result —

**Extract from *Hansard***  
[ASSEMBLY — Tuesday, 16 August 2011]  
p5850f-5862a

Speaker; Mr Eric Ripper; Ms Margaret Quirk; Mr Colin Barnett; Mr Mark McGowan; Dr Tony Buti; Mr Rob Johnson; Acting Speaker; Mr Joe Francis

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Ayes (26)

Ms L.L. Baker	Mr J.C. Kobelke	Mr J.R. Quigley	Mr P.C. Tinley
Dr A.D. Buti	Mr F.M. Logan	Ms M.M. Quirk	Mr A.J. Waddell
Ms A.S. Carles	Mr M. McGowan	Mr E.S. Ripper	Mr P.B. Watson
Mr R.H. Cook	Mrs C.A. Martin	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M.P. Murray	Ms R. Saffioti	Mr D.A. Templeman ( <i>Teller</i> )
Mr J.N. Hyde	Mr A.P. O’Gorman	Mr T.G. Stephens	
Mr W.J. Johnston	Mr P. Papalia	Mr C.J. Tallentire	

Noes (30)

Mr P. Abetz	Mr V.A. Catania	Dr G.G. Jacobs	Mr C.C. Porter
Mr F.A. Alban	Dr E. Constable	Mr R.F. Johnson	Mr D.T. Redman
Mr C.J. Barnett	Mr M.J. Cowper	Mr A. Krsticevic	Mr M.W. Sutherland
Mr I.C. Blayney	Mr J.H.D. Day	Mr J.E. McGrath	Mr T.K. Waldron
Mr J.J.M. Bowler	Mr J.M. Francis	Mr W.R. Marmion	Dr J.M. Woollard
Mr I.M. Britza	Mr B.J. Grylls	Mr P.T. Miles	Mr A.J. Simpson ( <i>Teller</i> )
Mr T.R. Buswell	Dr K.D. Hames	Ms A.R. Mitchell	
Mr G.M. Castrilli	Mr A.P. Jacob	Dr M.D. Nahan	

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Pair

Mr M.P. Whitely

Mrs L.M. Harvey

Question thus negatived.