

Mr Tony Krsticevic; Mr Fran Logan; Mr Eric Ripper; Mr Mark McGowan; Mr Rob Johnson; Acting Speaker;
Mr Tom Stephens; Mr Colin Barnett; Mr Bill Johnston; Mr John Kobelke; Mr John Quigley; Mr Paul Miles; Mr
Vincent Catania; Mr Martin Whitely; Dr Janet Woollard; Mr Joe Francis; Mr Paul Papalia

PREMIER'S STATEMENT

Consideration

Resumed from 24 February on the following question —

That the Premier's Statement be noted.

MR A. KRSTICEVIC (Carine) [9.13 am]: I rise today to reply to the Premier's Statement and in doing so take the opportunity to highlight some of this government's outstanding achievements over its first 17 months in office. As we all know, our first year of government has coincided with the global financial crisis. The Liberal-National government's priority has correctly been to protect the state's finances against the impact of this horrendous economic downturn. I am glad to hear that the Liberal-National government will continue to make decisions that build confidence, attract nation-building investments, create jobs and set up the Western Australian economy for a prosperous future—something that the previous Labor government was unable to do during eight years of massive budget surpluses in what was referred to as a once-in-a-lifetime economic boom. The fact that we were able to deliver a surplus budget last year is a credit to our government.

Several members interjected.

The SPEAKER: Thank you, members!

Mr A. KRSTICEVIC: I am sure that our strong economic credentials will continue to benefit this great state and the people of Western Australia. The government has amazingly ensured that our great state has retained its AAA credit rating.

The Liberal-National government not only supports strong economic growth, but also has an exceptionally strong focus on delivering a strong social and environmental policy agenda. Significant initiatives include: improvements in community safety; priority for mental health services; greater independence for some of our public schools; strengthening the independence of the Environmental Protection Authority; nominating the Ningaloo coast for World Heritage listing; investing \$12.5 million in the development of a demonstration wave power station near Garden Island; and taking steps to protect the Gnangara groundwater system. Western Australia is again entering a period of growth driven by both government and private sector projects including the Gorgon gas project, the Ord River project, the Oakajee port and rail project, the Browse liquefied natural gas precinct in the Kimberley, sinking the rail line and the bus station, a new city square, the waterfront development, the new children's hospital on the Queen Elizabeth II Medical Centre site, construction of Fiona Stanley Hospital, and much more.

The government has listened to the community and streamlined approval processes; reduced the backlog of mining tenement applications by more than one-third; finalised more than twice the number of environmental appeals; doubled the rate of planning approvals; begun the process of dramatically reducing the number of boards and committees; completed an investigation into how the government can minimise bureaucratic red tape for business and the community; started implementing a four-hour rule in metropolitan and regional hospitals; and appointed the state's first Minister for Mental Health. This visionary government has learnt from the past and seen the need to develop regional cities that will continue to underpin our state's economic future. The government has committed \$300 million to create liveable cities and communities in our state's north.

Much of the legislation that the Western Australian Parliament passed last year was related to improving community safety. We were given a clear message at the last election that Western Australians were sick and tired of the soft-on-crime approach under the previous Labor government. People were tired of criminals being given an automatic one-third discount on their sentences. They were tired of people assaulting police officers without serious consequences and they were tired of hoons and graffiti vandals. In reality, they were tired of a lazy and arrogant Labor government, which had stopped listening to the community. In the first full year of the Liberal-National government there has been an 8.5 per cent drop in overall reported offences. This means there were 18 000 fewer offences under this government—18 000 fewer victims of crime. I would personally like to thank the Minister for Police and the Attorney General for their outstanding contributions in this area. I am also happy to hear that the government is on track to deliver on its election commitment of 500 additional police personnel and 200 civilian staff. Construction of the Perth police complex is also underway and country police stations closed by the previous Labor government have been reopened. I am happy that the government is also investing \$655 million to deliver more than 1 600 additional prisoner beds and that work has started on an important rehabilitation facility for 18 to 22-year-old offenders.

I believe that the record of the Liberal-National government to date shows that it has made and will continue to make the hard decisions in the interests of all Western Australians. I commend the Premier for his vision and

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commitment to the people of Western Australia. If the new member for Willagee is looking for leadership, then maybe he should stop looking within his own party and look across the chamber at a true leader who makes the hard decisions and delivers effective outcomes for the community.

Mrs L.M. Harvey: He's not here.

Mr A. KRSTICEVIC: That is a shame.

I will now say a few words about my beautiful electorate. The electorate of Carine is lucky to have a number of environmental reserves within its boundaries that have been set aside as areas of significance for the community to enjoy both now and in the future. As the member for Carine, it has been my privilege to work with the environmental groups that have been set up to help maintain and protect these reserves and today I would like to pay tribute to some of the achievements they have made in this area.

In March this year the Star Swamp bushland will celebrate 25 years since it was made an A-class reserve. Star Swamp Reserve lies between North Beach Road, Marmion Avenue and Beach Road in North Beach. Its 96 hectares feature tuart, jarrah, marri and banksia woodlands, and in the western section is Star Swamp, which is a semipermanent wetland. The northern suburbs were being developed very fast in those days and members of the community were becoming concerned that important nature reserves and wetlands were being lost in the process of building endless suburbs in the north. One of my predecessors in this house, Hon James Clarko, who was the member for the North Beach area from 1974 to 1996 was an intrinsic part of this process, first with the support of the ratepayers association, then as a local councillor at the City of Stirling and later as a member of Parliament. Hon Jim Clarko was the first to propose that this area be set aside as a permanent passive park and over time he managed to have several pieces of land from local government and state government departments allocated for that purpose—that was the beginning of Star Swamp. Therefore, his contribution was very important indeed.

The Friends of Star Swamp Bushland group has also been in existence for 25 years and I acknowledge the fantastic work that all its members, past and present, have done to help protect this valuable community resource. The location of our current day Star Swamp was an area that had been designated to be developed as a housing estate. However, it was saved from the bulldozer and that fate, with the help of a group of local residents under the auspices of the Trigg–North Beach–Waterman ratepayers' association. They took strong action in 1976 to have the area preserved as natural bushland. The local community rallied behind the group and a series of public meetings followed at which respected scientists, local politicians and prominent citizens spoke in favour of the proposal, and a petition of more than 2 000 signatures was put to Parliament. Community activities such as the first lupin pulls and rubbish clean-ups were organised, and tree plantings in the more degraded areas were undertaken. It took a lot of argument, negotiation, lobbying and hard work but nine years later the 96-hectare area was gazetted as an A-class reserve in March 1985 with management responsibility vested with the City of Stirling. The Friends of Star Swamp Bushland was formally established at a public meeting at the City of Stirling in July 1985 to represent the community in the management of the Star Swamp Bushland Reserve. Over the past 25 years, the friends group has sat on various City of Stirling management advisory committees and working groups, and has conducted a regular program of community activities. These now include monthly morning guided walks and biannual nocturnal walks, regular weeding and clean-up activities, the annual lupin pulls, member meetings with guest speakers, presentations to conferences and environmental group meetings, and lobbying on behalf of the bushland whenever it seems that action is needed.

I wish to pay credit to Christine Curry and David Pike—two people who have been involved for many years with the Friends of Star Swamp Bushland. I am sure that they in turn would want to pay credit to the many people who work with them. People who show leadership and commitment, as David and Christine have shown, are important because they help to inspire the involvement of others. The Friends of Star Swamp group were also actively involved in the development and ongoing management of the Henderson Environmental Centre that operates out of Star Swamp. However, today I would like to pay credit to a local lady from North Beach whose generous donation towards the end of her long lifetime is what really helped to make the Henderson Environmental Centre a reality.

Mrs Joyce Brushfield was a part of the North Beach community for over 70 years. She was the postmistress of North Beach and a tireless worker in the Anglican Church. She never hesitated to help the needy in her community. Affectionately known as “Joycie” to all who knew her, Joyce Brushfield decided to leave her entire estate to charity. However, in discussion with Hon Jim Clarko, Joycie agreed to help fund an environmental centre to be built at Star Swamp. The proposed plan was submitted to the City of Stirling and Joycie contributed \$150 000—nearly a third of the project's cost—towards the building. Many people associated with Star Swamp

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and Henderson Environmental Centre may not even be aware of Joycie's contribution. There is no mention of her name on the centre's website, which I think is a real shame. The name of the centre, the Henderson Environmental Centre, is in fact a tribute to Joycie, whose maiden name was Henderson. By asking for the centre to bear her family name, she wanted to pay tribute to her mother and their long-term family connection to North Beach. I am working with a number of community groups and the City of Stirling to see if we can further enhance the activities of the Henderson Environmental Centre. The aim is to turn it into a central hub for the City of Stirling and northern suburbs environmental education and management activities. I hope to bring a further report to the house on this in the future.

A full program of activities is planned to celebrate the twenty-fifth anniversary of Star Swamp Bushland Reserve. This will be held on Sunday, 28 March commencing at 11.00 am at Star Swamp Bushland Reserve. It is hoped that this will continue to spread the word about this unique and beautiful piece of urban bushland. All members are invited to make the trip to North Beach to join in the celebration.

I once again acknowledge the outstanding achievements of the Liberal-National government over the past 17 months. I look forward to an exciting year ahead. I have no doubt that when people are asked to name three things that this Liberal-National government has achieved, they will be able to name 30 at a minimum. We achieve results by rolling up our sleeves and actually doing, rather than just talking.

I have a few concerns about federal issues. As we all know, a major problem has occurred in Australia and Western Australia relating to the federal government's rollout of insulation by Peter Garrett and Senator Mark Arbib. I think it is a real disgrace that no-one has taken responsibility for this debacle and the fact that four people have died, 93 houses have burnt down and tens of thousands of houses have been put at risk. Millions of dollars of taxpayers' money has been wasted, and will continue to be wasted, as we try to deal with this issue. This Parliament should condemn those particular members of Parliament at the federal level for what they have done to the people of Australia and the fact that, more importantly, they are not taking responsibility and admitting their mistakes in trying to resolve this issue. I think that is a real disgrace, especially in current tough times.

The other thing I am very disappointed about relates to Senator Stephen Conroy. He is to give the billionaire TV owners \$250 million off their fees. He is basically giving them a huge discount on what they would normally pay. Two hundred and fifty million dollars is a lot of money. I am not sure of the full facts. From what I read in the paper and from what I hear, he went on a ski trip with certain people and, after that, made an announcement that amounted to a \$250 million discount. When I listen to the opposition in this place talk about financial management and investing in all the priorities that are out there, I ask myself: how can the federal government be giving away \$250 million to billionaires when we need that money for our hospitals, for our schools and for border protection? There are so many areas where this money could be used, yet we give it to the people who do not need it.

The other federal concern I have relates to boat people. Today, another boat arrived; that is 15 boats this year—close to 2 000 people. Again, the federal government is not taking this issue seriously. It is an issue that will impact on the finances and future of Western Australians. We need to be involved in this debate. This is a snippet of some of the major concerns out there. I am very disappointed that our opposition Labor Party is not voicing its concerns about these issues and the problems that it is creating not just for Western Australians but for Australians at large. I expect, as a minimum, the member for Armadale to condemn some of her federal parliamentary colleagues considering she wants to get into federal Parliament. If she remains silent on these issues, that will also be a disgrace. It is pretty obvious that the problems have been created by an arrogant Labor government that is on a spending spree.

On that spending spree: the federal government launched the Investing in Our Schools program. It is a fantastic program. However, it is disappointing that the federal government has restricted what schools can do with that funding. The federal government has given schools three choices about what they can build. I know of one particular school—which I will not name—that is going to demolish a perfectly good assembly area to build a perfectly good assembly area. I think that is a shame. That school has basically said to me, "We have no choice. We either build this or we lose the money; so we may as well build it." It is on the table. There are so many schools out there that have that same dilemma. As a state government, together with the opposition, we should be voicing our concerns about that. We should not be wasting the limited funds that we have during these hard economic times. We should be investing in nation-building ventures that will lead us into prosperity in the future.

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In Western Australia we talk about going through another—I do not want to use the word “boom”—sustained growth in the resources area. Would it not be better for the federal government to invest in infrastructure to support that sustained growth? Over the past eight years we saw that within the resources sector there were gaps in its ability to get the resources out of the ground and overseas. It is pretty obvious where we should be investing the funds, but unfortunately, again, nobody seems to care about that. I am not sure what the Labor government is doing at a federal level but I do know it is creating huge debt. Frequently over the past 17 months we have heard the opposition talk about the debt of the state government and the debt we are building up in Western Australia. I can tell members that it is not even a dot on the radar compared with the debt position that the federal government is putting us in. Unlike the federal government, we are investing in projects that are building this state and building this nation. No doubt the federal government is hoping to live off the back of Western Australia to pay off this ridiculous debt that it is building up. It is a real disgrace from that perspective.

The Premier has, along with the federal government, initiated some very, very good projects—Oakajee amongst others. That is a credit to his vision. His ability to negotiate with the Labor federal government has enabled us to get constructive, positive and worthwhile projects off the ground here in Western Australia. It is a pity that other states, especially New South Wales, are not able to pull themselves up, shake themselves off and care about the people they represent and the people they lead. The member for Willagee was talking about leaders and followers. There are many state governments around this great country of ours that are a long way behind following the people, and that is an absolute disgrace. I hope that at the next state elections those people have a look at what is actually happening and make the appropriate decision.

MR F.M. LOGAN (Cockburn) [9.29 am]: We have heard a lot from the government about it being a government of action, and we just heard again from the member for Carine: “We are a government of action.” It is a nice, throwaway catchphrase: “We are a government of action; we are not about talk; we are about doing.” It is a great media throwaway line. If we get past the smoke and mirrors for a bit, though, and clear that mist to see exactly what is happening with the government, it is disappointing. I say that not just as a Western Australian, but also as a member of the opposition.

I must inform the house that I was very disappointed at the Premier’s Statement this year. His statement last year had a bit of spice and a bit of bite in it. This year the Premier’s Statement appeared to be very flat and a repetition of many things that he said last year. Members can check *Hansard* of last year, but I think they will find that a lot of things the Premier said the government would do in the forthcoming year are the same things he said the government would do last year. That, I say, both as a member of the opposition and as a Western Australian, is very disappointing because it says to me that after almost 16 months of office the government has not thought through exactly where it wants to go. Where is the vision for Western Australia, not just for the rest of the government’s term? Obviously the government believes it will have a lot more terms than just one, but where is the vision for Western Australia from this government? What does the government want to do in Western Australia in its term of government? What benefits do government members want to take out of the boom and leave not only for their families, children and grandchildren, but also for the whole community of Western Australia? No description has been given of the government’s policy and no vision has been given in this house of where the government actually wants to go. What type of community does the government want to build? What type of infrastructure does the government want to invest in? Government members talk a lot about investing in infrastructure, but if we go back to the detail of what the government is investing in, we can see that it is continuing to invest in infrastructure that we as a government had already put in place. When Labor was in power, we put those plans in place.

Dr J.M. Woollard interjected.

Mr F.M. LOGAN: The member for Alfred Cove will have her time in a minute.

When I get invited to the opening of projects by the government, it is wonderful. But what the government is doing is opening up projects that were all underway and endorsed by the previous Labor government. The floating dock at the Australian Marine Complex is fantastic; it is magnificent. Wonderful things were said by the government about what it intended to do with the floating dock and the jobs that would be created. But why is it there? It is there because the previous government initiated it. We could see that it was needed for Western Australia and we put it into place. The Australian Marine Complex was one part of a four-pronged industrial strategy for Western Australia. That is what we were doing. I have not heard anything apart from, “Isn’t it great for Western Australia; we are a government of action.” I have not heard anything more than that from the government about where it wants to go.

What is the government’s industrial strategy? What is its mining strategy? What is its health strategy? Our health strategy was in the Reid report. The government is implementing the Reid report—wonderful, fantastic—and

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continuing the work that was initiated by Labor, albeit the report has been chopped around. At least it is initiating a significant part of the Reid report; however, where beyond the Reid report will the government go?

Another example of the wonderful work and action that is happening in Western Australia is the dredging of Fremantle harbour. The whole plan for deepening Freo harbour was initiated by Labor and has been put into place by the Liberal–National government. That is great; it is continuing to do it. I think Freo harbour is stuffing it up a fair bit, given the plume that is coming out of the harbour and going up the river. I am sure the member for South Perth has seen it.

Mr J.E. McGrath: It is shocking!

Mr F.M. LOGAN: It really is shocking. I have actually seen that plume go right up the river; it is atrocious.

The government is opening new schools both in my electorate and other members' electorates. Were the contracts signed off in September 2008? Of course they were not; they were signed off well before that. There will be a grand fanfare for the opening of the new theatre, there will be a grand fanfare for the opening of the Perth Arena and there will be a grand fanfare for the opening of the new office block for the public sector in Beaufort Street—all projects that were initiated by Labor, as these projects take a long time. There is all this criticism from government members that we were a government that did not do anything. Let us look at Fiona Stanley Hospital. How long does it take to build a house? If I started tomorrow to replace a house with a brand-new one, it would take a year to go through all the planning approvals and various things like that. If I got it built in a year, I would be very lucky.

Mr A. Krsticevic: Not unless it was a two-storey mansion.

Mr F.M. LOGAN: I agree with the member for Carine. I have been trying to get some stuff done to my house; it has been a nightmare. It has been in process for more than a year and I still have not had the builders go in.

Ms R. Saffioti: Use my cousin!

Mr F.M. LOGAN: Ha, ha!

Dr G.G. Jacobs: Maybe they think you won't pay them!

Mr A. Krsticevic: Pay a decent wage and they'll come!

Mr F.M. LOGAN: Ha, ha! Is it going to be a union site? Just to build a house, if people are lucky, they will get away with it in two years.

How long do government members think it takes to build a \$1 billion hospital? A hospital is one of the most complex pieces of construction we could ever find. It is a very complex building because of all the services that go into it. The planning and design alone take years. The criticism from the government of Labor was: "You've been working on this Fiona Stanley Hospital for all these years and you haven't even turned a sod of soil." That is not surprising. Have members seen the drawings? The drawings and all the approvals for the hospital alone would probably fill this room. It is a complex building. I say that to the government because if it is genuine about wanting to build a new Jerusalem in Western Australia and it has a vision for Western Australia that will benefit from the boom, it had better start planning now, because in my experience as a government minister the finalisation of a major project takes years and years. It takes that length of time because such projects are big, complex, multimillion-dollar projects.

I would like to hear from the government about what it plans to do and less of the rhetoric about it being a government of action. I would like the government to tell us what action exactly it intends to take in the next three years of office—that is what should have formed the basis of the Premier's Statement—and why it wants to take that action. Where does the government want to take Western Australia? So far all we have seen from the current government when it comes to action is action on law and order. The hoon law has primarily blown up in the government's face, which has embarrassed the Minister for Police no end. Members opposite might recall that the government insisted that the stop-and-search legislation had to be through Parliament by Christmas. These laws were going to be put in place in Fremantle and Northbridge. The government's argument was that they had to be through both houses of Parliament before Christmas because the government wanted to use this legislation over the Christmas period. What happened after the legislation got through the Legislative Assembly? It went to the Legislative Council and was referred immediately to a committee. Why was that? It was because the Premier and his minders realised that this piece of legislation was not going down well with the public—another stuff-up by the Minister for Police. That is an example of a government of action, is it? If members opposite truly want to be a government of action, they have to go beyond being administrators. Being a minister can be quite easy if all the minister wants to do is sign papers, take advice from the department and go along with whatever the department tells him. It is a relatively easy life; it is nice and quiet for ministers who do that.

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The minister has no argument with the department because he is not giving it any instructions or showing vision. The minister is not dealing with the press because there are no problems; he can be just a manager. Simply managing government departments is not being a government of action. A government of action not only takes action and invests in major projects to the benefit of the community, it also explains why it is doing that.

The government of the day should provide leadership by explaining the vision for the whole state of Western Australia and how it intends to use some of the benefits that may come from a mining, oil and gas bonanza. Will it spend that money on projects that benefit Western Australians for generations, if not centuries, to come? That is how a true government of action works. I put it to members opposite that that is exactly what the Gallop and Carpenter administrations were about. If it was not, what are present government ministers doing every day opening up the projects that were started under Labor? All the projects they are opening are ones that started under Labor. This is not a government of action; it is a government of managers—of administrators. Members opposite have to get beyond that. I refer to some examples of what ministers have done so far, particularly from my perspective as shadow water minister—unfortunately the Minister for Water has just left the chamber. However, with all due respect to my colleague the member for Esperance, the Minister for Water, I ask: is the minister, as a member of the government, a man of action? He has taken some actions all right; he has cut \$600 million from the Water Corporation's capital works budget. He has cancelled the entire infill sewerage program for the whole of Western Australia, with the exception, of course, of Spearwood and Coogee after he generously put that money back into his own capital works projects and after I asked him so kindly to help look after the poor burghers of Spearwood and Coogee.

Dr G.G. Jacobs: Which I did.

Mr F.M. LOGAN: I know; I am thanking the minister for that. A couple of times in this place I put it kindly to him that he should do that because it would help those poor people. Eventually he did. I just feel sorry for all the other people who are not getting the infill sewerage—the people of Mt Barker and the people up there in —

Mr J.R. Quigley: Quinns.

Mr F.M. LOGAN: Quinns Rock.

Dr J.M. Woollard interjected.

Mr F.M. LOGAN: Also the people in Alfred Cove. The member for Alfred Cove —

The SPEAKER: Order!

Mr P. Papalia: It was a big issue when Labor was in government; now she is invisible.

Dr G.G. Jacobs: If you had continued with the \$80 million project, it would have been finished by now.

Several members interjected.

The SPEAKER: Order! Thank you, members. I know the member for Cockburn is very sincere in what he is saying and we believe that other members in this place are also sincere. But this is the member's opportunity; it is his right of reply.

Mr F.M. LOGAN: I thank you for your protection from this rabble, Mr Speaker! It is unfortunate that the member for Alfred Cove is squawking like that about infill sewerage in her electorate.

Dr J.M. Woollard: Booragoon is now connected.

Mr F.M. LOGAN: It was prioritised. Rather than running around issuing press releases, if she were to actually talk to the Water Corporation, she would realise that the Water Corporation put her area, Alfred Cove, at the bottom of the list because of the cost involved in laying infill sewerage there. It did that for the same reason it delayed the project at Coogee and Spearwood. Through the good work of the residents of Coogee and Spearwood and the kind generosity of the minister, after being asked a couple of times —

Mr P. Papalia: Howard Sattler might have had a little bit to do with it.

Mr F.M. LOGAN: Howard Sattler had a little bit to do with it, as did Geof Parry. Anyway it has now been agreed to. However, I come back to the original point I was making; I am concerned about the difference between a government of action and one of administrators. With all due respect to the Minister for Water, I know times are tough and that he was asked by the Treasurer to cut his budget, but at the end of the day, as a minister, he must show guidance, vision and leadership for the Water Corporation. That organisation will say to him, as I know it has, "We're a government business and you're just the number one shareholder; you really can't interfere with what we do." That is a load of rubbish. The minister should not let them hoodwink him. It is a

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government company that he is responsible for. When things go pear-shaped, it will not be the chief executive officer who takes the flak; it will be the minister. Because of that he must drive the organisation; he must tell the department what he wants. He should not sit back and say, "Look, we've got a report on the Gnangara mound; eventually we will get around to doing something about it. We have a report on the future of water to 2030; eventually we will get around to doing something about it." The minister has to do something about it; he has to drive the change; his policy officers and his government have to come up with a vision for this state's policy on water beyond desalination plant No 2. He must do it; he cannot continue to rely on his public servants. He has to show vision and set the policy guidelines. So far we have seen absolutely nothing.

There are two other areas on which we have seen nothing happen: One is the Hope Valley–Wattleup area in my electorate—latitude 32. It is the biggest industrial estate in the whole of Australia, comprising 1 400 hectares of industrial land. What has been done there? Absolutely nothing. Money has been spent buying houses and all but six houses have been knocked down. Now is the time for vision and leadership for what should happen with that giant area of industrial land. In his inaugural speech the new member for Willagee gave an example of what could happen in that area, yet he is only a new member of this house. At least in the next 12 months—this government has only three years of this term left—we hope to hear an explanation about where the government wants to go in the rest of its term. What vision does it have; what does it want to develop? We certainly did not hear that from the Premier in his statement. We heard a repeat of last year's statement. If members go back and check the *Hansard* they will see that he referred this year to many things that he mentioned in his statement last year. It was not a stimulating, inspiring speech showing leadership and the direction this government wants to take in Western Australia. I will therefore move the following amendment to the Premier's Statement.

Amendment to Question

Mr F.M. LOGAN: I move an amendment to the question that the Premier's Statement be noted —

That the following words be added after "noted" —

and that the house condemns the Minister for Police for misleading either the house or the public on the origin of the government's stop-and-search laws and requires the minister to provide a full account to the house of the true position on this matter

MR E.S. RIPPER (Belmont — Leader of the Opposition) [9.50 am]: I support the amendment to the question. This is a very serious issue. It goes to the credibility of a senior minister in the state government. That senior minister has told one story to the media and another story to the Parliament. A long-time observer of politics has made the assertion, which I agree with, that credibility is a politician's only asset. That is an asset that the Minister for Police has squandered through the way in which he has dealt with this issue. Let me go to the direct contradiction in the minister's statement. The minister is reported in *The West Australian* as insisting over a week that the controversial legislation was introduced following requests from police. *The West Australian* quotes what the minister told ABC radio as follows —

... I had meetings with the Commissioner as I do almost on a weekly basis, and the Commissioner put to me, in the presence of the deputy and other people, that stop and search laws as before the parliament at the moment, would be an extremely useful tool in getting weapons off our streets ...

In that article the minister is reported as insisting to the media that the origin of the government's stop-and-search legislation was requests from the police. Not only has the minister done that, but also he attacked public servants who gave contradictory evidence. I will advise the house what he did to a public servant who told a committee that the police had not requested stop-and-search legislation. The minister told the ABC morning show that the public servant, Mr Penn, was not accustomed to appearing before parliamentary committees. The direct quote in the report states —

Some people who aren't used to doing that get intimidated, quite frankly, and sometimes what they say can be taken out of context.

We have the minister insisting that the request for stop-and-search legislation came from the police. We have the minister belittling a public servant who gave contradictory evidence to that.

We then go to the other side of the argument. What did the minister say? On 11 November last year the minister told the Parliament the following —

Members opposite seem to think that the Commissioner of Police came to me and asked me to introduce this bill. The reverse happened. I assure members that it was a policy decision of mine, in

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discussion with cabinet, to bring this bill to Parliament. When I put it to the commissioner, he was very helpful.

I regret to say this, but both of those sets of statements cannot be true. What the minister said to the Parliament is a direct contradiction of what he said on ABC radio. The minister has either not told the truth in the Parliament or not told the truth to ABC radio. If he has not told the truth to the Parliament, under longstanding parliamentary conventions, it is an offence that requires resignation. I would think it is even more serious not to tell the truth to the public, but the parliamentary convention is that if a member does not tell the truth in this place, his or her head is on a platter and that person has to resign. The minister is caught. We do not have to produce any more evidence than the direct contradiction between his two sets of statements. Both those statements cannot be true. One is wrong, one is false, one is an untruth and one is a misleading of either the Parliament or the public.

I have been very disappointed with the way the Premier has dealt with this issue. “Who gives a toss?” the Premier said on radio. “It’s a trivial issue”, said the Premier. It is not a trivial issue if a minister does not tell the truth. It is a matter of utmost gravity if a minister does not tell the truth. The Premier and the minister seem to think, “Well, leave aside that; it doesn’t really matter who thought of the stop-and-search legislation. It doesn’t matter whose initiative it was.” I do not regard that as a trivial issue either. Imagine these two scenarios. Scenario 1: the police, for operational reasons, after strong consideration, present a brief saying that, in their professional opinion, to perform their tasks properly they need this change in the law. That matter is put before the Parliament as a result of professional, evidence-based advice from the police. Politicians would react to that differently from a proposition put by a political opponent for strategic political reasons with the objective, hopefully, of wedging his political opponents in the community or Parliament. There is a world of difference between a serious request from professional experts on the basis of evidence for the government to undertake a particular course of action and a politician’s political strategy designed to advance his political cause and discomfort his opponents. I would think that members of Parliament, in assessing the worth of such a proposition, would assess the worth of the proposition very differently on the basis of those two scenarios. We would be much more likely to accept or listen to serious professional, evidence-based advice from the police than we would be to listen to a wild political statement from the Minister for Police. Let us not forget that if we listened to the wild political statements from the Minister for Police, we would have hanging and flogging in this state as part of our criminal justice system.

Mr R.F. Johnson: When have I said that?

Mr E.S. RIPPER: The Minister for Police has always supported that.

This is not actually a very difficult issue. It is not as though we have to present reams of evidence. The minister convicts himself out of his own mouth. Both sets of statements cannot simultaneously be true. The minister has told an untruth in one arena or another. I think it is a serious issue for a minister to have done that. I also think it is a serious issue because it bears on the nature of the debate that the Parliament has had on stop-and-search legislation. It is not a trivial issue. It is not a question that the Premier can brush off by saying, “Who gives a toss?” I think this goes to the issue of standards in government. The Premier has let the community down by not insisting that the minister give a full account and correction of his statements.

The Premier promised open, honest and accountable government. He has not delivered open, honest and accountable government, and while he stands by and dismisses the untruths told by the Minister for Police, he is letting the community down, he is letting his own government down and he is not honouring his own promise for open, honest and accountable government. The Premier has to stand up for standards in his government. The minister cannot stand by each of those sets of statements. They are contradictory. One of them has to be an untruth, and that is clear to anybody who has read *Hansard* or the accounts of the minister’s interview on ABC radio. What is the Premier going to do? Will the Premier continue to say that it is trivial and it does not matter and ask who gives a toss, or will he stand up for integrity, truth and standards in his government and require this minister to step aside if he has misled the Parliament or to apologise to the public if he has misled the community?

That is the long and short of it. The minister is convicted out of his own mouth. The Premier is missing in action on standards. The only fallback is for this Parliament to take action and support the amendment to the question that my colleague the member of Cockburn has moved.

MR M. McGOWAN (Rockingham) [10.01 am]: I join with the Leader of the Opposition on this matter. I will just say at the outset that the minister cannot have it both ways: he cannot say one thing one day and another thing another day and have both of them being contradictory and both of them being true, because it is an impossibility. It is an impossibility to have said one thing to the press a few weeks ago and another, directly

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contradictory thing to the Parliament and for both of them to be true. This is what is called an open and shut case. Either the minister has misled the public, through the press, or he has misled the Parliament. If he has misled the Parliament, he should resign. If he has misled the public, he should be sacked. It is one or the other. I heard the Leader of the Opposition quote the Premier, who said in the media that he could not give a toss, which brings in all sorts of other issues about his style of language used publicly; but for him to say that he could not give a toss when his minister has been directly shown on an occasion to be not telling the truth is very, very concerning.

The Leader of the Opposition went over the matter, but I will go over it again. The Minister for Police made some statements a few weeks ago. He said in the *Kalgoorlie Miner* on 4 February —

I didn't wake up one morning and suddenly decide to bring into parliament legislation in relation to stop and search....

Back in 2008 (WA Police) brought to my attention what they felt was the need to be able to enhance their search powers.

He told the Parliament on 11 November—I remember it well—at 11.30 pm —

Members opposite seem to think that the Commissioner of Police came to me and asked me to introduce this bill. The reverse happened. I assure members that it was a policy decision of mine, in discussion with cabinet, to bring this bill to Parliament. When I put it to the commissioner, he was very helpful. He believed it was a good bill and a very useful tool in the fight against crime and the fight against unlawful weapons that are being carried around, particularly in Northbridge.

The minister was saying in Kalgoorlie that it was not his idea but the Commissioner of Police's idea and he was back here in Parliament in November saying that it was all his idea. What has changed? The minister has got nervous about these laws. In November of last year he was cock-a-hoop, thought he was on top and thought he had laws that the entire public supported. The Labor opposition voted against them, as we recall. He thought he had public support behind him, and then he realised over that period from 11 November to 4 February, "People are getting a little bit nervous about these laws, so what I will do is say that it was the Commissioner of Police's idea and not my idea. Of course, the public will say that that is okay and that because a career officer in the police has come out with these ideas, it must be okay." Of course, if a former tea salesman from Croydon comes out with these ideas, that may not be okay. That is what has happened. The minister has got nervous and changed the story. At one level that shows how weak he is and at another level it shows that he has changed his story to fit the circumstances as they have evolved, because he has realised that public opinion is turning against these laws, which we voted against in this house.

What should be the consequence? On which occasion did he tell the truth? Erskine May sits on the desk here. The Leader of the House can read it any time he wants to. It says this about ministerial accountability to Parliament —

... it is of paramount importance that ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation ...

It is pretty straightforward. If the minister does not like it because it is British parliamentary practice, we can go to the House of Representatives practice, which is the definitive Australian practice. It states —

In cases where the minister has misled parliament, condoned or authorized a blatantly unreasonable use of executive power ... dismissal is the appropriate action.

What we have is the minister giving two different stories: one to the Parliament, for which he should resign or be sacked, and one to the public. He cannot have it both ways. Richard Court used to stand opposite, bobbing on his feet, saying, "You can't have it both ways, my friend!" The minister cannot say that both of those statements are true, so one of them is false. The minister needs to explain to us. The motion calls on the minister to explain to us which one of those statements is false.

This is a very significant issue for the minister because he has been on so many warnings about his behaviour as a minister over such a long period of time. This is just another one to add to the massive pile of misdeeds and mistakes on the part of the Minister for Police. There are so many, where do we begin to count them? This is another one that is out there. The minister needs to explain to us. This motion calls upon the minister to explain to us what the true position is, on which occasion he was telling the truth and on which occasion he was not.

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MR R.F. JOHNSON (Hillarys — Minister for Police) [10.07 am]: I just read the amendment that somebody I thought was my friend has moved against me today. I will go briefly through some of the comments that have been made and the claims that I misled Parliament regarding stop-and-search legislation. May I say that the assertion in the media that my comments in Parliament last year on the stop-and-search legislation contradicted my recent comments on the issue was incorrect. The media got it wrong. What I have stated repeatedly in the past few weeks is that police wanted and supported the stop-and-search legislation. The misleading, and indeed inaccurate claim being made by the opposition and the media was that the police did not want and did not support the proposed laws. That is what the shadow minister said in a press release. She used, and opposition members condoned it, a public servant as a political football. If anybody should be sacked here, it should be the shadow Minister for Police. The Leader of the Opposition should do the honourable thing and get rid of her because she has misrepresented what our public servants said before a committee of the upper house. That is what she did. The Leader of the Opposition should read her press release again.

Mr P. Papalia interjected.

Mr R.F. JOHNSON: I am talking to the organ grinder, not the monkey. The Leader of the Opposition should read again the comments in the shadow minister's press release and indeed the transcript of the committee hearing. I have read them both very carefully, and one does not correlate with the other. She left out some very important parts on purpose.

Several members interjected.

Mr R.F. JOHNSON: I did not attack him at all. Madam Acting Speaker, I ask for your protection against some of the rabble at the back. This is a very serious issue that has been put before the house and one that is so serious it has taken them a whole week to come to it! Usually, if somebody is accused of misleading Parliament, the matter should be raised at the earliest opportunity and it would be a motion of the house. The opposition failed to do so. It tried to get me yesterday, and the Attorney General, and it missed abysmally. I will be talking about that later.

I was saying that this was fundamentally incorrect and that it is what I and the Commissioner of Police sought to correct at the time the assertions were being made. Never did I say that the Commissioner of Police asked me to introduce this bill—never did I say that. If the opposition says that I did, it should show me where I said it, because I have never ever said that. What I did say, and I have said repeatedly, was that the commissioner spoke to me about greater powers for stop-and-search. I have a meeting with the commissioner, as Labor former ministers used to, on a very regular basis—usually once a week and sometimes more. This was about September or October 2008 when there were a lot of problems in Northbridge. There was a lot of violence and antisocial behaviour in particular and a number of weapons were being taken into Northbridge because the former government did not manage to do anything when it was in government. The commissioner asked the former government for greater stop-and-search powers.

Mr J.C. Kobelke: That is not true.

Mr R.F. JOHNSON: Is the member saying that the commissioner has told a lie?

Mr J.C. Kobelke: You have, and you regularly do.

Mr R.F. JOHNSON: That is very good. Let me tell the member what the Commissioner of Police said.

Mr J.R. Quigley interjected.

Mr R.F. JOHNSON: The member for Mindarie has no credibility in this place whatsoever, and particularly with the police. This is the bloke who accuses our police officers of being corrupt. He was forced to apologise last year because of his outrageous comments when he used parliamentary privilege to make those comments.

Let me just quote what the commissioner has said. My notes show that on Tuesday, 2 February this year he said —

I have been speaking to government(s) for some years now about expanding stop and search laws beyond “reasonable suspicion”. The idea was first raised with the previous government after it became apparent that officers from the Police Rail Unit could not use their portable metal detectors to randomly search people at train stations ... When government changed hands I also discussed an expansion of stop and search laws with Police Minister Rob Johnson. Police are very concerned about the number of bladed weapons being carried in WA ...

Mr E.S. Ripper: So you misled Parliament!

Mr Tony Krsticevic; Mr Fran Logan; Mr Eric Ripper; Mr Mark McGowan; Mr Rob Johnson; Acting Speaker;
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Mr R.F. JOHNSON: I will come to that.

Mr E.S. Ripper: If your community statement was correct, you have misled Parliament.

Mr R.F. JOHNSON: I thought that the Leader of the Opposition was supposed to be intelligent. Can he not understand that the commissioner had a meeting with me at which he told me that he had approached the former government about getting enhanced powers to try to get weapons and drugs off our streets, particularly in Northbridge and at Armadale train station where there had been a lot of violent attacks on the community? The former Minister for Police and I know that the commissioner asked for those enhanced powers.

Mr W.J. Johnston interjected.

Mr R.F. JOHNSON: I have a job working out who is dumb and dumber out of the member for Cannington and one or two other members. Just be quiet, my friend.

Mr W.J. Johnston: Tell the truth for once.

Mr R.F. JOHNSON: I am not looking for interjections, I assure members.

The ACTING SPEAKER (Ms L.L. Baker): The Minister for Police has the floor.

Mr W.J. Johnston: You should tell the truth to the chamber. Tell the truth. Come on!

Mr R.F. JOHNSON: Are you going to allow that, Madam Acting Speaker?

Several members interjected.

The ACTING SPEAKER: Members! I formally warn the members for West Swan and Cockburn for the first time.

Mr R.F. JOHNSON: Thank you, Madam Acting Speaker.

Mr W.J. Johnston: Come on mate, tell the truth for once!

The ACTING SPEAKER: I formally warn the member for Cannington for the first time.

Mr R.F. JOHNSON: In late 2008, at one of my regular meetings, following a lot of problems that were being experienced in Northbridge in particular, the police commissioner told me that part of the problem was that a lot of weapons were coming into Northbridge. We were predominantly talking about Northbridge at the time, but there were other areas in WA that were also problems, particularly some train stations. He told me that he had approached the previous government about getting enhanced powers to prevent bladed weapons in particular from getting into those areas. I took that on board. The Commissioner of Police came to me and basically said that he could do with some enhanced powers and I took that on board. I spoke to the policy people in my office and they contacted the legal and legislative department in WA Police and asked them to draft something along the lines of the stop-and-search powers that had been introduced into the United Kingdom and other places. I thought that was one way of getting weapons and drugs—I wanted to include drugs as well—off our streets. What I said to Parliament when we were debating the stop-and-search bills—I am sure that members have read *Hansard*, but I will read it again—was that the decision to bring the bill into Parliament was my idea. Who else can bring a bill into Parliament? It must have been my idea. Do members opposite not understand that it must be a minister who brings a bill into Parliament? Of course it was my idea. I had listened to the commissioner's suggestion about enhanced powers to try to combat the problems. I spoke with my policy people and decided that I would bring a bill into Parliament to give —

Mr P. Papalia interjected.

The ACTING SPEAKER: I call the member for Warnbro for the first time.

Mr R.F. JOHNSON: I will continue. It is very simple. There is no contradiction whatsoever. I said to Parliament —

Mr P. Papalia: This is shameful; there are young children in the house!

Mr R.F. JOHNSON: I do not know why members opposite cannot understand it. Of course it was my idea to bring the bill into Parliament. It had to be my idea.

Mr E.S. Ripper: Will you take an interjection?

Mr R.F. JOHNSON: I am not taking interjections.

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I ask members to look very closely at the transcript of the hearing that was held by the upper house committee. I ask them also to look at the press release from the shadow Minister for Police, which obviously was released with the approval of the Leader of the Opposition, in which she used a public servant as a political football. That is disgraceful. She was very miserly with the truth and about what was said at that committee. Most members opposite would not even have bothered to read the transcript. They are just having a go at me. If this matter were so important, they would have brought it on last Tuesday.

Mr R.H. Cook interjected.

Mr R.F. JOHNSON: The member is out of his seat, for a start.

The ACTING SPEAKER: Members must be in their seat when they make a comment.

Mr R.F. JOHNSON: They keep having a go. They do not seem to understand that the normal practice is that the commissioner will say that he needs something to try to prevent the number of weapons and drugs that are carried into Northbridge. He said the same thing to the former minister.

Mr J.C. Kobelke: He did not.

Mr R.F. JOHNSON: The difference is that I listened to him and accepted that we needed to do that. It was my idea to work up a bill to introduce into Parliament. What is so hard to understand about that?

Mr P. Abetz: They have small brains.

Mr R.F. JOHNSON: I agree with that. It is the small-brain syndrome. The Leader of the Opposition is trying very hard to discredit me. He is saying that public opinion is going against me and against the stop-and-search laws. This is a rhetorical question because I do not need an answer —

Mr P. Papalia interjected.

Mr R.F. JOHNSON: I ask that the member stop interjecting on me because he is getting to be a pain in the rear end. It is verbal diarrhoea.

The ACTING SPEAKER: If the minister would like to make his comments through the Chair.

Mr R.F. JOHNSON: My comments are directed through you, Madam Acting Speaker.

The reason that I brought this bill into Parliament is very simple. They have it in the UK and in Victoria. They are both Labor governments—the UK Labour government and the Victorian Labor government. The Victorian Labor government has had a great deal of success with its stop-and-search laws. A number of people have been caught with weapons at train stations.

Mr P. Papalia: And this relates to you misleading the house in what way?

Mr R.F. JOHNSON: I am saying that I thought it was a good idea to bring this bill into Parliament, and I believe that it is. I think that the public supports me.

Mr P. Papalia interjected.

Mr R.F. JOHNSON: Why does the member not stop interjecting for five minutes and give his brain a chance to think?

Mr E.S. Ripper: Why don't you deal with the issue that has been raised?

The ACTING SPEAKER: Order, members! I said yesterday that this is not a question and answer session. Please let the minister respond. He has eight minutes left.

Mr R.F. JOHNSON: Members of the public actually support this and they support me. I could not believe it —

Mr P. Papalia: We could not believe it either.

Mr R.F. JOHNSON: This is coming from “Mr 12 per cent”. That is 15 per cent for every good idea he ever had—“Mr 12 per cent”.

Can I tell the house about the results of a recent Westpoll in *The West Australian*? I will remind members of it. I will tell members what happened because these sorts of comments were raised by the Leader of the Opposition and the manager of opposition business, and I am addressing those comments. Members opposite want to make me look bad, but I can tell them that the public out there supports me. In a recent —

Point of Order

Mr Tony Krsticevic; Mr Fran Logan; Mr Eric Ripper; Mr Mark McGowan; Mr Rob Johnson; Acting Speaker;
Mr Tom Stephens; Mr Colin Barnett; Mr Bill Johnston; Mr John Kobelke; Mr John Quigley; Mr Paul Miles; Mr
Vincent Catania; Mr Martin Whitely; Dr Janet Woollard; Mr Joe Francis; Mr Paul Papalia

Mr T.G. STEPHENS: This is a serious amendment before the house, and the subject matter of the amendment has nothing to do with the issues that are being introduced by the Minister for Police at the moment. He should be forced to attend to the issues of concern.

The ACTING SPEAKER (Ms L.L. Baker): Thank you, member for Pilbara. There is no point of order. Minister, would you please keep your response to the amendment.

Debate Resumed

Mr R.F. JOHNSON: Thank you, Madam Acting Speaker. I am responding to comments that the Leader of the Opposition and the manager of opposition business made; okay.

With the recent Westpoll—members will love this—do members know what *The West Australian* did? On the Saturday morning, *The West Australian* reported that 22 per cent of people said that I should be sacked; 50 per cent of people said that I should stay, as I am doing a good job; and the remainder did not know. Can I tell members that my media adviser got the results the day before, which showed that only 20 per cent said that I should be sacked; 56 per cent of the people said that I should stay, as I am doing a good job; and 24 per cent of the people did not know. I could not believe it when, on the next day, it was reported as 50 per cent. My media adviser sent an email to the editor of *The West Australian* and said, “The poll results that you sent to me for the minister to make a comment on differ from the poll results you published today, because they said only 50 per cent, whereas the poll results that you sent to me yesterday showed 56 per cent.” Fifty-six per cent of the people supported me; I am very popular! It took *The West* about two hours to come back with a response. The response *The West* gave my media adviser was—my good friend the member for Fremantle will be interested in this—“Sorry; our reporter got it wrong by looking at the wrong column. It was only 50 per cent, but where Rob”—that is me—“scored 56 per cent, it is 56 per cent” —

Mr P. Papalia: Then take ownership of the legislation.

Mr R.F. JOHNSON: Be quiet. The response continued, “It is 56 per cent of Greens’ voters who supported him.” I could not believe that. I really did not think that that would be the case, but that was the explanation that was given to my media adviser. Obviously, for members of the opposition, it is like a bone in the throat. I am told that a previous poll about a month earlier apparently showed that an even larger number of people supported me. It is unbelievable.

Mr C.J. Barnett: You’re so popular that I’m worried about my position.

Mr R.F. JOHNSON: No, it was only as the Minister for Police that they supported me, not as the Premier; they would not do that. I am told that in the previous poll that *The West Australian* did online, about 70 per cent supported me. I found it hard to believe that 56 per cent of the Greens would support me.

Ms A.S. Carles: I find it hard to believe.

Mr R.F. JOHNSON: I do, too, but the member needs to take that up with *The West Australian*, because that is what it told my office. It is like a bone stuck in the throat of members opposite. Do members know what I mean?

Let us put this in context. Those opposite are saying that I misled Parliament or I misled the public. I did not mislead any of them. I will go through it one more time, because I have limited time. Let me outline it for the house. The commissioner and I were having one of our regular meetings and we were talking about the troubles in Northbridge, which the opposition did nothing about when in government—nothing whatsoever. It refused to even look at compiling a bill to bring into Parliament. It refused to do that because it is weak on crime, soft on drugs and soft on stop-and-search. We know that. It is softer than its Victorian counterparts and it is softer than its British counterparts who brought in stop-and-search laws for the benefit of the community. But is that the case? Members opposite know that their own shadow minister brought in a bill. If my bill is draconian, her bill was far more draconian. Under her bill, there could have been strip searches in the middle of Northbridge. Her bill did not have the safeguards that we have in our bill. They are the facts. The facts are that we are trying to deliver to the public of WA a safer community, and that is why the majority of people support stop-and-search. On talkback radio the other day, the Premier got calls from four young people. They all supported stop-and-search. They are young people. Everyone I talk to says, “You’re doing a great job. Your Premier is doing a great job. You’re going to make our place safer; and, if you do that, we’ll go into Northbridge again.” They said that they would go into some of those areas that they are really nervous about going to.

I will say it one more time, because obviously some members of the opposition are a bit thick and they cannot understand simple English. They are just trying to play on some words. Back in 2008, the commissioner said to me in a normal discussion about problems in Northbridge, which the previous government did nothing about,

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“Look, what we really need are some enhanced powers, because under the existing legislation we have to prove reasonable suspicion, and some of our officers don’t go down there because sometimes it’s just too hard to try to get through to some of the defence lawyers”—those slick little defence lawyers. He said, “Under those laws, if people refuse to be searched, all we can do is turn them away and send them out of the area.” That is all the police could do under the previous government’s laws. Therefore, I decided to enhance those laws. I took that idea away from the meeting with the commissioner. There is no denying that. He came up with the general idea. What I said in Parliament was that it was my idea to actually bring the bill into Parliament.

Mr P. Papalia interjected.

Mr R.F. JOHNSON: My friend should read it very carefully. He should not try to read between the lines. He should read what I said. I take very seriously any accusation that I mislead this house. I have been in this place for 18 years now, and the Leader of the Opposition knows that I am not the sort of person who would deliberately mislead Parliament in any way; and, if I misled Parliament even as an accident, I would apologise for that. I do not need to apologise for this at all, because what I said was absolutely truthful. It was my idea to bring the legislation into Parliament. It had to be my idea because I am the minister. It had to be my idea because I took seriously what the commissioner told me about the problems that his officers were having in Northbridge with the number of weapons being carried through that area and with the —

Mr E.S. Ripper: Is it the case that the public service has never asked for a bill?

Mr R.F. JOHNSON: The legislative department did not ask for the bill; of course it did not.

Mr E.S. Ripper: On the basis of that defence, never in the history of the state has the public service asked for a bill. It has always been the minister’s idea.

Mr R.F. JOHNSON: Of course it is. At the end of the day, it is the minister’s idea to bring in bills. The Leader of the Opposition would have claimed that credit dozens of times when he was a minister in the shameful days of the Labor administration in this state. He would have claimed that loads of times, and I did nothing less than that. It was my idea to bring the bill into Parliament. It is an idea that I absolutely supported, and one that the majority of Western Australians support as well. Members opposite are out on their own as a Labor Party. They are not even prepared to accept that other Labour governments throughout the world are bringing in similar legislation.

MR C.J. BARNETT (Cottesloe — Premier) [10.27 am]: What is this about? Before I start to answer that rhetorical question, where is the shadow Minister for Police? She is noticeable by her absence. Here is the opposition with a presumably planned, if not ill-prepared, motion directed at the Minister for Police, and the shadow Minister for Police is conspicuous by her absence. Why is she not here? It is because she supports what the police minister is doing and —

Mr D.A. Templeman: You know you’re telling fibs. She’s paired.

Mr C.J. BARNETT: I do not care whether she is on the moon; she should be in here leading the attack on the police minister. If she takes her job seriously and if this is a serious motion, she would be here. Where is she?

Point of Order

Mr W.J. JOHNSTON: As the Premier says, it is the lowest form of debate to put words into another person’s mouth. The Premier should not do that to the shadow Minister for Police.

The ACTING SPEAKER (Ms L.L. Baker): Thank you, member for Cannington. There is no point of order. But, members, can you please stop the yelling out from both sides of the house and let the Premier have his time.

Debate Resumed

Mr C.J. BARNETT: Again, I make the obvious point. The most notable absentee today is the one person who should be here, the shadow Minister for Police. That clearly indicates that she does not agree with the position of the opposition, and clearly she is not prepared to be here to lead what I would have thought would be a pre-determined motion.

Mr D.A. Templeman: The National Party’s not supporting the Minister for Police.

The ACTING SPEAKER: Members, can you please stop interjecting.

Mr D.A. Templeman: The Treasurer walked out. Now the Deputy Premier slinks into the chamber. Where are the ministers? They’re all gone.

Mr C.J. BARNETT: The prattle coming from those opposite just says it all! It comes down to the ABC of politics. If one side is going to launch an assault on the opposite side, it needs to have its key person on the issue

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in the chamber to do it. She is not here. She has found something better to do. She is probably out doorknocking with the member for Armadale.

The argument seems to be about who thought of stop-and-search powers first.

Mr P. Papalia: No, it's not.

Mr C.J. BARNETT: That is what the opposition seems to be talking about. That is basically what it is about. Does the public of Western Australia care about this? Not particularly. It is interested in safety in our community—safety on the roads, in the workplace and in entertainment districts such as Northbridge, Fremantle, the Scarborough beachfront, the Cottesloe beachfront or wherever it might be. That is what the public is interested in.

As the Minister for Police has said, he had discussions with the Commissioner of Police, as he would. The police commissioner sought extra powers for dealing with the carrying of weapons and violence. Statistics released only recently show that in 12 months over 3 700 weapons were seized in areas where offences are being committed without these powers. As the police said, the 3 700 weapons seized was the tip of the iceberg. Members should talk to young people who frequent club districts. They know what goes on. Members opposite can be in denial. Last weekend in Victoria there were 14 knife attacks. Do members think it is radically different here? I very much doubt it. There is a knife culture out there.

Discussions obviously took place between the police commissioner and the police minister. As the minister just outlined, he looked at evidence elsewhere and discussed the matter further with the police commissioner. He came to me last year and talked about introducing stop-and-search powers. We discussed it. Had members opposite done their research, they would have noted that at the Liberal state conference in October last year, I announced our major policy position of supporting stop-and-search powers, as recommended to me by the Minister for Police. It was subsequently endorsed by cabinet after a submission was brought to cabinet by the Minister for Police, and legislation was introduced into this place. That is what the opposition is arguing about. I did say that I do not give a toss who had the first gem of brilliance about it. The United Kingdom and Victoria have legislation relating to this issue, but it was the police minister who first came to me suggesting legislation here. We discussed it. We publicly raised it as a policy issue in front of about 400 people at the Liberal state conference. All the media were there. The minister went away, prepared the legislation and finalised it and it went through the cabinet process. Everyone contributed to it, including the Attorney General and others, it went through our party room and it came before Parliament. I understand that the opposition does not support it. I know that is the opposition's position. It is not the position of Western Australians. *The West Australian* conducted a Westpoll, the results of which were published in *The West Australian* of Saturday, 12 December 2009—some time ago now. I will read the first paragraph —

WA voters have given a big thumbs up to the Barnett Government's proposed stop-and-search laws, with 67 per cent of people surveyed in the latest Westpoll supporting the legislation.

Mr E.S. Ripper: That's not the issue.

Mr C.J. BARNETT: I know it is not the issue to the Leader of the Opposition. He wants to argue about who said what, when and where. This is a government that acts on law and order. The issue for us is stopping crime and violent attacks in the suburbs, streets and entertainment districts of this state. That is the issue. The opposition can argue about semantics and who said what and where. It can argue about the triviality of all that while the police minister and the Attorney General, who is not here —

Mr E.S. Ripper: Where is he?

Mr C.J. BARNETT: He is up in Broome settling a native title claim, the biggest in Australia, because we believe in helping Indigenous people. That is where he is. Whether it be economic issues, law and order or social justice for Indigenous people, this government does what it says it will do.

That is the history of what has happened. I understand that amongst the chattering classes and amongst the judges, prominent lawyers and civil libertarian campaigners—I do not discredit their views at all—there are issues about erosion of rights, freedom of the individual and all sorts of things. I understand their point of view. Do members opposite not think that members on this side did not think about those issues too?

Mr P. Papalia: No.

Mr C.J. BARNETT: I did, and other members did too. We took a view that the stop-and-search powers, which were restricted and tightly controlled, had their place. Again, I remind the house what this is about. The commissioner and the police minister can authorise police to have powers to stop and search without necessarily having to establish reasonable grounds of suspicion in limited areas at limited times. We are probably talking

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about incidents that occur late on a Friday or Saturday night in Northbridge over summer months. There is all this stuff in the media about middle-aged ladies in their twin-sets walking across the park being stopped for full body searches. The opposition tried all of that to confuse the public. As this debate has gone on, the public is starting to understand what this is about. It also understands that it involves the most unobtrusive search. We are talking about a search with a metal detector or maybe walking through an arch, exactly as happens when one gets on an aircraft anywhere in Australia or overseas.

I do not frequent Northbridge a lot but I have been there with other ministers. We have gone into Northbridge a couple of times late at night and watched as young people line up in lines up to 50 metres long —

Point of Order

Mr E.S. RIPPER: The Premier has strayed completely from the issue, which relates to the contradictory and misleading statements made by the Minister for Police. The Premier might like to debate stop-and-search legislation but that is not the issue. The issue is the minister's credibility.

The ACTING SPEAKER: There is no point of order. Premier, please keep to the subject.

Debate Resumed

Mr C.J. BARNETT: With respect, my comments are all about stop-and-search powers and the reason the minister has so strongly brought this legislation forward. While walking through Northbridge, young people came up to me and said—I am just paraphrasing—“Colin, we just want to tell you that we support the stop-and-search powers. We want to know that when we go into the clubs and pubs, a person standing next to us does not have a knife or something else in their pockets.” I have had young person after young person, including my own son and his friends, all say that they support it. They do not want knives in the pubs and clubs. I understand that some greying senior jurists in our town may not support the legislation, but they do not go to the pubs and clubs in Northbridge. The young people who do and want to feel safe want these powers. That is what it is all about.

An upper house committee is looking at this issue. I understand the civil libertarian arguments. We are not averse to hearing suggestions and if there are extra constraints, checks or balances, we will consider them on their merit. It comes down to the fundamental principle of giving the police the powers they wanted so that they can protect young people—our sons and daughters and their friends—going to nightclubs and pubs who want to be safe. I want my son and his friends to be safe when they go to clubs, and they do too. Sixty-seven per cent of Western Australians want their kids to be safe too. It is only the Labor Party that tries to draw attention from the substantive issue. The substantive issue is the safety of young people in this state. The opposition can keep on with these little debates; it will probably go on and on about some international covenant or the Convention on the Rights of the Child, but I do not give a toss about that. I give a toss about the safety of our kids in hotels, clubs and restaurants in this state.

I place on the record my support for this police minister. He is doing something to take a tough stand on law and order, which is well overdue after eight years of sloppy, wishy-washy, indecisive approaches to law and order by the former Labor government. We know, when it comes to the crunch, that the Labor Party does not support a tough stand on law and order.

I will finish with one last point. Members opposite will remember the demonstration last year by police officers outside Parliament House in support of this police minister's stand on mandatory sentencing for assaults causing bodily harm on police officers. A number of members opposite dashed out there to stand next to the uniforms, looking tough, trying to get their photographs taken. They then came straight back into this chamber and opposed the legislation. Talk about hypocrisy; talk about not caring for public safety. This government supports the police minister and we support the stand he takes for our community on law and order.

Mr P.B. Watson interjected.

The ACTING SPEAKER (Ms L.L. Baker): Member for Albany, we have had a lot of interjections today. I call you to order for the first time.

MR J.C. KOBELKE (Balcatta) [10.42 am]: The Premier's contribution to this debate causes me grave concern. Perhaps the Premier realises that the general public will not hear his speech or read his speech in *Hansard*; therefore, it will not understand what he is actually saying. To me, his speech was saying that the government has a political drum to beat on law and order, and it is working for the government politically; therefore, truth, honesty and integrity are totally irrelevant. His speech said that the government does not need to worry about telling lies or about deceiving people, because the issue of law and order is working for the government. The government is saying, “Let's ignore the truth. We don't need to worry about justice; we don't

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need to worry about people knowing that we already have a law and order system that actually works. We can just beat the law and order drum.” That is what this is all about: truth, honesty and integrity are irrelevant to this debate and irrelevant to politics, and therefore the government is just going to charge ahead, bringing in ridiculous and extreme legislation and saying things that are not true, because it believes that those things are working for it politically. However, it will not work if people actually hear what the Premier said today.

Mr R.F. Johnson: Giving the people what they want and deserve.

Mr J.C. KOBELKE: I take the minister’s interjection: giving people what they want. They do not want truth, honesty or justice; they just want a government that talks tough. That is what this government is saying. It is not interested in protecting people; one just has to look at how the government has cut the police budget. It is not interested in justice; it just wants to lock people up, throw away the key and talk tough. It does not want to be honest, it does not want to tell the truth and it does not see any need for integrity, because this government clearly has no integrity.

It is interesting that this has arisen during the same week in which we had a condolence motion for the late Hon Ian Thompson. He was a man who understood that there are certain standards in this place. If we want people to feel safe on our streets and to believe that there are standards, we cannot impose or establish those standards if we as individuals, parties and Parliament cannot accept that we have to live up to any standards. If we believe that we can lie, cheat and deceive, how can we expect ordinary citizens to uphold the standards we espouse—that we do not attack people, cheat people or assault people? How can we expect those standards if we, as parliamentarians and particularly as ministers, lie, cheat, deceive, and have no respect for the truth? That is why, as the Leader of the Opposition pointed out, there are clear standards established in our standing orders and the practice of this Parliament and other Westminster Parliaments throughout the world. If a minister is caught out telling an untruth, he should correct it at the first opportunity or should be sacked from his job.

Just this week, the Minister for Education rose to point out that something she had put on the record during question time was not quite right. It was just a technical error, but it indicated that at least some of the ministers of this government understand the need to uphold standards, and that if a minister says something incorrect, that minister should correct it at the first opportunity. However, the Minister for Police appears to have no understanding of standards at all. Whether he is simply incapable of understanding that, or he is so deceptive and twisted that he thinks he can get away with it, I do not know. People will judge that.

We will look at what the Minister for Police actually said. These are quotes from *The West Australian* taken directly from an ABC Radio interview; I presume it is a direct and correct quote. The Minister for Police basically said that the police commissioner, Karl O’Callaghan, asked the minister to bring in such laws—not general laws, but laws such as the minister has brought in. The quote reads —

“I had meetings with the Commissioner, as I do almost on a weekly basis, and he put to me in the presence of the deputy commissioner and other people that stop and search laws as before the Parliament at the moment would be an extremely useful tool to try and get more weapons off of our streets,”

That is what he said to ABC Radio. We know that he said the exact reverse of that in this Parliament—that he was the instigator. The point is that this minister, if he had any integrity or respect for the truth, should have come into this chamber at the earliest opportunity to point out that it was a slip of the tongue, that he did not quite mean what he said, that he had embellished it a bit in this political debate to try to sell his inefficient wares that are full of holes, and that he had overstepped the mark. However, that is not what he said. He is asking the Parliament to simply accept that he can say two things that are totally contradictory—which means that one has to be false and an untruth—and that he can just get away with it because he is doing well at beating the law and order drum. It does not matter how many people are victims of crime or how many injustices occur; this minister does not believe that truth and integrity are important. As I said, at least the Minister for Education sees the need for standards, but not this minister.

I now want to make some comments about the statements he made about the Commissioner of Police.

Several members interjected.

The ACTING SPEAKER: Order, members!

Point of Order

Mr J.R. QUIGLEY: The Minister for Police was pointing across the chamber and addressing me as “you”; I should be addressed by the name of my seat.

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The ACTING SPEAKER (Ms L.L. Baker): I remind members that it is appropriate to call members by the name of their seat, and not to gesticulate wildly at them.

Debate Resumed

Mr J.C. KOBELKE: That outburst by the Minister for Police is ample evidence of the truth of what I am saying. I am talking about the clear evidence on the record, as already laid out, that the Minister for Police has not told the truth. What does he do? He starts yelling and shouting at another member because he cannot deal with the truth of this issue. He has been caught out not telling the truth; that is the fact of the matter. He has to make outbursts and interjections to try to take the debate somewhere else instead of dealing with the facts that other members have already outlined in their speeches.

I come now to another deceit by this minister. That is the claim that the Commissioner of Police brought to ministers in the previous government a request for the type of legislation that has been brought in. I was the Minister for Police for some years prior to the current minister assuming that role. There were ministers before me who perhaps the Commissioner of Police went to and asked for that; if he did that in private, I have no record of it. It certainly was not available to me. But I make it clear to the house today that the Commissioner of Police never—I repeat, never—came and requested of me the type of legislation that this minister has introduced into the house. I am not suggesting that the commissioner has said anything I disagree with so far on the record; it is the way this minister has twisted and extended what the Commissioner of Police said to try to suit his own purposes.

Mr J.R. Quigley: Can I just ask one thing for the record? When did you assume the role of Minister for Police; can you remember?

Mr J.C. KOBELKE: That would have been in approximately May of 2006.

Mr J.R. Quigley: May of 2006? I thank the member.

Mr J.C. KOBELKE: The Labor Party made commitments about weapons, and ministers before me set about implementing those, and I am aware of two things we did. One issue was that things such as machetes were not correctly categorised as weapons, and therefore the police had trouble confiscating them, even in areas such as Northbridge. There were some legal technical problems there. The first step I am aware of was that the regulations were changed to ensure that they were captured as weapons. Further to that, there was legislation, which I was in discussion about with the then Attorney General, Jim McGinty, about tightening up police powers. In those discussions, as we prepared that legislation and brought it forward, I had a number of discussions with the Commissioner of Police about how we could use metal detectors and the legal problems associated with that, and I was quite willing to put in extra requirements that enabled police to use metal detectors as part of a search in public places. That was not asking for the type of legislation that this minister has brought into this place. The minister takes the Commissioner of Police's statements, which I accept, and extends them to say that the Commissioner of Police had asked previous ministers to bring forward legislation of this type. That was not the case while I was Minister for Police from about 2006, through to late 2008.

The Minister for Police has been caught out by his own words, saying things that are simply not true. The real issue is: was he telling untruths out there in the public, or was he telling an untruth in this place? Of course, he does not want to answer that because he has been caught out. He wants to talk about everything else, but he does not want to deal with the issue of the amendment now before the house; that is, that we have gone from a situation whereby we had a condolence motion and eulogised the late Hon Ian Thompson as someone who understood the need for proper procedures, for honesty and integrity, and we now have, in this minister and this Premier, the dregs of parliamentary performers. They are the absolute dregs of parliamentary performers. They have no respect for this place and they have no respect for standards, and, on that basis, they simply cannot deliver safety and justice to the people of Western Australia. For them, truth, honesty and integrity are simply dispensable for their political purposes. It is a shame on this Parliament that we have a minister and a Premier who will not stand up for honesty and integrity this place.

Opposition members: Hear, hear!

MR J.R. QUIGLEY (Mindarie) [10.55 am]: The amendment to the motion before the house seeks to condemn the Minister for Police for misleading the house on the origins of the government's stop-and-search laws, and to require the minister to provide a full account to the house of the true position of the matter. That amendment came forth because of the public and conflicting statements of the honourable Minister for Police. In the course of debate, of course, the government has tried to divert the attention of this chamber, and ultimately the public of Western Australia, from the obviously conflicting and inherently self-contradicting statements of the honourable

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Minister for Police by going back to the merits of stop and search, and by pointing the finger at the opposition and saying it is weak on law and order, to try to obfuscate and take attention away from the self-contradictory statements of the Minister for Police.

The history of this matter, therefore, warrants some short examination, because the search provisions of the police were considerably enhanced, strengthened and clarified, by the Criminal Investigation Act 2006, which passed through this chamber in late 2005. I have the *Hansard* of all the debate and consideration in detail with me this morning, and I have examined it. During that debate on the codification of the search powers of police, which included pat-down searches and more serious searches of people being stopped on reasonable suspicion, the current Minister for Police was the opposition spokesperson for police, and not once did he raise any hint about the insufficiency of the legislation before the house; quite the contrary. The honourable Minister for Police, in his then capacity, pointed out to the chamber that the legislation then before the chamber, which was the Criminal Investigation Bill, had been 10 years in the making, and in no small respect had its origins with the previous Liberal Party Minister for Police, Hon Kevin Prince, in the government of Hon Richard Court. There was no hint in any of the debate by the current Minister for Police, the then opposition spokesperson for the Attorney General, that the laws were in any way insufficient. If members read *Hansard*, what is surprising about that debate, given the noise made by the Premier today about the insufficiency of the laws, is that he did not even speak on them. He did not utter a word about the provisions in the Criminal Investigation Bill—not one line. But he comes along today and berates the opposition by saying that these provisions were all necessary because of the inadequacy of the then government's position.

It is also worth noting that during the course of that debate, no public comment whatsoever was made—I have searched *The West Australian*—by the Western Australia Police, the current Commissioner of Police, or the then president of the police union, Mr Michael Dean, that the legislation before the chamber was in any way inadequate, or that they needed this arbitrary stop-and-search power. There was no suggestion of that from them.

Where did this suggestion come from, because this is what this amendment is all about? It calls on the police minister to give a full account of the true origins of this matter. This is so critically important because this is not an “I said – he said” debate for this chamber; this is something of more crucial importance to the whole public of Western Australia. It goes beyond the shattered integrity of the honourable Minister for Police; it goes to the constitutional arrangements of every citizen of Western Australia. An invalid analogy about random breath testing has been drawn upon by some Liberal backbenchers to support the legislation. Of course we have to have a licence to drive on the road. We do not drive on the road as a matter of right; we drive on the road as a matter of licence. It is a privilege extended to us on conditions, one being that we do not consume more than a glass or one and a half glasses of alcohol. But in this situation we are dealing with every Australian's inalienable right in a democracy to move about their country with the presumption of innocence and without being stopped and detained without some cause or valid reason. This involves a complete restructuring of the relationship between the state and the individual, and it is not, as the honourable Premier would say, a matter of concern just for grey-haired jurists. I would not refer to that former Liberal Party staffer and now intelligent political commentator, Peter van Onselen, as a grey-haired old jurist; he is as sharp as a tack. One has only to read his articles—as I do—that appear on a continuing basis in *The Australian* or when they are published in *The Sunday Times* and other News Limited organisations. He is hardly a grey-haired jurist. He was Mr Turnbull's chief of staff or a Liberal Party staffer. Peter van Onselen came out and said that these laws are a blight on our democracy and they interfere with the innocent person's right to move about this community. He lambasted those laws.

Mr R.F. Johnson interjected.

Mr J.R. QUIGLEY: I am not taking interjections from the organ grinder—back to grinding your organ!

The other columnists in Western Australia also lambasted these laws. When did this start to happen?

Mr R.F. Johnson interjected.

Mr J.R. QUIGLEY: He is back on his organ! I can hear the squeak! When did all this start to happen? There was a movement in the commentators' views when they analysed these laws in late November and early December. That is when the move started and it has gathered pace. It has gathered pace to such an extent that when *The West Australian* and Channel Seven published the results of their very broad survey of the attitudes of Western Australians on all manner of things, including the consumption of alcohol and the stop-and-search laws, it showed there had been a massive slump in public support, which was down from 85 per cent when they were listening to the misleading statements of the Minister for Police assuring them that this was the police commissioner's idea. I will talk about that in a moment because, boy, have they verbalised him! However, when the public had the opportunity to examine and consider these laws as explained to them by independent commentators like the Walkley Award-winning journalist, Colleen Egan, and the very incisive political

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commentator, Peter van Onselen, *The West Australian* survey indicated there had been a massive slump in support from 85 per cent down to about 45 per cent, with about 42 per cent against it. There has been this massive drop in support. I suggest that is behind the Minister for Police's change in attitude.

The minister has come into this chamber today and has misled us again. In defence of his position today, he has said, "You are too lazy to read *Hansard*. I said that it was my decision to bring the bill into this chamber." That just proves the minister cannot read! Let us go back and examine *Hansard* for exactly what he said, which reads —

I make one thing clear before I seek leave to do something else. Members opposite seem to think that the Commissioner of Police came to me and asked me to introduce this bill. The reverse happened. I assure members that it was a policy decision of mine ...

That is different from merely saying, "It was a policy decision of mine." Even grade 7 students who might be asked to do a political essay on all this will ask how that could possibly sit with —

I had meetings with the Commissioner of Police as I do on a weekly basis and he put to me —

And then he said, to give it more force, so that it would be believable by all members of the public —

in the presence of the deputy commissioner ...

He has referred to two other people now. We do not know the identity of that second person yet, as the minister has not told us who he is. The minister has not told us who the other people are. The minister will get that chance soon. It would be an extremely useful tool when we debate the stop-and-search laws before Parliament to know who are those "other people". The minister is putting it on the police commissioner and saying that this was an operational decision by the Western Australian police department. As I have said, during the previous debate in 2006 they never mentioned it to the former Minister for Police and Emergency Services, Hon John Kobelke, the member for Balcatta. During the debate neither the Western Australian Police Union nor the police department made any public comment about the inadequacy of the laws, which found their inception in the Liberal minister's office, Mr Kevin Prince. The opposition never talked about the inadequacy of Kevin Prince's approach nor did the Commissioner of Police; this only came up when the commentators started commenting against the law. This only comes up when public support for the law slumps and the police minister who has form, this is not a first offence, because his position on the hoon laws changed in the middle of an interview on 6PR when suddenly it occurred to him that the demographic from which he derives his principal support—white Australian males over 55 years of age—was suddenly turning on him because he wanted to seize the doctor's Lamborghini. Therefore, he had to do a backflip on the run, not because of any policy reason —

Mr R.F. Johnson: That happened under your law!

Mr J.R. QUIGLEY: That organ is getting louder and louder and it is unseemly! Put on some oil or a bit of lubrication or something—it is just getting too noisy! Stop that organ grinding in this chamber.

When did the policy shift come? The policy shift came when the commentators started commenting against the law and the minister could see that this was going a bit sour amongst a significant proportion of the public. For the minister to come into this place today and say that he only said that it was his decision to bring the bill in after discussing it with cabinet is eyewash when we examine the public record, the *Hansard*, in which he said "it was a policy decision of mine", which is in complete contradiction to what he subsequently told the media. However, I suppose we are all going to sit on the edge of our seats over the next couple of weeks because it does not matter how good the opposition debate is today in pointing out this obvious contradiction, the Minister for Police, as he has shown on a number of occasions in this chamber, can say anything at all with impunity; he can say it because he has the numbers—he can say anything at all. I will tell members who cannot say anything at all—that is, the man he has verbalised, the Commissioner of Police. We all know that the Legislative Council has summonsed the Commissioner of Police to soon appear before the committee and to be examined on his oath about this very matter, no doubt. I will not be sitting on the committee. I wish I was there to cross-examine the Commissioner of Police, but I have a couple of friends who might be able to put a question or two forward. I repeat that the Commissioner of Police will be —

Mr R.F. Johnson: Are you taking over from Brian Burke?

Mr J.R. QUIGLEY: I am a member of Parliament; I am allowed to put questions through there. That is no big problem.

Mr R.F. Johnson: Are you?

Mr J.R. QUIGLEY: Would you tell the monkey that the organ is off? We are getting down to the serious stuff.

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The Commissioner of Police has to go on oath and the commissioner —

Point of Order

Mr P.T. MILES: The member for Mindarie keeps referring to the minister as a monkey; he should use his proper title.

Mr M. McGOWAN: The member did not actually refer to the minister as a monkey, Mr Acting Speaker. He did not refer to anyone in general; if the member for Wanneroo assumes it is the minister that is his assumption. The member for Mindarie did not actually say that.

The ACTING SPEAKER (Mr J.M. Francis): I have not heard him refer to other members as particular animals. There is no point of order.

Debate Resumed

Mr J.R. QUIGLEY: Thank you, Mr Acting Speaker. Therefore, it is for the Commissioner of Police to take the Bible in his left hand, raise his right hand and give up the minister. This is not the Boy Scouts or the Cubs or something, this is the Western Australian police department. I worked on serious matters with the Western Australian police service for over 25 years. They do not come up with policies by dunking a Monte Carlo cream into the minister's cup of tea and saying, "We think this is a good idea. Strip the population's rights from them!" These things, in the Western Australian police service, are a matter of analysis, the subject of memoranda and recommendations that go right up the command chain. They come from the operational officers who say to their sergeants, "We've got a problem", who then put it in writing to their inspector. If this has come from the commissioner, there will be a paper trail and then recommendations from the superintendent to the assistant commissioner, who then takes it to the command table to be considered as a policy. The whole idea of just walking in to the minister's office, "I'll have a Monte Carlo and one sugar in my white, and let's have a talk about what we can do today", is just piffle. That is not how the Western Australian police service works. On policy matters, there is deliberate and thoughtful consideration. The minister thinks he can come around by saying, "There were other people in the room. There was the commissioner in the room. They put it to me. Forget what I said in November; I want to say this now." The Commissioner of Police will have the opportunity, on oath, to give evidence before a committee, in a public hearing room, to name the people that were in this room, to name the deputy commissioner who was in this room, and to produce the policy papers upon which he was relying to say there were insufficiencies.

This honourable Minister for Police talks about slippery defence lawyers who get people out on no reasonable suspicion, yet when it was put to the Attorney General during the second reading debate, "Can you name one case where a lawyer or an unrepresented person has been able to defeat a charge on the inadequacy of the original search provisions?", the Attorney said, "No." Prior to the Criminal Investigation Bill there was one case in which a magistrate misdirected himself and let the person off a resisting arrest charge because the constable was found not to have reasonable grounds for suspicion in the first place. Under our system, as is proper, that case went to the Supreme Court. It was considered by the Supreme Court and the magistrate was found to be wrong in law. The case was remitted back to the magistrate, to deal with it according to law, as instructed by the Supreme Court, and the person was convicted. I asked the Attorney General, "Is there any other case you know of?" He had no other case, so there is no case. The idea of slippery defence lawyers is another thing that the honourable minister uses to try to prejudice the public against accused people or defence lawyers, or whatever; another slippery little dishonest device he uses to try to obfuscate and cover his tracks. It is as dishonest as when he says there are slippery lawyers getting people off charges. The Attorney General has confirmed that the honourable Minister for Police, in that assertion, is not only wrong but he is dishonest because the honourable Minister for Police was in this chamber when the Attorney General dismantled that bunkum. The Attorney General absolutely put to death the notion that people were getting off because of inadequacies of the law. The honourable Minister for Police therefore has been just as dishonest in referring to these slippery lawyers as he was when he stood in this chamber on Wednesday, 11 November—before the commentators turned on him—and claimed full credit for the policy, not for the decision to bring it in. He said, "It is a policy decision of mine." After the commentators turned on him, he said, "No, it is a policy recommendation of the Commissioner of Police. I am only the person who implements it."

Amendment put and a division taken with the following result —

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Mr Tom Stephens; Mr Colin Barnett; Mr Bill Johnston; Mr John Kobelke; Mr John Quigley; Mr Paul Miles; Mr
Vincent Catania; Mr Martin Whitely; Dr Janet Woollard; Mr Joe Francis; Mr Paul Papalia

Ayes (25)

Ms L.L. Baker	Mr F.M. Logan	Ms M.M. Quirk	Mr A.J. Waddell
Ms A.S. Carles	Ms A.J.G. MacTiernan	Mr E.S. Ripper	Mr P.B. Watson
Mr R.H. Cook	Mr M. McGowan	Mrs M.H. Roberts	Mr M.P. Whitely
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	
Mr J.C. Kobelke	Mr J.R. Quigley	Mr P.C. Tinley	

Noes (29)

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

Pairs

Mrs C.A. Martin	Mr C.C. Porter
Mr B.S. Wyatt	Mr D.T. Redman

Amendment thus negatived.

Consideration Resumed

MR V.A. CATANIA (North West) [11.18 am]: I wish to tell a very sad story, a tragic story, about a 24-year-old mother, Claire Murray, who has two children—one, Chloe, who is five years of age, and another one, Taj, who is four years of age. Claire’s sad story is that she has only months to live. This sad case will attract strong views from both sides of this house and also from the public, but I hope that the public and members of this place can reserve their judgement until all the facts are presented. I came to know about Claire’s fight for life about three weeks ago when my good friend John Little called me about his best mate, Mick Murray, and his daughter’s push to have a liver transplant. In my phone conversation with John he explained the circumstances and what the family believe to be the root cause of her becoming addicted to drugs, which caused her liver to fail. We started talking about when she was diagnosed with attention deficit hyperactivity disorder. My memory kicked in and I thought of my colleague on the other side of the house Martin Whitely, the member for Bassendean, who has been passionate about the issue of ADHD and the prescription of drugs for children. I immediately phoned the member for Bassendean to highlight briefly the issue with Claire Murray and to see what his thoughts were. He immediately made contact with John Little and Claire’s father, Mick Murray, to find out exactly what the situation was. Both gentlemen—Claire’s father, Mick, and John Little—are in the gallery listening to this. As I said, it is a tragic story, made even harder given that Claire, who was at Parliament House yesterday, looks like a normal 24-year-old woman should look. I have only once met her child, Taj, the younger of her children, who is four years old. Yesterday he was running around the corridors of Parliament house and jumping on the couches in my office like any normal four-year-old, calling Claire “mummy”. The picture of Claire and her family is one of a perfectly normal family.

To explain the circumstances that led to her needing a liver transplant to survive I will read a letter that her father, Mick Murray, wrote to the transplant team at Sir Charles Gairdner Hospital, the minister and the head of administration at Sir Charles Gairdner Hospital. It will perhaps give an accurate overview of Claire’s fight for life, which is publicised in today’s *The West Australian*. It reads —

To Whom It May Concern

My daughter, Claire Rita Murray (DOB 14/3/85), is a heroin addict with three to six months to live. Claire was an A grade student at Ursula Frayne Catholic College until she was twelve years of age. At this time Claire was diagnosed with ADHD and introduced to her first drug dexamphetamine. Claire was prescribed 10mg of this drug four times a day for a period of eighteen months by her paediatrician, Dr Ken Whiting; and from that day on my daughter Claire and her family’s problems began.

For the past twelve years Claire has had difficulties with everyday life, has been to every rehabilitation establishment in Perth. Throughout all this time she has been supported by her family. Claire was

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brought up in a loving family environment; has an older sister and a younger brother who both have successful careers and live healthy lives.

Medical studies have shown that the treatment of ADHD at that time was misdiagnosed and that the drug was wrongly prescribed.

Unfortunately last September, while Claire was on a methadone program, her liver failed because of her past substance abuse. Claire was lucky enough to qualify for a liver transplant and was psychologically and physically deemed fit for a transplant.

The liver transplant was carried out at Sir Charles Gairdner Hospital on 6/9/09; however, there was a complication the following day that required a further operation to graft an artery. Claire spent the next three weeks in hospital and was eventually discharged. Claire went well for a short time but unfortunately she still had her addiction and started to use drugs once again—which doctors believe was solely responsible for the failure of Claire's new liver.

I would like to pose the following questions:

- Has the artery that was grafted anything to do with Claire's new liver failure?
- My daughter was given a liver transplant while she had an illness (heroin addiction on a methadone program) today my daughter still has this illness so nothing has changed. I ask did she get the required medical support before being discharged from hospital?

In my opinion my daughter's addiction is the result of being wrongly prescribed dexamphetamines and therefore I feel that the medical authorities should take full responsibility for her present condition.

They are her father's words describing how she came to need a liver transplant and, unfortunately, after taking drugs again—I believe she injected only once after she received the liver transplant, which caused problems with her liver.

I will sum up Claire's pathway. She was 12 years of age when she was diagnosed with ADHD, for which she was prescribed drugs. There are two sides to the argument about the treatment of ADHD, but the compelling argument is that a lot of children who have been prescribed drugs may not necessarily have needed them. I repeat that Claire's son was running around the corridors of Parliament House, jumping on the chairs. One could assume that the child had ADHD. My son is the same, as are a lot of kids. I believe after listening to Claire and her parents and considering what the member for Bassendean has said in the past on this issue, that there is a possible connection between the prescription of drugs which can in many cases, including in Claire Murray's case, result in a person becoming a drug addict. During that time obviously Claire tried to fight her drug addiction. She went on the methadone program for some time. She was diagnosed fit to have a liver transplant. She had a liver transplant and she is very thankful for that gift of life. Claire left the hospital 10 days after her operation and unfortunately there are question marks over the support she needed to ensure that, firstly, she did not re-offend with drugs and, secondly, to ease her into the new life that she has been given.

I have outlined the questions that Claire's family are asking. I will read a letter from Claire's GP, which is dated 19 February 2010. It reads —

Dear Sir/Madam

...

This letter outlines my opinions and impressions regarding the above patient, Claire Murray. I had previously seen Claire in 2007 regarding her long term drug addiction for which she was seeking help to break. I counselled her on that one occasion at some length and in the discussion it was revealed she had had a polysubstance abuse issue for some time and had failed treatment on several prior occasions. After that appointment unfortunately she did not again attend this clinic until after her liver transplant which was done for acute fulminant liver failure late last year. This liver failure was brought on by hepatitis B contracted through ongoing intravenous drug use.

Her transplant was on the 6/9/09 and she was discharged from hospital on the 16/9/09 with outpatient followup.

I saw her first post transplant on the 16/12/09 with her having failed to attend one appointment due to a complication requiring readmission. She had after 2 months fallen back into drug use and had subsequently developed an hepatic artery clot as a result. This has unfortunately caused her liver to fail and apparently she had been advised that she will be non-recoverable and that nothing further can be done as she will not be considered for repeat transplant given her drug use.

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Through my subsequent consultations with her I have inquired as to what was done to ensure she remained drug free post-discharge and she had advised that no appropriate plan was entertained. She was not advised to attend drug rehabilitation, not given comprehensive counselling and not offered drug and alcohol services apart from the offer to restart methadone which was rejected under advisement from one of the transplant medical team doctors.

I feel that the very good and admirable work done to provide this young lady with a liver was inappropriately completed through not providing her with comprehensive addiction management. Drug addiction is notoriously difficult to manage and requires often very intensive intervention. Having undergone a very significant intervention already it would have been appropriate to follow through. Claire is now being judged inappropriate for a transplant due to her episodes of drug use despite the fact that now she has significantly increased social supports, vastly higher self-motivation to quit, far more information about how to quit, at least 7 weeks without drug use in the recent past and is medically fitter than she was before the first transplant. If her drug use now is a concern then the question must be asked why it was not before. If it was not enough to stop her having a transplant then why is it enough now? Surely it is reasonable now to consider her for the transplant list and back this up with comprehensive drug addiction management simultaneously; especially given that the alternative is to simply stand back and let her perish.

That is a pretty powerful letter, and that is what she is faced with at the moment—the consequence of not being allowed to go onto the transplant list. I too can understand the arguments, but when we have this evidence and understand how this drug problem started, we must ask some questions, such as how a 12-year-old was given such a high dosage of that particular drug and why there was not a follow-up after the liver transplant to give her the support she needed for her new lease of life. Her father Mick Murray, who is here in the public gallery today, has been liaising with her surgeon who performed the surgery to have a liver transplant. I believe that they have these meetings every couple of weeks to discuss the situation. On 18 February 2010 at Sir Charles Gairdner Hospital, Mick Murray and Val, Claire Murray's mother, and Claire attended a meeting with the surgeon. I will run through a series of questions that were asked at that meeting last week, because it will give members an idea of some of the vagueness of some of the answers. There are questions that were perhaps not asked before and straight after the transplant. I remind members that this is Mick Murray's recollection of the meeting. It reads —

Q Is Claire been screened for drugs and is she been treated as a drug addict.

A Not sure about drugs. Claire is been treated as a normal patient.

Q In your opinion was Claire new liver failure related solely to her drug use.

A Hepatic artery thrombosis is a common problem after a transplant the way the artery that was damaged it was likely to be caused by drug use.

Q Why was Claire giving the transplant and no follow up support?

A The team looked at Claire's situation and the fact that she was a young person and mother they decided to put Claire forward for a transplant.

Q Why was there no liver biopsy carried out.

A Biopsy could not have told us anything.

Q Was Claire advised to go back on methadone program?

A Not sure

Q In your opinion would methadone affect the new liver?

A Have seen people on methadone after a transplant but would not advise it

Q Who informed the minister that Claire had refused to return to the methadone program?

A Not sure

Q Who psychologically assessed Claire before her discharge

A The team thought Claire showed enough for them to release her

Q Are you aware that Claire has been clean for the past seven weeks?

A No

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These are some of the questions that the family has raised with the surgeon. It highlights three points that are the crux of how Claire has come to be in this situation. The first point is that the 40 milligrams-a-day prescription of dexamphetamine that was given to Claire at 12 years of age is a very high dosage. The family and others believe that that contributed to Claire's drug addiction. The second point is, given that the liver transplant occurred and that Claire was on the methadone program prior to that, why did Claire not receive any support after receiving a new liver as she was a drug addict who was being treated until the transplant? Why were support services not put in place to ensure that she would not reoffend and damage the lifeline that she had been given by a person who also may have tragically died? The third point, which is highlighted in some of the questions that Mick Murray asked when meeting the surgeon, is that the failure of the transplant after the surgery was due to the artery thrombosis. The surgeon has said that it is not absolutely 100 per cent conclusive that drug use caused the liver to fail. There is a question mark over that. I have had discussions about this with the Minister for Health, who has been very proactive and has responded in a very timely manner to the meeting I had with him last week. That meeting answered some of the questions that have been asked but a number of questions remain to be answered about the way Claire Murray has been treated. I am absolutely pleased that the minister was quoted in today's paper as saying that he would pay for Claire Murray and her father to go to New Zealand to look at the possibility of having a live liver transplant, which could ultimately save her life. More importantly for the Murray family's sake and for Claire's sake, it is important to review the case. How did she become to be a drug user; how did her liver ultimately fail; and why was there no support mechanism in place? I thank the minister for his timely response to this very tragic and sad situation.

[Member's time extended.]

Mr V.A. CATANIA: The minister has met with Claire's father, Michael Murray, to discuss many of the issues that he has raised. I am confident that there is a way to save Claire's life. It is very important for everyone to understand that the minister cannot intervene regarding the transplant list, and the family understands that. However, the family is very appreciative of the level of support that the minister has given until now. As I said, this is the only way forward, I believe, to save Claire's young life, and, more importantly, to save a mother who has two young children. It would be tragic for this state and this nation to allow a mother who is only 24 years of age and who has two children, aged five and four years, to pass away without trying everything possible to ensure that she can have a productive and loving life with her family.

MR M.P. WHITELY (Bassendean) [11.40 am]: I received a phone call about three weeks ago from the member for North West, which surprised me a little at the time, but then he went on to tell me the sad story of Claire Murray. He knew Claire through his close association with John Little, whom I know also as a Labor Party stalwart. I met with Claire, Val and Mick, who is in the gallery today, at Fibber McGee's about three weeks ago, and I must say that I was heartened by how honest they were and how much they understood the dilemma that they were in. I know that it has been a very stressful time for the family, not just because of Claire's health, but also, obviously, because of the decision about whether to go public. It is an imprecise process, and I know that the way in which today's newspaper reported the issue has created some stress for the family, and I think that is regrettable.

I guess if people read that article, they are left with a fundamental question—Mick was straight up with me about this when I first met him—and that fundamental question is: why was Claire a drug addict? Why did she have the problem of drug abuse? Is it something that she did consciously? Is it a decision that she made to experiment with drugs? Did she go out as an 18-year-old on a Saturday night and say, "It's a bit boring. I might try experimenting with drugs"? Is this a tragic but logical consequence of those actions? No, it is not. Where we are today is a tragic and logical consequence of the medical mistreatment of a 12-year-old girl in 1998.

In my many speeches in the attention deficit hyperactivity disorder debate, I have purposely never named clinicians, but I am going to do it today because Claire's situation warrants it. Claire visited a paediatrician, Dr Ken Whiting, in 1998 and was prescribed 40 milligrams of dexamphetamine a day—this is what I have been advised by Val and Mick—and advised to take a dose of 10 milligrams four times a day. Claire is a slip of a girl at 24. I cannot imagine that she would weigh much more than 50 kilograms, and I cannot imagine that, as a 12-year-old, there would have been much of Claire at all. I cannot imagine that she would have weighed more than 25 or 30 kilograms at most. Tragically, it is not the highest dose I have ever heard of, but 40 milligrams certainly is on the high side as a starting dose.

Val and Mick have been completely explicit, and I have asked them about this on numerous occasions. I asked them when I first met them at Fibber McGee's and also yesterday, and I asked Mick again today. They were never informed of the side effects and the dangers of the drugs. They did not know that the drugs were in fact amphetamines. Yes, the name "dexamphetamine" would imply that, but they were advised that they were safe and effective medications. It was not until I gave Val and Mick a copy of GlaxoSmithKline's prescribing

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information that they ever saw in writing the warnings that are associated with prescribing these drugs. The prescribing information is available to prescribers and not necessarily to consumers, which I think is an outrage; I think consumers should get that information mandatorily and perhaps we might not have these situations. I know that if the Murrays had been given this information in 1998, they would not have proceeded down this path. Right at the top of the prescribing information in full block capitals, in relation to dexedrine, a brand of dexamphetamine, it states —

AMPHETAMINES HAVE A HIGH POTENTIAL FOR ABUSE. ADMINISTRATION OF AMPHETAMINES FOR PROLONGED PERIODS OF TIME MAY LEAD TO DRUG DEPENDENCE AND MUST BE AVOIDED. PARTICULAR ATTENTION SHOULD BE PAID TO THE POSSIBILITY OF SUBJECTS OBTAINING AMPHETAMINES FOR NON-THERAPEUTIC USE OR DISTRIBUTION TO OTHERS, AND THE DRUGS SHOULD BE PRESCRIBED OR DISPENSED SPARINGLY. MISUSE OF AMPHETAMINES MAY CAUSE SUDDEN DEATH AND SERIOUS CARDIOVASCULAR ADVERSE EVENTS.

Until I showed this to Mick and Val, they had never seen that information. They only found out, tragically, when Claire had headed down the pathway of drug abuse. As Mick says in his letter that was read out by the member for North West —

My daughter, Claire Rita Murray ... is a heroin addict with three to six months to live. Claire was an A grade student at Ursula Frayne Catholic College until she was twelve years of age. At this time Claire was diagnosed with ADHD and introduced to her first drug dexamphetamine. Claire was prescribed 10mg of this drug four times a day for a period of eighteen months; and from that day on my daughter Claire and her family's problems began.

Dexamphetamine is an amphetamine and Ritalin is classed as a near amphetamine, but they are lumped into the one category, along with methamphetamine, for the purpose of measuring abuse statistics. They are schedule 8 drugs. They are controlled substances in the same way that opioids are controlled substances. They are controlled substances for one very clear reason: the potential for abuse, dependence and diversion. Schedule 8 drugs are controlled substances. In Western Australia children can be prescribed these drugs only by a psychiatrist or a paediatrician.

The control that was supposed to be in place to protect people like Claire Murray and other children of her age—this is just one of countless stories I have heard—came from the Stimulants Committee. It was charged with oversighting the responsible prescription of dexamphetamine, which was the only drug on the pharmaceutical benefits scheme—it was by far and away the most commonly used drug at the time—and Ritalin, to the extent that it was used. For some bizarre reason, in 1993, from memory, a decision was made to grant block authorisation to very frequent prescribers—that is, people who were considered to be familiar with the prescribing guidelines. Those people did not have to be responsible for every individual script that they wrote, in the way that a very rare prescriber would be, which is completely counterintuitive when we think about it. The heavy prescribers should have been the most accountable, but they were the least accountable. Dr Ken Whiting had bloc authorisation. Dr Ken Whiting was on the Stimulants Committee. He was charged with making sure that responsible prescribing occurred. Bloc authorisation was granted for prescribing within guidelines dosages. Dr Ken Whiting had bloc authorisation, as did a number of other paediatricians I could name, many of whom were heavy prescribers and some of whom were on the Stimulants Committee. I will not name them today because it is not relevant to Claire's case. I have obtained minutes of meetings of the Stimulants Committee from that period. An argument was put forward to extend bloc authorisation to prescribe outside the prescriber's guidelines. An argument was put forward in the Stimulants Committee that it should not bother keeping these particular clinicians accountable when they prescribe outside the manufacturer's own guidelines. I will not name all the doctors but I will read the minutes from the committee. It states —

“As there were a number of applications outside the mg/kg range —

Doctor X —

enquired if it would be possible to have en-bloc authorisation for doses outside the mg/kg range.

That is, for doses outside the manufacturer's guidelines. It continues —

Dr Whiting said he would be pleased to be exempt in this case and he advised that —

Doctor Y —

would be also ...

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This was the clinician who made a prescription for Claire without informing Mick or Val that the drugs he was putting their daughter on were amphetamines with a high potential for dependency. He was accountable to a committee on which he sat and through which he enjoyed authority for block authorisation. He said he supported the idea that there should be a further extension of block authorisation so that authorised clinicians could make prescriptions without any constraint and well outside the manufacturer's guidelines.

As I said, I have records of the meetings of the Stimulants Committee for that period; I think it was instituted in 1997 and went through to 2003. There are similar horror stories from that period. One child was hospitalised for abnormal limb movements, slurred speech and unusual behaviour after being prescribed Ritalin at an extraordinarily high dose in combination with several other drugs. This child was prescribed Ritalin at a six milligram per kilogram dose, which is an extraordinarily high dose; I am sure that the clinicians in the chamber will understand just how high a dose that is. The comment that was minuted at the Stimulants Committee was that although the stimulant doses were high, these were inherently safe drugs; however, there were no prescribing restrictions on other, far more dangerous drugs. The committee organised what was described as a "cordial and fruitful" meeting with the clinician, and no action was taken.

I could catalogue other failures of the Stimulants Committee, but how does that relate to Claire Murray? Her prescribing clinician failed her, and the mechanisms that were put in place by the delegated authority of this Parliament to ensure responsible prescribing also failed her, as they failed many other children. Claire, as I said, was put on a very high dose of dexamphetamine—40 milligrams per day. That is not the highest dose I have ever heard of, but it is nonetheless a significantly high dose. She was failed by her treating clinician, by the government regulations that allowed the fox to get in the henhouse and the worst practitioners to regulate themselves, and by the commonwealth government. Frankly, the fact that amphetamines are subsidised for the treatment of behaviour in children creates the illusion of safety. Many younger children than Claire have been diagnosed, but if one's child is prescribed a drug that is subsidised by the pharmaceutical benefits scheme, it gives the drug an imprimatur.

Where could the Murrays have gone for advice? Another place they could have gone for advice was a parents' support group the Learning and Attentional Disorders Society. Dr Ken Whiting was on the medical advisory board to LADS at the time, so the Murrays would not have got free, independent information. In fact, I will give an example of the quality of information that was given out by LADS at the time, and all the way through to 2003. In 2003, on a program called *Face the Facts* on the now defunct Channel 31, Dr Roger Paterson, a psychiatrist who still practices in Western Australia, made some outrageous statements about dexamphetamines. He stated —

... dexamphetamine has the amphetamine name in it and this is what people are starting to worry about because they are giving them to children—or they are taking them themselves ... let me dispel that, they are taking a medicinal form of amphetamine ... this is not addictive stuff, in fact, I wish it was a little more addictive so that my younger patients would remember to take it rather than having to be reminded by their long-suffering parents.

Clearly, Dr Roger Patterson was unaware of the information for prescribing Dexedrine that I quoted before. I will read the relevant part again —

AMPHETAMINES HAVE A HIGH POTENTIAL FOR ABUSE. ADMINISTRATION OF AMPHETAMINES FOR PROLONGED PERIODS OF TIME MAY LEAD TO DRUG DEPENDENCE AND MUST BE AVOIDED.

That is pretty clear-cut and straightforward. Other information that they could have gotten from the supposed parents support group was presented on the same television program by Michelle Toner on behalf of the Learning and Attentional Disorders Society of WA (Inc). She stated —

In order to get a high equivalent to what people are taking street speed, you would have to take close to 200 tablets. Children take 1 or 6 tablets a day and it is not addictive at all.

If she is talking about a five-milligram tablet, 200 of those would equal one gram of dexamphetamine. That dosage would kill most people, and a fair proportion of elephants. That is the quality of information that parents were being given.

The interviewer goes on to say —

Right, but if you do have ADHD and you take the medication, is it successful?

Toner replied —

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Oh yes, I think a lot of people ... Yes, a lot of people discovered they had ADHD by accident. For example, truckies who needed uppers to keep them awake while they were driving across the Nullabor suddenly found that they were driving a whole lot better ... when they were taking dexies.

This is the bull that they were getting at that time from a supposed patient support group. That is not the worst of it; the worst of it is the failure of the treating clinician and the regulatory system at the time to actually police rogue prescribers.

[Member's time extended.]

Mr M.P. WHITELY: Of course, the issue of the relationship between ADHD and drug abuse is a highly contentious issue. The other side of the argument was demonstrated in evidence given to the 2004 parliamentary inquiry, on behalf of LADS, which stated—

The research shows that people with ADHD are six times more likely to develop a substance abuse problem. However, if they are treated with stimulant medication, the risk is reduced to the same as someone without ADHD.

That is just one of countless claims by what I call the ADHD industry. Essentially, it is saying that giving inattentive, impulsive children amphetamines prevents drug abuse by impulsive, inattentive children. If members think about it for a moment, they are actually saying that treating kids with challenging behaviours with amphetamines will stop them abusing amphetamines and a whole range of other drugs. It sounds like bull, because it is bull. But parents can be deluded, and the reason why the Murrays, I think, were denied informed consent is that the prescribing doctors do not use plain English. They do not say, "Here, these are amphetamines", they say, "Here, take this safe and effective medication." Parents like Val and Mick are told that a failure to medicate their child will lead to a host of adverse outcomes, including a pathway to drug abuse.

The same people who claim that accurately diagnosing and prescribing ADHD drugs prevents drug abuse are the same people who claimed that they were the best at diagnosing and prescribing. They argue the reason that Western Australian rates of prescription were so much higher than they were in the rest of the country was that the rest of the country was not as good as us. They did not use that sort of, if members like, gloating language, but that was their basic message. If those two statements were true—that we were correctly diagnosing and prescribing ADHD, and that Western Australia was the best at it—one would think that Western Australian amphetamine abuse rates and other drug abuse rates would be the lowest in the country. However, the truth is completely the opposite. In 1999, which was the year after Claire was first diagnosed, the rates of illicit amphetamine abuse by secondary school children in WA were the highest in the nation. Amphetamine abuse in WA secondary school students was double the national average, and the rates of abuse of cannabis, tranquilisers, steroids, cocaine, ecstasy, LSD and hallucinogenics were also higher than the national average. The only category that was below the national average was inhalants, and that probably has something to do with abuse rates in the Northern Territory. In eight out of nine categories, Western Australia was above the national average, and our amphetamine abuse rate was twice the national average.

In 2005, the Australian secondary student alcohol and drug survey for the first time asked a set of questions about amphetamine abuse, specifically about diverted ADHD amphetamine abuse. Of the 6.3 per cent of teenagers—12 to 17-year-olds—who had abused amphetamines in the past 12 months, 84 per cent had abused diverted ADHD amphetamines; 25 per cent of the kids who had been prescribed amphetamines had sold theirs or given them away to others; and 45 per cent of kids who had taken prescription amphetamines had taken other people's prescription amphetamines—these amphetamines had not been prescribed for them. Claire does not fit into that last category because she went on to abuse her own prescribed amphetamines. The problem of abuse is not just that 45 per cent of the kids who had used dexamphetamine had used somebody else's, but also that some of the kids who were prescribed it had also abused it, which was the case with Claire. By all sorts of measures, we were way above the national average for amphetamine abuse rates. WA had the highest amphetamine abuse rates for people aged 14 and over in 2004—4.5 per cent as opposed to the national average of 3.2 per cent—and Victoria, which had the lowest rates of prescription at the time, had a rate below the national average of only 2.8 per cent. In terms of people presenting for treatment at drug rehabilitation facilities, in 2005–06 Western Australia had the highest proportion of people presenting for amphetamine abuse, with 24.6 per cent. Victoria, which had the lowest rates of prescribing, had the lowest rate of abuse, with 6.3 per cent. There is a pattern emerging. I will not go through the statistics too much, except to say that when we saw a fall—unfortunately, it was too late for Claire—or a turnabout in child prescribing rates, we also saw a massive decline in teenage amphetamine abuse rates. The rates in the number of children abusing amphetamines began to turn in about 2003. The official estimate in 2000 was 18 000. I think it was probably closer to 14 000; I think there may have been an overestimation. In 2008, it was 5 666. We saw a massive decline, even on my own conservative

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figures—I am not using the health department’s figures to make it even more dramatic—of about 60 per cent. Between 2002 and 2008, there was a fall in amphetamine abuse statistics for 12 to 17-year-olds from 10.1 per cent to 4.2 per cent. When we saw about a 60 per cent decline in prescribing rates, we also saw a 60 per cent decline in abuse rates by teenagers.

Let us forget all of that, because the statistics just bear out commonsense. Actually, they bear out lessons that have been learned and forgotten around the globe many, many times. In 1968 the Swedes banned Ritalin from the marketplace because of concerns about escalating abuse. In 2005 the ADHD industry weaselled its way back in and Sweden let it on the market again. Adderall is a brand of dexamphetamine that was badged as Obertrol and used as a weight-loss drug. However, because of the number of women using that weight-loss drug who became addicted, it was taken off the market in 1981. In 1995 the United States’ Drug Enforcement Administration, the DEA, warned that Ritalin use may be a risk factor for substance abuse. Even if we simply ignore all that evidence, let us go back to plain commonsense: if we give amphetamines to children and teenagers, particularly those who have been identified as having behavioural difficulties, what do we expect will happen? If Mick and Val had been provided with this information in 1998, if they had been told about the stuff that was in the prescriber’s guidelines, if they had been told by the prescribing doctor, “Hey, I’m the policeman; I police myself and I’m actually going to go into the committee and I’m going to argue for greater powers”, there is no way that Mick and Val, who are clever people, would have let their 12-year-old girl be subjected to this. Why is it relevant to Claire’s current situation? It is because we are not giving Claire a second chance now; really, we are giving Claire a first chance. Claire was robbed of her first chance when as a tiny 12-year-old because of malpractice, incompetence and money she was turned into an amphetamine addict. Claire’s pattern of behaviour was set then. These are my words but they are based on conversations I have had with Mick and they are basically stated in the letter from Mick that I read out earlier. People reading today’s front page of *The West Australian* and hearing today’s media reports would have asked valid questions: Is this girl suffering the tragic consequences of her own irresponsible behaviour? Has she suffered liver failure because she was a recreational drug abuser? It is not fair and it is unfortunate that that happens, but does she bear some responsibility for it? No, she does not. Claire and her parents who love her and care about her took advice from a prescriber who was allowed to prescribe willy-nilly without accountability; he was accountable to himself. They took that advice and they took it at face value. They went to the doctor and they took his advice. That is why Claire is in the situation she is in today. I understand the dilemma, as they do, of the transplant team. I understand the process and that everybody who is on the transplant list is a deserving recipient. However, the thing we must understand is that Claire is deserving. She did not do anything; she did not go out and abuse recreational drugs, as many of us did through choice when we got a bit bored on a Saturday night at 18, 19 or 20 years of age—myself included. She did not make that choice; that choice was made for her when she was 12 years of age. That is why Claire deserves a first chance.

DR J.M. WOOLLARD (Alfred Cove) [12.09 pm]: I am pleased to join in the response to the Premier’s Statement. I believe there have been many achievements since the change of government and the Premier listed the statewide achievements in his speech. I could in fact list some of the services and resources that have gone into Alfred Cove since this change of government that were, unfortunately, ignored by the previous government. However, because time is limited I will not dwell on those areas that were sadly neglected but will instead examine how the government will achieve the objectives that it has set for this year.

The Premier said that the government will focus on social and environmental policy. He said that this focus has already begun with the government’s initiatives on safety, mental health services, school independence, environmental issues and the announcement of a new children’s hospital. The Premier then went on to say that the government, while keeping a rein on the state’s finances, will focus on delivering services more efficiently, more effectively, and fairly.

I will now discuss some issues in relation to health and then some other issues that pertain to my community. The government, through the Minister for Health, has proudly announced that it has introduced a four-hour rule in emergency departments. The government is working towards positive outcomes from the introduction of that rule, which it hopes we will see over the next year or so. The four-hour rule in emergency departments is one way of improving efficiency but I think the government also has to look at what are the preventable hospital admissions in tertiary and secondary hospitals in particular. Would we need a four-hour rule if we had adequate services within the community that meant that many adults and children did not need to present to our tertiary and secondary hospitals? In terms of efficiency of services, I hope that the Minister for Health has got someone looking at that data so that we, like some other states, can ensure that more of our health dollars go into community healthcare services to prevent adults, the elderly and children having to attend and be admitted to hospitals.

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South Australia has used the data from unavoidable admissions to help build up child health services in the community and to help build up other services for the elderly. That state has introduced, over several years, what they call GP Plus clinics, which are clinics for various health professionals. Various healthcare needs have been identified to try to fix a problem in the community rather than incurring the huge costs associated with people going to tertiary and secondary hospitals. We need to look at unavoidable admissions, particularly funding for community healthcare services and child healthcare services. I believe that the funding for child healthcare services in particular has been mismanaged over the past decade. Children in Western Australia have been abandoned by the state for the past decade. A business case was provided to the government almost 18 months ago in relation to children's healthcare services. I am very hopeful that the government's goal to focus on social policy and services will ensure that this ongoing neglect ceases. It does not affect just children; it affects their families as well. It is causing greater costs in health and education later on when those children leave school because they are not getting that early support. When these children leave school they are not able to enter society and look for the same educational or job opportunities as other children who have not had problems in the early years. Those problems might include problems with speech therapy, hearing and vision, or social problems in the home. I hope that the government focuses more on its objective of addressing social issues associated with children's health. Again, in reference to what happened in other states, South Australia began to make changes to children's health services in the early 2000s. The South Australian government invited experts—who I believe are called thinkers in residence—to examine its child and community healthcare services and report to the government. It may not have accepted all the recommendations in their reports, but when we look at what that government has achieved in child healthcare services in the past decade compared with Western Australia's child healthcare services, we can see a big gap in Western Australia. We know from the report of the Education and Health Standing Committee and the report from the member for Armadale's committee—I cannot think of its name—that the government has statistics on the failings in addressing children's health issues. They are not the failings of the current government, but failings over the past decade. I am hopeful that money will be quarantined in the next budget for child healthcare services. Another initiative of the South Australian government was the appointment of a Minister for Early Childhood Development, who I believe is responsible for children from the antenatal stage to eight years of age.

Mr P. Papalia: The member for Armadale's committee is the Community Development and Justice Standing Committee.

Dr J.M. WOOLLARD: I thank the member for Warnbro.

Currently the South Australian Minister for Early Childhood Development does not have a department, but works with the Minister for Health, the Minister for Education and the Minister for Families and Communities. However, I have heard a rumour that one election promise of the current South Australian government is to create a department of early childhood health and education.

Going back to those thinkers in residence, I believe that this government made a good decision last year when it brought over from South Australia Brenton Wright, who has been involved in childhood education and health for many years. I and other members of the Education and Health Standing Committee are looking forward to the government tabling of Mr Wright's report. The Education and Health Standing Committee has asked for it but I guess it is still with cabinet. I hope that report will be very useful and that recommendations have been made for addressing the deficiencies in early childhood health and education services in Western Australia.

Before I move on from childhood health and education, I think I mentioned that the government was given a business plan in 2008 to address the deficiencies in resources for child health nurses, school health nurses and community health nurses. In fact, I forewarned the minister today that I would ask him a question about the waiting lists and the business plan. Both committees have mentioned previously that one dollar put into early childhood health services results in a saving of \$17 later. It is not just about the cost saving; it is the difference that that investment makes to the child and the family—the parents, the brothers and the sisters. I am very hopeful that with the emphasis on social policy this year, we will see an investment into children's health, which is an area that I believe has been abandoned by this state. It will be an investment in the future of Western Australia.

I refer now to the Premier's Statement. I know the Premier has great plans for the area between William and Barrack Streets. Many members of the community are very supportive of that. They would like to see cafes, restaurants and community activities there. A year or 18 months ago when plans were initially put on the table, people were concerned that the river foreshore, which is a community asset, was going to be sold and there would be high-rise developments along the river. I think the Premier's commitment that that area will be a people-friendly and attractive destination for families, city workers and national and international tourists gives

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an assurance that it is not planning to sell off a community asset. It sounds as though the current community living in Perth will be enhanced and Perth will become a more attractive destination for visitors to Australia.

The Premier also discussed several environmental areas that the government will focus on. I look forward to working with the government on those areas because a lot can be done to protect the environment for current and future generations. I was very pleased that the Premier mentioned not just one but many environmental issues that the government will address in its next term. He also indicated that the government will examine ways to support events such as festivals and cultural and arts activities. That is a great idea. I just ask the Premier that, when those events are being organised, he consider ensuring that they are not only smoke free but alcohol free or that only low alcohol beer is supplied. We know that alcohol abuse is a cost to not just our health but also corrective services through our prisons and it causes damage to families. I look forward to going to many of those events, where I hope the Premier will ensure that if alcohol is supplied, it will be low alcohol.

Mr C.J. Barnett: I noticed at the carols by candlelight concert that alcohol was supplied.

Dr J.M. WOOLLARD: The initiative the Premier took regarding alcohol on Australia Day was a wonderful initiative. Many families thought that imposing an alcohol restriction was a good idea.

[Member's time extended.]

Dr J.M. WOOLLARD: With regard to protecting the environment, which we discussed earlier, there are a couple of local issues that I believe not just my community, but also the wider Perth community, would like to see, one of which is an extension of the roll-out of underground power. It is not only an environmental issue, but also a cost issue. When this program was introduced, it was intended to be for the older, established suburbs. Alfred Cove is one of those older, established suburbs. Deaths have occurred in my electorate because of the delay in the roll-out of that program. I am very hopeful that, with the economy picking up, this government in its term in office will find more funds to support that program, particularly in the Alfred Cove area.

Environment and energy issues are concerns for not only people in my community, but also the entire metropolitan area. As building in Perth becomes more dense, there will be a need for more power stations throughout the metropolitan area. It should be a directive of this government that those power stations be placed in commercial or industrial areas rather than residential areas.

Mr C.J. Barnett: Are you talking about substations?

Dr J.M. WOOLLARD: Yes, the power substations.

The Premier also made an announcement about the children's hospital. It was a wonderful announcement. The Premier said there would be additional beds in the new hospital. The increase in population means that we will need those additional beds. However, the government must ensure that the necessary research is undertaken to allocate sufficient money to community child healthcare services so that children who currently have to go to Princess Margaret Hospital for Children may not have to go there in the future.

The Premier, in his statement, referred to the allocation of \$30 million to decrease hospital waiting lists. Again, that is an excellent move. I have one question about that, which, I guess, I will have to ask the Minister for Health: I hope that this allocation of funds will not be for only waiting lists for elective surgery, but also speech therapy and occupational therapy for children. I am referring to all the services that will prevent a future burden on health care costs. The health department has become too much of a hospital health department and has neglected community and child health. I will ask the Minister for Health whether the waiting lists have increased or decreased for children's services. I am hearing from parents and professionals in those areas that those waiting lists have increased. I really hope that some of that \$30 million as well as funds from the next budget will be allocated to help those children and families who are suffering.

I appreciate the opportunity to participate in this debate. Again with services, the Premier mentioned the initiatives that the government will take for education and that already some changes have been made for more schools to become independent schools. I am sure that one of the problems the Minister for Education has in not only my electorate but most electorates is the need for demountables. Over the past few years there has been an increase in population and more schools are relying on the use of demountables for classrooms. Many schools have them and are reliant on them; in fact, many schools need demountables and new buildings. I was pleased that the federal government put additional funding into education and capital works for schools. I believe that one of the problems associated with that was that the tenders for those buildings were often much higher than they should have been because the tenderers knew that the money was there and so they could ask for more money to do work than maybe they would have asked for in the usual process. It was a good initiative but, unfortunately, a lot of money was wasted with that program.

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The federal government has a good initiative at the moment to improve funding for primary health care. That really goes back to the issues I discussed with the Premier earlier, in that we do not have excellent primary health care services in Western Australia. The Department of the Premier and Cabinet was very helpful last year when we asked who notifies all the departments about federal funds that are up for grabs. The Department of the Premier and Cabinet gave me a list of the different grants. Again, it was obvious from visiting South Australia that every time that funding is made available by the federal government, South Australia gets its share of the pie. I really believe that we should have someone employed full time in the government looking at what funds are being made available for various activities, and then writing to all the different agencies, saying that this funding is available and has been used in the past for X, Y and Z, so that Western Australia can get its fair share of the pie. I do not believe that we have got our fair share of the pie in the past. I hope that when the government is looking at efficient and effective services, it will factor in the funding that it can get from the federal government.

We need more capital works for our schools so that there is not a reliance on demountables that we do not have.

I have already said that the Minister for Education is doing a good job. Because she is doing a good job, if the Premier creates a new ministry for early childhood health and education, she might be the person to lead it because of her background in this Parliament, the number of years during which she has focused on children's education and her interest in children's health. Maybe the time has come to create that new department and to ensure that children's health and education in those early years are no longer neglected.

On the subject of efficient and effective services, I ask that the government look at public transport and Main Roads and black spot funding. One of the big problems that affect not just people in Alfred Cove, but also people in the electorates of Bateman and Jandakot and in the south metropolitan area as far as Rockingham is the many people who drive into Perth each day, travelling along Canning Highway to get onto Kwinana Freeway. Discussions have taken place between the Department of Planning, the City of South Perth and the City of Melville, which will increase traffic density in the area of Canning Bridge, but the area of Canning Bridge is already a bottleneck first thing in the morning and in the afternoon.

The Stephenson plan was developed in the 1950s and there has not been a major plan like it since. There is a big problem of traffic getting backed up as far as North Lake Road by people who drive into town. Rather than focus on the money that can be raised from high-rise development around Canning Bridge, the government and the City of Melville should invest in building a tunnel under the river that goes from Canning Highway to Kwinana Freeway and to South Perth. We should be planning now for 20 and 30 years in the future. A large section of Canning Bridge must be replaced in the next 20 years. As part of that replacement, we should be planning to build a tunnel. The bridge and part of Canning Highway could be used for recreational purposes such as cafes and restaurants. There has not been adequate planning for our roads. The previous government was very keen on the rail network but when it built the railway line along the freeway, it did not do anything about the parking situation at Canning Bridge, which is a big problem for the people in my electorate. Hon Phillip Pental said that instead of building a railway line down the freeway, the government should have built a hybrid rail system so that the trains could come off Canning and Leach Highways and we would not have a bottleneck. The railway was a short-term investment rather than an example of long-term planning. We need a long-term plan for Canning Bridge and we need to consider building a tunnel that goes under the river from Canning Highway to South Perth and onto Kwinana Freeway.

I support the Treasurer's decision to sell one old Homeswest house to build three or four other houses for the many people who are either living on the streets or in very cramped accommodation. That is a wonderful initiative. However, one of the concerns I have with it is that the new housing should fit in with the local planning guidelines. If the local planning guidelines allow for six residences to be built on a block of land, we should not squeeze 10 units onto it, otherwise those houses will stick out like a sore thumb. The correct decision was made many years ago to not build just Homeswest homes in an area but to amalgamate Homeswest housing within the broader community. I support the Treasurer's move to ensure that there is more housing for Homeswest tenants but I ask him to ensure that the housing will not stick out like a sore thumb, unlike the houses that have been mooted to be built in a suburb in my electorate.

As part of the environmental agenda over the next year, I hope that we can look at putting Wireless Hill Park on the Register of Heritage Places. It will be the centenary of Wireless Hill Park in a year or so. It is a wonderful place that has a lot of history, which I hope to share with this house at a future date.

MR J.M. FRANCIS (Jandakot) [12.39 pm]: Fortunately—or unfortunately for my pet dogs—I have just had the pleasure of spending 38 days at sea on the newest Western Australian-made Armidale-class patrol boat HMAS *Glenelg*, taking her on an Indian Ocean round trip from Darwin to Singapore, Sri Lanka, India and

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Malaysia and back to Darwin. As the member for Rockingham and the member for Warnbro will no doubt attest, serving at sea in the Royal Australian Navy is hard work, but it is also one of the most rewarding jobs a person can do.

Colombo in Sri Lanka—I know that the member for Warnbro visited Colombo in his naval career—was a very different experience. We made it to the Andaman Islands, which are a fascinating part of the world, full of rich natural history. Our week there was part of a multinational exercise to better coordinate responses to regional disasters such as the 2004 tsunami, and also to address such issues as security and piracy in Asia. Overall, it was a very rewarding visit when one knows that one can make a difference to help the poorest of poor people in Third World countries.

But I want to say a little more about Sri Lanka. One of the most confronting issues facing Australia is the influx of refugees. Regardless of what people think when they turn up on our coastline, it is generally the Royal Australian Navy that has to deal with the issue face to face. It is very easy for everyone to form opinions about the plight of illegal immigrants on suspected illegal entry vessels—SIEVs—and I have heard them all, from bigotry and racism through to “open the gates to everyone” propositions. The reality is that to judge the best course of action, we need to better understand the problem—where they come from and why they choose to leave everything they know, risking their lives on leaky boats over thousands of miles of the desolate Indian Ocean. Undertaking my yearly Navy Reserve time on a warship heading to Sri Lanka provided a golden opportunity to better get my head around this issue.

The majority of asylum seekers heading for Australia, as we are all aware, come from Afghanistan, Iraq and Sri Lanka. Everyone can understand, as I am sure the member for Willagee and the member for Warnbro will attest, why some would want to leave Afghanistan and Iraq, but not many people I speak to understand the reasons why nearly half of those who pay people smugglers thousands of dollars with small chance of success come from Sri Lanka. The reality is that the Tamil ethnic minority have been part of Sri Lankan history for thousands of years. However, a small proportion of Tamil guerrillas have been in conflict with the Sri Lankan government for the past 26 years. But the problem we face is that to paint all Tamils as guerrillas would be like painting all Muslims as terrorists, or all Aborigines as criminals, or even all white Australians as racists. That purely is false and just is not true.

In May last year the Sri Lankan government announced that the long-running and very costly war with the Tamil extremists was over, but the cost will be counted for years to come. Sri Lanka remains a very poor country by any standards. Poverty is a serious issue. The government debt-to-revenue ratio alone is 90 per cent. I am sure that few people here could possibly contemplate running their household budget if they spent \$9 out of every \$10 just paying the interest bill. But the real cost of the conflict is measured in human terms. Since Sri Lanka gained independence from Britain 52 years ago, relations between the majority Sinhalese and the minority Tamils have been very strained. The war has resulted in the deaths of more than 70 000 people, and an estimated 800 000 Tamil civilians in Sri Lanka have been displaced. On the bright side, I had the pleasure of entertaining a group of about 50 orphans. The experience of watching them climb all over a patrol boat and seeing the happiness that such a simple adventure could give them really was a priceless experience.

The good news is that I left Sri Lanka with the firm belief that its government is now addressing this issue with an increasing amount of vigour. After all, Sri Lanka has a duty of care to stop people from gambling with their lives by risking everything—sometimes going for weeks without food or water on leaky boats—just to get to Australia. I am all for tough border protection policies, but it is very rewarding to be able to address difficult issues face to face, especially if it makes only a small dent on a problem that impacts all of us, regardless of what level of government we are in. I salute my crew mates of HMAS *Glenelg* for the job they do.

Before I move on from Sri Lanka, I would like to take this opportunity to publicly thank Ms Kathy Klugman, the Australian High Commissioner to Sri Lanka, and her staff for the exceptional work they do in very challenging circumstances. Additionally, as the member for Warnbro would also know, when a person is on a small boat and a long way from home and has endured some 48 hours-plus without sleep, the one thing he can think about is finding a comfy bed. I would like to thank Pierre, Jessica and the rest of the Héroux family from the Canadian High Commission for the great hospitality they showed us while we were in Colombo.

While all members of the crew of *Aware two* on HMAS *Glenelg* deserve special mention for what was a challenging deployment, there are some members I would like to single out. The Australian patrol boat force is at the forefront of border security. It is a job that demands discipline and diligence. I know that the commanding officer of *Aware two*, my friend Lieutenant Commander Shane Doolin, whom I have had the pleasure of serving with previously in submarines, meets the challenges of command with vigour and professionalism. Lieutenant Mitch Sanders has just taken over as the executive officer, and will bring a new, broad level of expertise to patrol

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boat operations. Sub-Lieutenant Joe Darmody was our new boarding officer and my roomy for six weeks. Joe Darmody is a great guy to share a very small place with over long periods in rough seas. Sub-Lieutenant Tom Dickman and Sub-Lieutenant Tom Lennards are vibrant junior officers, and it was a real pleasure assisting in their training. I sincerely wish them a long bright future in the Royal Australian Navy.

Today marks Leading Seaman Ben Craigie's last day in the Australian Navy. He will be a great loss. I wish him all the best in his future as a police officer in South Australia. Leading Seaman Jason Cairns was today promoted to Petty Officer, a very worthy selection. He will make an outstanding senior sailor. Chief Petty Officer marine technician Greg Pusey is without doubt one of the most professional chief stokers I have ever worked with. Able Seaman Brian Mobbs is consistent in his approach to try to get a buck out of people to raise money for the charity The Grey Man and should be commended for it. When Mobbsy throws himself into a cause, he does so with such passion, often yelling "Aware two!" along the way, especially when he achieves a goal.

That brings me to The Grey Man. There are many charities out there asking people for a buck. Some are more worthwhile than others. Personally, I have always thrown my weight behind animal welfare agencies. I secretly hope that if I have any legacy in his place whatsoever, it will be as the guy who spoke up for the creatures who cannot speak for themselves. The Grey Man is so worthy of special mention that I want to formally place on the record my support, admiration and encouragement for this cause. Established in 2004, The Grey Man is an Australian-registered charity and an international organisation dedicated to eradicating the trafficking and exploitation of children in the sex industry in South East Asia. Based in Australia, its activities are focused primarily on South East Asia. Its main role is to rescue children from traffickers. However, early on it realised that rescuing children was not enough. Once they enter sex work, they can become socialised to their life and it becomes more difficult to convince them that they deserve something better. Many of them will be physically and psychologically damaged and face the prospect of death from AIDS. The Grey Man realised that it needed to stop these children from entering the sex trade in the first place. Therefore, in tandem with its rescue work, it began a prevention program by which it supports educational infrastructure projects in ethnic minority villages—a major source of trafficked children. It found that the best way to prevent trafficking was to provide funds for education and family assistance and to link this assistance to a child's progress in school. It currently supports three villages in Thailand with various projects. Child trafficking for the sex trade is one of the most heinous acts undertaken by subhuman filth that I can think of. I would encourage everyone to throw their support behind the work it does.

In closing, I would like to talk a little about one of the Australian Navy's most prized trophies, the Esther Williams trophy. The Esther Williams trophy has circulated among ships of various navies since 1943, after originating in the Royal Australian Navy, although she has been out of service a few times in this period. Initially, in 1943, the trophy was a joke between two friends, Lieutenants Lindsay Brand and David Stevenson, later the Royal Australian Navy's Chief of Naval Staff, when they were serving on HMAS *Nepal*, an N-class destroyer attached to the British Eastern Fleet. Stevenson wrote on a photograph of Esther Williams, "To my own Georgie, with all my love and a passionate kiss, Esther." Lieutenant Brand put the screen idol over his bed, the photo was taken to another ship by a fellow officer and the trophy was then circulated by officers among some 200 ships, including the US Navy, the British Royal Navy and Canadian Navy ships in Asian waters. In the Korean War alone, it saw service in more than 220 ships. The competition of fighting for the Royal Australian Navy's Esther Williams trophy included some rules. It was to be displayed where it could be stolen stealthily or taken by force with a good deal of roughhouse between the officers of the ships involved.

At various times the holders of the trophy have either flown an Esther flag or sent naval signals signed "Esther" to other nearby ships to indicate where the trophy resided. Notably, on 16 April 2008, the trophy attended the memorial service for the newly rediscovered wreck HMAS *Sydney* II off Geraldton, Western Australia, travelling in HMAS *Anzac*. I have to confess to this house that for the third time in my life I have now been involved in liberating Esther Williams from an Australian warship. After sailing with her in HMAS *Farncomb* in 2007 to Guam, Thailand and Singapore, I could not resist the opportunity once again to take her to Sri Lanka and India. It is a great pleasure to carry the Esther Williams trophy into the Parliament of Western Australia before I return her to sea tomorrow.

MR P. PAPALIA (Warnbro) [12.50 pm]: I would like to commence my reply to the Premier's Statement by congratulating the new member for Willagee on entering this place and for his fine inaugural speech. I have known him since we first met some 22 years ago when I was a candidate on the Special Air Service Regiment selection course and he was one of the staff. Despite the circumstances, he struck me at the time as being an outstanding individual, and he has subsequently confirmed that impression. I am sure he will make a wonderful contribution. I would particularly like to acknowledge the fact that in his speech he called for authentic leadership. That is very pertinent to the current circumstances of this state because, despite the fact that some

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Mr Tony Krsticevic; Mr Fran Logan; Mr Eric Ripper; Mr Mark McGowan; Mr Rob Johnson; Acting Speaker; Mr Tom Stephens; Mr Colin Barnett; Mr Bill Johnston; Mr John Kobelke; Mr John Quigley; Mr Paul Miles; Mr Vincent Catania; Mr Martin Whitely; Dr Janet Woollard; Mr Joe Francis; Mr Paul Papalia

members on the other side may disagree, I feel that that type of leadership is demonstrably lacking in the leadership of this state. At this time, we are desperately in need of leadership; leadership that is not based on the premise that popularity should be the primary focus or that the only determining factors for the appropriateness of legislation or members' comments are the way in which they are received by the media on a particular day or the results of the latest poll. As stated by the member for Willagee, what we really need is leadership that is honest to both this place and the people whom we represent. The lack of this type of leadership is nowhere more evident than in one of the portfolios for which I have responsibility: corrective services. Corrective services is often dismissed as being a largely inconsequential portfolio. It is not a high profile portfolio and not one that key members of the government ordinarily hold, although the Attorney General has responsibility for it in this case. It has, however, at times been dismissed as not one of the senior portfolios. We are now seeing the consequences of its potential to financially bleed the government and condemn our society to an ever-increasing number of victims of crime, if we approach it in the wrong manner.

I am very disappointed that the Minister for Corrective Services is not here today; I know that he is busy doing a wonderful thing in Broome, and I am pleased to see that. I am not in any way saying, as the Premier suggested the opposition was saying, that the minister should not be absent from the chamber at this time, but I am disappointed that he is not here because I enjoy the very few opportunities I get to engage the minister in direct conversation across this chamber about his intentions and what I think he ought to try as alternatives within this portfolio. As I said, I believe that this portfolio is a key portfolio for the future shaping of our society. In the first 12 months since taking responsibility for the portfolio, the minister refused, in an almost parrot-like fashion, to accept responsibility for what I identified as a prison overcrowding situation that was becoming chaotic and borderline critical. His only response throughout this time was to say that he inherited a difficult situation from the previous Labor government, that it was all our fault that we did not build enough prisons and that, as a consequence, there is an overcrowding situation that the minister must deal with. He was saying, "Aren't I wonderful? I'm going to spend a lot of money building prisons".

I am glad to say that that response has changed; I am not entirely happy about the way it has changed, but it has changed since that time. However, throughout that 12 month period, the minister demonstrated an unwillingness to engage in a mature conversation about what was going on. This was demonstrated by his dismissal of a couple of key reports that were passed to him during that time. The first one I will refer to has not yet been received in this place and has not yet been made public, but it is a draft thematic report by the Inspector of Custodial Services into overcrowding in the prison system. That position was created by Richard Court's Liberal government prior to the opening of the first private prison, Acacia, in 2001. He created that position to ensure probity of what is still a controversial activity—privatisation of prisons. But the inspector has a wide-ranging responsibility for being the watchdog of our prison system, and he recognised, independently of anyone politically or any commentators, that we have a serious and growing problem with overcrowding in the prison system. In November last year, he distributed a draft thematic review of overcrowding in the prison system in Western Australia, a copy of which was leaked to *The West Australian*, which ran a couple of reports on it. Nothing more of that report has been seen because it was only a draft.

Today, without going into the detail of the report because I respect the nature of the distribution by the Inspector of Custodial Services, I will refer to five key points identified by the inspector as being the most significant of that report, which is a reasonably sized document. This is the document—it is not massive—and I will reveal only five summary-type points. I feel comfortable in doing that, and I will not go into too much detail. It concerns me that the minister dismissed this report and responded by saying that there were inaccuracies in it but did not go into it any further. I understand that it is only a draft, but he could have demonstrated a little more willingness to engage in discussion based on an objective assessment of our prison system and the difficulties we face.

The five significant points identified by the Inspector of Custodial Services were, firstly, that there is an increasing risk, due to overcrowding, to the control of our prisons and to staff and prisoner safety, an increasing risk to the decency and treatment of our prisoners, and a risk to the community, due to the failure of rehabilitation within our prison system. Secondly, the inspector identified that there has been over the past decade, and there still is, inadequate planning for the increasing number of prisoners, a point with which I completely agree.

Thirdly, the costs associated with what is happening are tremendous. He identified and confirmed—it is fairly widely acknowledged and accepted—that it costs \$100 000 per annum for every prisoner who enters the system. That amounts to \$1 million for every 10 prisoners, and \$100 million for every 1 000. They are significant amounts and they are recurrent. That is not just capital; that is what it costs to operate our prisons.

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Fourthly, he identified that the prison muster is increasing by 24 a week, or 11 000 over five years. My personal view is that that may have been one of the points that the minister questioned. My view is that that figure is not that dramatic. I obtained the latest report of the prison muster at the time and divided the figure by the number of months that the government has been in office, and determined it to be around 55 prisoners a month. That is significant.

His fifth point, which is very important and which I will discuss later, was that the rising rates are not the result of higher crime rates. He stated that a comprehensive, rational and more bipartisan approach to law and order issues is now required to help peg growth in prisoner numbers back to a more sustainable level. He stated that even if we went back to what it was under the Labor government—which was terrible; about 100 to 150 a year—the muster would be about 7 500 in five years.

Those were the five key points of the report that was dismissed by the minister pretty quickly. I am sure the minister will engage in more detailed conversation at a later time when the report is formally released, but I am concerned about his initial response.

The dismissal of the Murdoch University report on sexual assault within the prison system, and the manner in which the minister dismissed it, caused me more concern. When that report was released, the minister released a statement on 18 December last year in which he stated that it seemed to him to be of very limited usefulness in that it was co-authored by an ex-prisoner who based his findings on totally unverifiable claims made in interviews with a number of unknown but handpicked ex-prisoners. I am disappointed that the minister is not in this place, because I would have asked him: does that indicate that he has no confidence in the co-author, Dr Dot Goulding, PhD, from Murdoch University, the head of the restorative justice unit at Murdoch University; and, does it also indicate that he has no confidence in Murdoch University's ethics committee and/or the assessment of the project by the Lotterywest social research technical panel, which includes key researchers from the five universities in Western Australia, the Australian Bureau of Statistics, and the Department of the Premier and Cabinet? Does he dismiss all of them as well? Does his statement indicate that Dr Brian Steels, PhD—an ex-prisoner who has served his sentence, educated himself to tertiary qualification level, gained employment and is living a productive and lawful life—is never again to be trusted because he is an ex-prisoner? Is that what that statement indicates? Members heard the statement, and the minister has not made any other statement; he has dismissed that report outright, based on the statement he released.

Debate interrupted, pursuant to standing orders.

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Sitting suspended from 1.00 to 2.00 pm