

**Extract from Hansard**

[COUNCIL — Wednesday, 6 September 2017]

p3374c-3379a

Hon Alanna Clohesy; Hon Peter Collier; Hon Nick Goiran; Hon Diane Evers; Hon Sue Ellery; Hon Rick Mazza;  
Hon Alison Xamon; Hon Tjorn Sibma; Hon Simon O'Brien

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*Standing Committee on Estimates and Financial Operations — Seventy-first Report —  
“2017–18 Budget Estimates Hearings”*

Resumed from 23 August.

*Motion*

**Hon ALANNA CLOHESY:** I move —

That the report be noted.

I would like to address a few matters in the seventy-first report of the Standing Committee on Estimates and Financial Operations titled “2017–18 Budget Estimates Hearings”. Some members will not have been through this process before as they are new members, and some longstanding members might need to be refreshed about the process, and there are some new elements. First of all, the budget hearings of the Standing Committee on Estimates and Financial Operations will be held from Monday, 16 October to Friday, 20 October inclusive. We have set aside a week for those hearings, but we may not take a week; it will depend on the number of agencies that will be called. However, that is the inclusive period that has been established. The hearings will be held in this chamber from Tuesday, 17 October to Thursday, 19 October inclusive, and we thank the President for allowing those hearings to be held here. If hearings need to be held on the Monday and the Friday, they will be held at the Legislative Council committee office on Parliament Place. Members will be advised of that via another report to Parliament.

Members will be able to identify agencies that they want called. In the statement I made when tabling this report, members were invited to identify agencies that they may want to call by sending an email to the committee. That opportunity to nominate agencies to be called closes next Tuesday at four o'clock. The committee's email address is on the committee's website. Noting that we may not be able to accommodate all requests, we are doing our very best to ensure that that happens.

Members can also submit a reasonable number of questions on notice prior to the hearings. The idea is to identify matters that members may wish to address in the hearings. The process will be that members will submit their questions via a new system, which is why I wanted to particularly draw this to the attention of members. It is a new system for members to submit questions through the electronic lodgement system, which will be available through the parinfo portal. The opportunity for members to submit those questions via the electronic lodgement system will open at 8.30 am on Friday, 8 September. They can submit their questions to any department agency based on the budget papers. I remind members that their questions need to be about the budget and the financial management of the agencies, not about policy.

The electronic lodgement system is a new system and it has not been tried before. It is being tested as we speak. If there is any possibility that the system is not functioning by Friday morning at 8.30, when it is due to open, members will be notified via email, and we will revert to the previous system of emailing questions to the committee. I hope and trust that the new electronic lodgement system, which will have an amazing effect on the way in which the questions can be administered and the speed with which they can be administered, will make a big difference to the way the questions are collated and distributed to the agencies, and the answers returned to members. The electronic lodgement system opens this Friday at 8.30 am. It closes at 5.00 pm on Thursday, 21 September. That means that members can ask questions before a hearing, and can ask questions within a hearing. If the agency is not able to answer that question, the member can ask for that question to be placed on notice. In addition to that, after the completion of the hearing, members can put a reasonable number of questions on notice using the electronic lodgement system. There are four opportunities to ask questions, which is quite extraordinary. I mentioned a reasonable number of questions, and the procedure policy attached to this report explains that this is also at the discretion of the Chair. Generally, that might mean a page of questions, but not with several parts. That is the way the committee has operated in the past, and we intend to try to allow that to occur again.

**Hon Peter Collier:** How do you define “reasonable”?

**Hon ALANNA CLOHESY:** The committee simply copied the procedure of the previous committee and amended it.

**Hon Peter Collier:** I am not being objectionable; I will stand when you have finished to clarify something that you have said.

**Hon ALANNA CLOHESY:** All right. The member can also raise the matter with the committee.

Once the agency has returned the questions, they will be assigned a status—that is, whether they are public or private—and if they are given public status, they will be forwarded to the member who asked the question. We hope to have the answers to those questions back to members, and assigned a status, by Monday, 16 October. They will also, at the same time, be uploaded to the committee's website. Members will notice that that is also the first day of the estimates hearings. If we can do it any quicker, we will, but answers will only be returned by the first day of the

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hearing. In addition to that, I mentioned that questions asked during the hearing that agency witnesses may not be able to answer will be taken on notice, and the answers will be provided around 10 days after that. Again, the committee has to meet and apply public or private status to the questions, and once that status has been applied, they will be forwarded to members. The same thing applies to additional questions. That is the question process.

The agency selection process has commenced and, as I said, members may still nominate agencies they wish to have appear before the committee. If members do that, it is also advisable that they talk to a member of the committee to indicate broadly the length of time they would be interested in the agency appearing for, to enable us to make a decision about the relative priority—nothing more, nothing less. Members have only a relatively short period—by next Monday—to do that, once they have had a look at the budget, and over the weekend.

The other important part is that although the hearings are constituted by the Standing Committee on Estimates and Financial Operations, they are the Legislative Council budget hearings, and members can participate in the standing committee.

**The DEPUTY CHAIR (Hon Martin Aldridge):** Noting that no other members are standing, before giving the call again to the parliamentary secretary, I remind members that temporary orders in relation to standing order 21 have expired, so members are entitled to only one period of 10 minutes per committee report, at the discretion of the Chair, who may allocate a further five minutes of speaking time.

**Hon PETER COLLIER:** I do not wish to be difficult here, but I took note of the comments of Hon Alanna Clohesy about one page of questions.

**Hon Alanna Clohesy:** About one page, generally.

**Hon PETER COLLIER:** That does not actually reflect what has occurred in the past. I have no intention of submitting dozens of pages of questions. I just want some clarification, because the report does not mention anything about one page of questions. Also, picking up on a comment by Hon Alanna Clohesy about questions asked during the session, yes, the Chair has the discretion to rule a question out of order—that has always been the way it is—but not the discretion to determine whether there are too many questions, which I thought she alluded to. Can I just get some clarification around that? One page of questions is not many questions. For members who are new to this chamber, we had a situation some years ago, when someone had put in two pages of questions, but then they had multiple parts—(1)(a), (b), (c), (d) and so on. We got over that nonsense and got to a point at which we reached an amicable agreement. I cannot see anything in this report about one page. I am not trying to be difficult, but I do not think we want to have it on the record that members are restricted to one page of questions post the estimates, because that is not the case, as far as I can understand, and it is certainly not what has occurred in the past. I can go back and find evidence that that does not reflect what has occurred in the past. As a minister, I was signing off on pages and pages of responses. I cannot see anything in this report that confines member to one page of questions. Perhaps the parliamentary secretary might confirm that. Having said that, I want to reinforce that I am not being difficult, but I do not want to think, based upon the comments of the parliamentary secretary, that we are restricted to one page of questions.

**Hon NICK GOIRAN:** I rise to briefly contribute to the consideration of this report, and to indicate that, in my experience of estimates, as a member of the house supporting the government, although not a member of the cabinet, it was very customary for me, even as a member supporting the government, to ask quite a few questions during estimates. I know that in other places, whether in this state or other jurisdictions, from time to time members who support the government quite overtly ask questions they have been requested to ask by the relevant minister. I want to place on the record that that was certainly not commonplace in the two terms of the previous government, at least in this house. It was not the case that government members were routinely asking questions that had been prepared by the government. It certainly was not my practice. I raise that because I do not want any suggestion that in the upcoming estimates hearing, I am somehow restricted in how many questions I might ask. Like the Leader of the Opposition, it is certainly not my intention to ask the number of questions in the ilk of those asked by Hon Ljil Ravlich, who must have some kind of world record for the number of questions she lodged in estimates. That is not my intention. Equally, I will not sit quietly to the suggestion that we can ask one page of questions. One page of questions is the type of thing I would ask routinely on a daily basis here. This is for the budget papers estimates process. For members who have not been here before, the budget papers are very thick and come in three volumes. Will I put in one page of questions? I do not think so. I am pleased we are having this discussion today because I imagine—I am not a member of the Standing Committee on Estimates and Financial Operations—it is routine for it to hold weekly meetings. There is ample time for the committee to get together to resolve exactly what is intended for the questions and deliver either a statement or short report to the house. There is adequate time for all that to happen. My understanding is that the questions system will open this Friday.

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With respect to the questions system, I congratulate the committee on its initiative in looking at doing this electronically. I hope it works. I take on board the committee chairman's comments that we probably all need to be a bit gracious and patient as the initial trial takes place, but I think it is a very good initiative by the committee that all members should support. No doubt there will be some teething issues but that is fine. As I say, given the electronic use, it is probably all the more reason there be no suggestion that members be restricted in their capacity to ask questions. I encourage the committee to have another look at that. There is plenty of time. The questions process will open this Friday and I think it will close in a few weeks' time, so there is no reason a short report clarifying that could not be provided to the chamber next week.

**Hon DIANE EVERS:** As a member of the committee, I want to say that we discussed this briefly. Without getting into too much detail, I think the key word here is "reasonable". I have not gone through this process before, but I understand the term reasonable. We need to look at the fact that we have two weeks to put in questions. Ahead of that time we will get answers before the estimates hearings start. We will ask agencies to give us details about the budget. The questions should relate to the budget, not policy. We need to see how much time they need to provide answers, and whether we need answers to help us make decisions about the budget. The idea is whether something is reasonable. When I heard the term "one page", I understood it was about it being reasonable for each agency to be asked one page of questions. If we want to ask questions of 10 or 15 agencies, clearly the questions will not all fit on one page. There are a lot of questions to do with finances, many of which are very simple and can be answered very easily. Some might require quite a bit of detail, but if we do that, there will be less time for answers to other people's questions. If we go back to being reasonable, we need answers to questions that will give us the detail we need so that when we are in the estimate hearings, we have the background information. We see the budget, we analyse it, we have questions and we want more detail. When we get the answers, we can go into the estimates hearings. As many members will know, they will be limited by time based on the agency—maybe one hour or three hours at the most. A range of people will have questions. If we are reasonable and not one person takes up all the time, especially unnecessarily with dorothy dixers—I am not very happy with that situation at all —

**Hon Peter Collier:** We don't do that.

**Hon DIANE EVERS:** That is good to hear. I hope we use this time to get further details from the budget so that when we debate the budget, that is what we are talking about—not just wasting time.

**Hon Peter Collier:** We don't. One page is not reasonable.

**Hon DIANE EVERS:** If members' questions are not answered following the estimates hearings, they can put in more questions on notice about the budget to get further information.

**Several members interjected.**

**The DEPUTY CHAIR (Hon Martin Aldridge):** Order, members! We have 39 minutes left in this debate so everyone has time to contribute. Hon Diane Evers has the call.

**Hon DIANE EVERS:** Maybe I am not getting the information correct, but the issue is the budget. The estimates hearing process is about looking at the budget. That is what I have been led to believe, and that is what I intend to do. We will look at other agencies after annual reports are released and then members can ask the questions they need to ask about policy and everything to do with that. Right now, the primary thing we are interested in is the budget, and that is where questions should be directed. We should stick to that, keep it reasonable and make sure we get the answers we need.

**Hon SUE ELLERY:** I want to make a couple of points. I am sorry, members of the Standing Committee on Estimates and Financial Operations; I have not read the report. It was certainly the practice in the past that we could lodge questions in advance, ask question and get the answers before the hearing, ask questions during the hearing and get answers directly during the hearing. If an agency was unable to provide an answer on the day, they would take the question on notice and, in due course, we would get the answers. At the end of each session, the person in the chair would say that if members have additional questions, they could lodge them. I think it was within a reasonable period; I cannot remember the time. Otherwise we could lodge questions after the hearing, and I regularly did that. I would not lodge them on that immediate day, the next day or the day after, but generally within a couple of days after the hearings.

**Hon Peter Collier:** How many pages?

**Hon SUE ELLERY:** I do not know; I am getting to that. I cannot remember how many pages, honourable member.

**Hon Peter Collier:** That's my issue.

**Hon SUE ELLERY:** I know; I am not arguing.

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It was also the case that the estimate committee issued a template previously. The chair of the committee has indicated that the template indicating the number of questions or what is reasonable or whatever is the same template issued previously. The chair of the committee or any other member of the committee can advise me whether that is not the case, but when I asked the chair just now whether the template was the same, the answer was yes, it is. If that is the case, I am not sure that anything has changed. When the question of reasonableness first came in, I do not know whether it was —

**Hon Peter Collier:** It was Ljil.

**Hon SUE ELLERY:** I am trying to remember the year, but anyway, that does not matter.

Several members interjected.

**Hon SUE ELLERY:** Okay, guys!

When the question of reasonableness was first introduced by the estimates committee, I was Leader of the Opposition, and there was a lot of conversation about what that might or might not mean. We basically submitted the questions we thought constituted a reasonable number. That is what I did, and I was never knocked back. Unless someone from the committee tells me something is fundamentally different, I do not hear any description —

**Hon Peter Collier:** One page—that's my point.

**Hon SUE ELLERY:** Hon Leader of the Opposition, I am not sure I heard her prescribe that it must be only one page. I think when she was talking about reasonableness, she was referring to it in a generic sense. I am sure she can clarify it for herself if she feels that is the need.

**Hon Alanna Clohesy:** I'm trying to get the call.

**Hon SUE ELLERY:** I am sure she will get it in due course. I used the estimates process extensively to get information from the previous government and I have not heard any description so far that is different from what applied in the past. That is the point I am trying to make.

**Hon RICK MAZZA:** Having been on the Standing Committee on Estimates and Financial Operations in the last term of Parliament, I know that the problem with the word “reasonable” is that it is very subjective. What is reasonable to me might be completely different from someone else's assessment of reasonable. To put questions down to a number of pages is quite difficult. It is actually the quality of the questions that we need to look at. I think the estimates committee could look at providing a bit of guidance on where a member is going when the committee believes a member has gone a little too far with the number of pages and has questions about the quality of the questions. Sometimes committee members look at the questions coming in and wonder where a member is going with the line of questioning. I think some guidance from the estimates committee could be useful, but to limit questions to a number of pages is a bit prescriptive and, as I say, the word “reasonable” is quite subjective. The estimates committee might have to respond to a member who the committee thinks might be going a little too far with the line of questioning.

**Hon ALISON XAMON:** I feel confident that perhaps when she gets the call, the chair of the committee will be able to assuage some concerns about this issue, so I will be quite clear about my concerns. I am also one of those members who use the estimates process quite vigorously. It is an important part of how I get information; in fact, it is one of the key ways I can find information about what is happening in areas of concern to me. I have 20 shadow portfolios, so I can assure members that I will pay very close attention to a lot of areas of the budget. I have also seen in previous estimates processes that some members have been flippant with some lines of questioning. It can happen on both sides. I will not be asking a whole bunch of questions about how many pencils each department has, if we want to use an example of a question that is not particularly useful. Having said that, I am very concerned about the number of questions that are able to be asked being constrained by a number of pages. I can think of key shadow portfolios that I have, for example, when it would not be uncommon for me to put in at least 15 pages' worth of quite detailed questions. These are questions I want to know the answers to and want some detail on. I hope that the chair of the committee will now get the call and answer those questions directly, so this can be a storm in a teacup and no-one needs to be concerned about anything.

**Hon TJORN SIBMA:** I intend to speak very briefly to the seventy-first report of the Standing Committee on Estimates and Financial Operations. I am deputy chair of this committee and I recall deliberation being given to reasonableness, but at no stage do I recall a prescriptive limit being applied to members. I direct members to the seventy-first report, and I cannot locate any prescriptive guidance around the limitation of pages. Perhaps for the benefit of this chamber the chair of the committee can disabuse everybody of that notion and we might get on with other business.

**Hon ALANNA CLOHESY:** I thank members for their questions and contributions to this very important process. There is no intention on the part of the Standing Committee on Estimates and Financial Operations to limit questions

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or questioning. The idea was simply a guideline and, as the honourable member mentioned, the response may have been a storm in a teacup. The procedures have not altered from those of the Standing Committee on Estimates and Financial Operations of the previous Parliament. The previous committee issued a template that had a font size on it that was 12 points and it issued a suggestion that on that template the font could be a 12-point type close together or broader on the other side of the page. The previous committee did that. Not everybody used the template.

The issue of what is reasonable has been widely canvassed and the committee will take into consideration all the comments made by members. The committee will report back to this place after the estimates hearings about the way in which this system operated and whether it was satisfied with that operation and with whether members had the opportunity to ask questions and have them answered in the same way that the committee from the previous Parliament did. The committee may bring recommendations to the Parliament on the degree to which the estimates process operated in the same way as last time. There will be a template. I take the member's point that what is reasonable can be very subjective, and the committee will take that very seriously as well. There have been a number of active members over a number of Parliaments using estimates as a way of seeking more detailed information about the budget, and I think that history is interesting. We want to make sure that this process flows for all members—participating members and committee members. The committee does not intend to limit members' intentions or questions. It is simply trying to ensure a fair and good process for all members to participate in, particularly for new members. The intention of speaking to this report was to explain the process so that new members were made aware of it and to refresh the memories of those who may not have been through this process for a long time. There was never any intention to limit members' participation; rather, it was to increase and assist members' participation. That said, I encourage members to come to me, as the chair, or other members of the committee if they have questions about the process. I refer them to the procedure policy at appendix 1 of the report. If they have questions about the process that a committee member is not able to answer, they will take it to the standing committee in good faith for discussion. That was the intention. It was to make sure that everyone participates and has a fair go. The committee will also report to the house again about the process of estimates and which agencies have been called and the timetable. Members will also have an opportunity to discuss that report.

**Hon PETER COLLIER:** I thank Hon Alanna Clohesy for the clarification. That has made things a little clearer. I say at the outset that I do not like the flippant disregard for this debate and the implication that it is somehow a storm in a teacup. It is not. Estimates is a vital part of this Parliament's role of scrutinising the government. I specifically heard Hon Alanna Clohesy refer to one page. If I misheard that and I read *Hansard* tomorrow and have it confirmed that I did mishear, I will apologise in this place, but I did hear her say that. That was my point. I just wanted clarification.

**Hon Alanna Clohesy:** I understand; I explained that.

**Hon PETER COLLIER:** I know now, but at the time all I wanted was clarification —

**Hon Sue Ellery:** You've got it now.

**Hon PETER COLLIER:** I have, but that is what I am saying. When we were talking and making comments, there was the question of why we were even having this discussion. Of course we are going to have this discussion. If the Chair of the Standing Committee on Estimates and Financial Operations says that our questions are to be restricted to one page —

**Hon Alanna Clohesy:** I did not say that.

**Hon PETER COLLIER:** As I said, I heard that, and I also stated two minutes ago that if I look at *Hansard* and find that is incorrect, I will do what I should do; I will stand in this chamber tomorrow and apologise.

**Hon Sue Ellery** interjected.

**Hon PETER COLLIER:** Sorry, guys, but there is this patronising look, as if somehow my attitude does not mean anything. I say to Leader of the House that this is important.

Several members interjected.

**The DEPUTY CHAIR (Hon Martin Aldridge):** Order, members! The Leader of the Opposition has a very time-limited debate.

**Hon PETER COLLIER:** Thank you, Mr Deputy Chair. I have no intention of taking the extra three and a half minutes, but I want to thank Hon Alanna Clohesy for that clarification. I fully endorse the notion of reasonableness. As subjective as that is, I think it is a very apt decision on the part of the committee so that we do not get to the point I got to as minister in which dozens and dozens of questions were asked. I do not think that was appropriate in that instance. Some of them were just time-wasting. Most of them, however, were not; most of

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them were appropriate questions. I had no problems with that, but I just wanted to clarify before I sat down that “reasonable” is a lot different from one page. I really appreciate Hon Alanna Clohesy clarifying that.

**Hon SIMON O'BRIEN:** I think that members on all sides now share the mood that perhaps we can draw this very useful discussion to a close. In doing so, I want to briefly thank the chair of the committee and her fellow committee members for the work that they are doing on the estimates hearings. There are all sorts of things to consider and there is a lot of work for them to do, so I thank her and the committee staff for that. If I may in passing also thank you, Mr Deputy Chair, for being in the chair a rather long time this afternoon. I am sure that relief will be at hand shortly, but thanks very much for that.

My comments now will be very brief. I want to make the following observations, particularly for the benefit of members who perhaps have not had a lot to do with this particular item in the Legislative Council's weekly program—consideration of committee reports. Before members know it, a flood of reports will be coming in and there will be a list to continue with. I am sure that in years gone by, the consideration of the estimates' week report was a lot briefer. Indeed, we would have moved that the report be noted and members would have been asked whether there were any speakers? There would have been none, and so we would have been asked, “All in favour say aye.” That is how it would normally progress. Nonetheless, the Committee of the Whole House is the chamber's resort for considering the minutiae of matters raised in committee reports. We have certainly done that today with this report. Members felt that that needed to be done so this is the right place to do it, and there is nothing wrong with that.

I want to now make a couple of observations, though, that members might find helpful. Firstly, I think there was a general mood when Hon Alanna Clohesy spoke with the indulgence of the chair for a second time that she was somehow closing the debate. That is what it felt like. There was a sense of that around the house. Then the Leader of the Opposition hopped up and I hopped up and, hello, we are still going. The purpose of a committee is to consider things in detail. Would it not be helpful, without anticipating something else on the notice paper, that if we had a situation like we used to have in which members could speak multiple times? That is a very good example of why we had several speakers—the chairman of the committee presenting the report and the Leader of the Opposition both receiving special indulgence to make further comments. It would have been far more convenient for the discourse this afternoon had members been able to stand up, say such and such and sit down, get the answer, and then, if they needed to, get up and speak again. That is a good illustration for why it is useful to have the capacity to speak multiple times during the Committee of the Whole House. Thank you, also to the Committee of the Whole for providing that demonstration, which I think is very timely.

I certainly support the question that the report be noted.

**Question put and passed.**