

HON JOE BERINSON

Condolence Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [2.02 pm] — without notice: I move —

That this house expresses its deep regret at the death of Hon Joe Berinson, a former member of the Legislative Council for the North-East Metropolitan Province, later reconstituted as the North Central Metropolitan Province, and the North Metropolitan Region; and places on record its appreciation for his long public service, and tenders its profound sympathy to his wife and members of his family in their bereavement.

Can I begin by paying my respects to Joe's family and friends, leaders from the Western Australian Jewish community, and the many former members of Parliament who are with us in the gallery today as we pay our respects to Hon Joe Berinson.

Joseph Max Berinson, or Joe as everybody knew him, was born at the family home near Hyde Park on 7 January 1932. Joe attended Highgate Primary School, which, to use his own words, was a real melting pot. When asked about whether he faced much bigotry while growing up due to his Jewish heritage, Joe remarked that he doubted very much whether as many as half of the pupils at Highgate primary came from other than immigrant families. In his own words, he said, "It was a great mixture there, so if you weren't Jewish, you were Greek or Italian or something—Polish." Joe did well at school and won a scholarship to attend Perth Modern School. After secondary school, he considered doing medicine. But in those days, students had to travel and move interstate to study medicine, so he did a Diploma of Pharmacy through the University of Western Australia, although the study, as I understand it, was undertaken through Perth Technical College. I am told that in those days, the study was more like an apprenticeship, with a combination of study and practical experience apprenticed to a pharmacist. The shop he worked in was in Forrest Place. In those days, that was also the scene of many political rallies and speeches by politicians and aspiring politicians, including one from Robert Menzies, which stuck in Joe's mind because he did not like him—he found him, in his own words, "very off-putting".

He joined the Mt Lawley branch of the Labor Party and over the following years took on executive roles in the branch and at state executive. In September 1958, he married Jeanette, his loving wife, who is here today, as I said, with her family. Over the succeeding years, Joe and Jeanette expanded their family with their daughters, Jill, Linda and Ruth, and their son, David. But interspersed with that life was Joe's political life, which was growing. In 1962, Joe was persuaded to run for the then unwinnable state seat of Mount Lawley. In an interview later, in the mid-1990s, he was asked what was the reaction of his family to him running as a candidate, and he paid tribute to Jeanette when he said, "Well, it's really a question of my wife's position on all of this and she's been remarkably understandable of my foibles in terms of political activity." He said also, "It would be quite impossible to enter into the sort of activities that I did from about that time on without very strong support in that sense from home."

In the Mount Lawley campaign, he was his own campaign manager and managed to put on a stronger Labor campaign than that seat was traditionally used to. In 1963, he unsuccessfully stood for the federal seat of Swan, and then, for a variety of reasons, including that he was opening a new pharmacy, did not stand for a seat in 1966. In October 1969, he was preselected as the Labor candidate for the federal seat of Perth and was elected. This began a very busy period, not just with the travelling to Canberra. In the three years prior to the 1969 election, Joe had been studying law. He had managed to get his exams deferred until the beginning of 1970 due to the election, and continued with his studies while commuting to Canberra for Parliament. He studied on the plane over and back; and, after sitting hours, thanks to a friendly Parliament House librarian who gave him access after hours, he studied into the small hours of the morning in the Parliament House Library. When in Perth, he attended what lectures he could, and his lecturers kindly taped their presentations—which, if we think back to when this was, was an extraordinary advance—for him to listen to at other times. He finished his degree at the end of 1970, topping the course for that year, bearing in mind that he was studying and working and raising a young family, and winning a J.A. Wood Memorial Prize.

Joe ran again for Parliament in 1972 and was elected as part of the Whitlam government. Gough Whitlam was quoted in the book *The Light on the Hill* by Ross McMullin as being disappointed that Joe was not elected to that first cabinet. In his modest way, Joe said, looking back, that he was not disappointed, because he did not expect to be there, that first cabinet being largely made up of the former shadow cabinet.

In 1974, there was another election, with the re-election of both Joe Berinson and the Whitlam government, under which, in July 1975, Joe was made federal Minister for the Environment. The former Liberal government had had a Minister for the Environment, but the department, I am told, consisted of approximately three people. When the Whitlam government expanded this department so that it could take on a more significant role as the Australian

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people became more aware of the need to conserve and protect our environment, Joe was at the forefront of that. Although Joe was Minister for the Environment for a short time, he did manage to achieve some significant steps forward, including laying the groundwork for what was to become Kakadu National Park.

After the 1975 election, when Joe lost the seat of Perth, he decided to continue his legal studies with another year at university to bring his qualifications up to date. He did articles at what was then Dwyer Durack and Dunphy in 1976 and 1977, did a year of restricted practice in 1978, and then practised as a lawyer in 1979 and 1980, until he was elected to the Legislative Council of the Parliament of Western Australia in the 1980 state election as the member for North-East Metropolitan Province. During the next two years, Joe served as Deputy Leader of the Opposition in the Legislative Council; opposition spokesperson on legal matters, Parliament and electoral reform; and shadow Attorney General.

For the 1983 election, Joe's seat was reconstituted as North Central Metropolitan Province. Joe was re-elected and became Attorney General in the new Burke Labor government. At that time, he was one of only two Western Australian members of Parliament who had been a minister in both the federal and state governments, the other being John Forrest. It is a rare achievement. I think that since that time, only two more members of Parliament have been added to that list—Christian Porter and Carmen Lawrence. At various times over the next 10 years until he resigned in 1993, Joe held a number of positions—namely, Deputy Leader of the Government in the Legislative Council, Leader of the Government in the Legislative Council, Attorney General, Minister for Intergovernmental Relations and Defence Liaison, Minister for Budget Management, Minister for Prisons, Minister for Corrective Services and Minister for Resources.

It was for his work as Attorney General that he garnered the most praise from many quarters. Among his myriad achievements, just a few highlights include WA's abolition of capital punishment, with Western Australia being one of the last states to do that; passing the Equal Opportunity Act; reforming sexual assault laws; appointing Western Australia's first female magistrate, and first female District Court judge, Judge Toni Kennedy; criminalising money laundering; and establishing the Director of Public Prosecutions as an independent office, with the first director being John McKechnie, QC, the current Corruption and Crime Commissioner.

Joe also took up the issue of wigs and gowns being worn in court. He was not alone in his view that wigs and gowns were an anachronism. However, it was, and probably for some people still is, a controversial issue within the legal profession, with strong views on both sides of the argument. Joe felt that wigs and gowns had an undesirable and overbearing effect in terms of parties and witnesses. Despite this view, Joe also knew that there were bigger and more significant changes to be made, so he did not press the point.

Although the abolition of capital punishment is often cited as one of Joe's significant achievements from his time as Attorney General, and it definitely was, he also made very important advances in sexual assault laws. The work started in opposition with a private member's bill, but that work was completely revamped when in government. The government consulted extensively. As Joe said, "We took advice from everyone who was prepared to offer it and in the end came up with an act which I think has stood the test of time pretty well." The act, among other things, took away what he described as the "fairly artificial division between different forms of sexual assault". A new act resulted very soon in a higher percentage of convictions recorded and, more importantly for victims who can become re-traumatised by the court process, a higher proportion of guilty pleas.

As Attorney General, Joe Berinson also took measures to try to tackle problems of family and domestic violence by simplifying the procedures for victims to seek help from the courts. At the forefront of Joe's mind as Attorney General was the interests of the victims and the effect that the justice process can have on victims, and for that we thank him. Joe resigned from Parliament prior to the swearing in of the new Legislative Council after the 1993 election and, consequently, his valedictory speech was given in December 1992. *Hansard* records that this occurred on Thursday, 3 December. However, the speech was actually given at the adjournment of that day's sitting, which was four minutes before noon on Friday, 4 December. The Legislative Council had sat for a little over 25 hours straight to get legislation through prior to the election, so it is understandable that Joe's valedictory was short! He said at the time that he resisted the temptation to be lyrical or philosophical. He thanked not only the large number of members who were at the end of their parliamentary careers, but also members such as Kay Hallahan, who were changing houses.

He also made mention of those unsung heroes of Parliament—he was a very wise man and so I am going to repeat his words—the Hansard staff, of whom Joe said —

Their capacity to produce English out of what is actually said in this House involves a high degree of professionalism and ingenuity.

That is a view shared by us all.

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Reflections of Joe's career were largely left to other members who made statements at the end of that marathon sitting. I will refer to one reflection by a rather junior member of Parliament at the time but who went on to become the leader of this place when I first entered Parliament, Hon Kim Chance, who is also no longer with us. Kim said —

However, I will single out one member—Hon Joe Berinson. It is strange that Joe and I had hardly met each other before I came to this place earlier this year. Joe is a person I watched for many years in the development of my political aspirations. I am not sure when it started, but it could have been when Joe made his transition from Federal to State Parliament. From watching Joe's career I built up a picture of him which put him above any other member of Parliament I have known. I regard him as a man of integrity and as the best politician this Parliament has had.

If Kim were with us today, he would still hold that opinion.

Joe Berinson had many talents and many values, including courtesy, tolerance and integrity, political acumen, a deep concern for social justice and, specifically within the justice system, concern for the victims of crime. He was a lion of the Labor Party. He will be sorely missed by his family. He will also be sorely missed in WA's Jewish community and the wider Western Australian community. On behalf of the government and the broader Labor Party, I offer my sincere condolences to Jeanette, Jill, Linda, Ruth, David and their families. Vale Joe Berinson.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.15 pm]: I stand on behalf of the Liberal Party to support the motion. Joe Berinson has the distinction of being Western Australia's longest serving Attorney General for the decade from 1983 to 1993 and, together with Sir John Forrest and Carmen Lawrence, of serving as a minister in both the Western Australian and commonwealth Parliaments. He was also a good man whose sense of justice and morality drew upon a deep religious conviction.

Joe was born in January 1932 at the family home in Glendower Street, Highgate. His father had migrated in 1911 from the historic Jewish settlement of Safed in what was then Palestine to escape poverty and discrimination under Ottoman rule, and had established himself as a master baker. His mother, also from Safed, joined his father in Perth in 1921.

Joe Berinson attended Highgate Primary School and won a scholarship to Perth Modern School where he concentrated on maths and science. This resulted in an early career as an apprentice pharmacist in Forrest Place, graduating in 1953 and subsequently working as a pharmacist in Mt Lawley until 1969. Later, he opened a second pharmacy in Victoria Park.

Involvement in the Perth Jewish community was integral to Joe Berinson's life. He was the youngest of those community members, creating and achieving a plan to buy land in Yokine and Dianella to establish sporting, cultural, educational and aged-care facilities. As a young bachelor, he doorknocked to fund what was to become Carmel School. In 1958, he married Jeanette at the Perth Synagogue, a marriage resulting in three daughters and a son.

Working in Forrest Place as a young man, Joe Berinson's interest in politics was heightened by the traditional election rallies held there. In 1953, he joined the Australian Labor Party and became active from 1956 as secretary of the Mt Lawley branch, as a delegate to the metropolitan council of the ALP, and later as a member of the state executive. He did not sympathise with what he considered to be the authoritarian and sectarian attitudes of the powerful state secretary Joe Chamberlain. Joe Berinson's willingness to stand up against the majority of the day on such matters as state aid for non-government schools indicated his strength of conviction and character.

At the 1962 state election, Joe Berinson stood for the district of Mount Lawley. It was the first occasion that the ALP had contested the seat since its creation in 1950. He polled 41.6 per cent of the vote and was defeated by 1 682 votes—a result not equalled by subsequent Labor candidates for a decade. His performance impressed senior party members who requested him to contest the division of Swan at the 1963 federal election. He trailed the Liberal incumbent by 130 primary votes and was defeated after preferences by a margin of 2 070 votes—47.9 per cent—a strong result in an election that saw the Menzies government comfortably returned.

Joe Berinson's activity within his party as a vice-president and a delegate to federal conferences incurred factional hostility and he was denied the nomination for Swan to contest the 1969 federal election. Subsequently, when the Labor nomination for the seat of Perth became unexpectedly vacant, he made a strong and defiant preselection speech and was successful. He was an energetic and innovative candidate. He was the first to use individual television advertising. He won the seat of Perth with an absolute majority of 5 500 votes—55.1 per cent, and a swing of 12.2 per cent—a notable result even in the context of the strong 1969 Labor swing in Western Australia. He was re-elected comfortably in 1972, despite an adverse swing. In 1974, he consolidated Perth with over 58 per cent of the final vote. His standing rose among his federal colleagues to such a degree that in February 1975, he was elected to fill the vacancy of Chairman of Committees of the House of Representatives. In July 1975, after

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boyde; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

the resignation of Dr Jim Cairns, he became Minister for the Environment. With the dismissal of the Whitlam government and the election of December 1975, Joe Berinson was defeated in the seat of Perth by Ross McLean by a margin of 1 000 votes.

From the mid-1960s, Joe had been studying law part time, graduating with a Bachelor of Laws in 1970, winning the J.A. Wood prize for best overall student in law and humanities. He undertook further study in 1976 before his articles and admission to the bar in 1977. That year a redistribution of WA federal boundaries weakened Labor prospects in Perth but appeared to make Swan a likely Labor gain. Joe Berinson sought to return to federal Parliament but was deeply disappointed on again being defeated for Swan preselection by a candidate who failed to win the seat in 1977. While being prepared to forgo politics and concentrate on the law, in 1979 he was persuaded to nominate for the North-East Metropolitan Province of the Legislative Council, where Hon Don Cooley was retiring. He gained preselection with a near unanimous vote from that part of the committee comprising local delegates.

At the 1980 election, the North-East Metropolitan Province consisted of the Legislative Assembly seats of Dianella, Morley, Mount Lawley, Maylands and Swan, based on Midland. Joe Berinson defeated his Liberal opponent by over 14 000 votes, or 59.6 per cent. In the boxes covering Liberal-held Mount Lawley, he polled well ahead of the ALP Assembly candidate and trailed by only 100 votes. He was immediately elevated to the position of Deputy Leader of the Opposition in the Legislative Council and spokesman on legal matters.

With the election of the Burke government in 1983, Joe Berinson became Attorney General and was to continue in this role until 1993 under the Dowding and Lawrence governments. At various times he also held the portfolios of prisons, corrective services, budget management, and intergovernmental relations. From 1987 until his retirement, he was Leader of the Government in the Legislative Council.

Following a redistribution of Legislative Council boundaries at the 1983 election, Joe Berinson was transferred to the new North Central Metropolitan Province, comprising the districts of Balga, Balcatta, Nollamara and Mount Lawley. At the 1986 election, after the expiry of his first six-year term, he was re-elected with an absolute majority of over 13 000 votes, or 59.5 per cent, against Liberal and Australian Democrat opponents. Again he polled strongly in Mount Lawley, winning in his Liberal-held home territory. With the inauguration of proportional representation in the Legislative Council in 1989, in his final campaign he headed the ALP team for the North Metropolitan Region.

As Attorney General, Joe Berinson served with three successive Premiers, one of whom described him, according to my notes, as —

... a brilliant, detailed thinker never satisfied with less than his very best. He was unafraid to challenge the majority position or the dominant personality if he disagreed with the way things were being handled. Joe was also very compassionate but in an unemotional and detached way. It was almost as though his response to someone in trouble was fuelled by his intellectual conviction and not any emotional response. In any case, the outcome was always that Joe was prepared to help.

After leaving Parliament, Joe Berinson served on the federal Insurance and Superannuation Commission but otherwise concentrated on service to his community. He was president of the Jewish Community Council of Western Australia from 2001 to 2005. His sense of morality and fairness was an integral part of his Jewish faith.

We extend our sympathy to Mrs Jeanette Berinson, to their son, David, and daughters, Jill, Linda and Ruth, and to their families, including 15 grandchildren and a great-grandchild.

HON JACQUI BOYDELL (Mining and Pastoral — Deputy Leader of the Nationals WA) [2.23 pm]: I rise on behalf of the Nationals WA to make a contribution to this condolence motion to remember the life and contribution to Western Australia of Joe Berinson, a former member of the Labor Party. I would like to express our sincere condolences to his family, especially his wife, Jeanette, his son and his three daughters and their families who join us here today in the President's gallery. I would also like to acknowledge the former members and his former colleagues who also join us in the gallery today.

Joe Berinson spent most of his life interested in the lives of other people and sought positive outcomes for communities. As members of Parliament, we should all aspire to that; indeed, it should be the reason we are here. He delivered that during his time in this place. I am sure that all members of this house seek to make that same contribution to the people of Western Australia. He certainly gave us a good lead down that path. Listening to his life story, his contribution to this place and also as a member of the Jewish community and his time in Parliament, there is no doubt that he was certainly a man of great passion and conviction. He lived his life with the quest of fulfilling a better outcome for other people. That is certainly something that we should all aspire to.

Obviously, Joe had an interest in politics early in his life and that intensified, as we heard earlier, during the time that he worked as an apprentice pharmacist in Forrest Place, which was the scene of many protests at that time. Instead of walking away, he became interested and wondered how he could make a contribution and make things

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

better. Many people give their opinion from the sidelines but a limited number of people are prepared to put their hand up and live their convictions. Joe Berinson certainly did that.

Joe was in the unique position of having served in the state and federal Parliaments, becoming a minister in both. It is very fitting that today this house acknowledges his contributions to those two tiers of Parliament. That is not an easy thing to achieve, and certainly continue to contribute in a positive manner in those roles because those roles are very difficult. It is very difficult to serve as a member of the federal government from Western Australia, be a minister and study at the same time. It was great to hear about that and to learn how he spent his time as a member of Parliament.

Joe Berinson obviously had many interests and had many portfolios, to which he contributed very positively. We also heard that he joins a very unique category of people in that he was one of only four politicians to do so, as a state and federal minister of the Crown, along with Sir John Forrest, Dr Carmen Lawrence and Christian Porter. I suggest that that is fairly good company to keep. He obviously served as a fantastic minister of the Crown, both state and federal.

Although I personally did not know Joe Berinson, by reading his contribution to the Address-in-Reply whilst researching my contribution today, it seems as though he was very much a man of his principles. For example, he refused to contribute to the Address-in-Reply and budget debates. He regarded these contributions as a complete waste of time, when members spend limitless amounts of time talking about what they wanted and not debating and delivering outcomes. That is very timely, I might add, members in the President's gallery, because I am about to give my budget reply today. I will take that advice.

Joe Berinson asked what the public deserves from members of Parliament during this period of time. He said —

After all, the operations of this House must cost our taxpayers at least \$3 million a year and surely, at that price or for that matter any price, they are entitled to better value than they are getting out of our performance. I certainly believe they are entitled to better value and that a bit less attention to form and a much greater effort at substance is the least we could offer.

I concur, Joe Berinson, and I will try to live up to that standard today.

There is no doubt that Joe made a significant contribution to the political landscape at both a federal and state level. Judging by the long list of former members and the number of his family members who are in the Parliament today, there is no doubt that Joe was a much loved, admired and well-respected person. As members of the National Party and of this house, we thank him for his contribution to the people of Western Australia for the service he gave them. The people of Western Australia are forever indebted to people who give their life to public service and also to the families of those members of Parliament who join them in giving their life to that public service. I pay tribute to his family in that respect as well.

My condolences to the Berinson family for their loss and to the Labor Party for the loss of a significant member of the party. May he rest in peace.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [2.29 pm]:

Of course, today we are very sad to mark the ending of such a great man and great contributor. It is true that there is much to celebrate about the life of Joe Berinson. He was someone who was truly an ornament to both the Labor Party and the Parliaments he served. I think I knew Joe quite well over the years. His intellect, discipline, integrity and eloquence really marked him as someone who had a very special contribution to make and who, indeed, had a very formative effect on me and, I think, on many others within the labour movement. Other members have set out in considerable detail his career, so I will not go over all those elements, but I will say that we did have quite a bit in common. Not only did we live roughly around the same area of Perth, but also we did our articles and restricted practice at Dwyer Durack. I believe it was Dwyer Durack and Dunphy when he was there, but Paul Dunphy had got the flick by the time I got there. Of course, when I was there, we were joined by Joe's son-in-law Marcus Solomon. It is a great Labor firm that has moved many people through its ranks.

Of course, both Joe and I were the federal member for Perth. I was very pleased in my inaugural speech in federal Parliament to reflect on my predecessors Stephen Smith, Ric Charlesworth, Joe Berinson and Tom Burke. I first became active in the Labor Party around the time that Joe was the federal member for Perth. I remember that very depressing election loss of 1975. I first really came to understand the quality of Joe in 1982. We had newly formed the Highgate branch of the Labor Party and we invited him to be our guest speaker on the tenth anniversary of the election of the Whitlam government. This was one of the most powerful political analyses that I heard. It was a tour de force. At that stage, we were rebuilding from the 1975 loss and he very candidly took us through all the good things. He talked about those things that were enduring—universal health care, legal aid and no-fault divorce. These were the sorts of things that were so changing to the lives of ordinary Australians. Even by that stage, it seemed that we had thought that those things had always been there. He went on to talk about his ascension into cabinet more or less around the same time as Paul Keating. He said that he believed that, other than he, Keating and

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boyde; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

the then Prime Minister, no-one else ever read the cabinet papers of the other ministers. Cabinet had got to that point at which it was Balkanised and everyone was in there just trying to get their particular projects up. It was a very interesting reflection of what cabinet should be and the notion of collegiate decision-making. I know that Joe brought these skills to cabinet when he came to state Parliament.

Hon Sue Ellery, the Leader of the House, has set out many of Joe's achievements in law reform. It was a challenging time for Joe in many respects, because he had to act as a voice of constraint in a period when, at least for the first five years, there was a great deal of, shall we say, unbridled enthusiasm—four-on-the-floor—and it was Joe's role in part to try to provide some broader understanding of the checks and balances that exist quite properly within our democratic system. It is a testament to Joe that he was never in any way caught up with some of the more excessive behaviours of that period. I am not sure that this is true, but I heard the other day—I have been trying to do some research—that it was Joe who in fact took the step of moving the motion to allow Tom Burke, his predecessor, to be readmitted into the Labor Party and to try to bring some unification to that Labor family that had been very fractured.

Again, it has been a great pleasure to have known Joe over the years and to have seen the quality of his contributions and the way in which he added great dignity to this place and, indeed, to the political process. I know that in his last speech he reflected on the need for us, in the contest of ideas that we have in this place, not to allow a degree of personal animosity that is destructive to the quality of the decision-making and to the individuals who are involved.

I say to Jeanette, David, Jill, Linda, Ruth and Marcus, and all the family, you have so much to be proud of with this great leader of our community. We share your sadness at his loss.

HON ALISON XAMON (North Metropolitan) [2.37 pm]: I rise on behalf of the Greens to say a few words in support of this motion. Most times when we mark the passing of a former member of this chamber, I find that many of them were remarkable people who dedicated their lives to the community. It is absolutely clear that Joe Berinson very much fits that profile, with so much of his time and work going into achieving outcomes for the community at all levels, from his local Jewish community to the whole country. He was a minister in both federal and state Parliaments, but I would like to briefly concentrate on his time in this Parliament and particularly his time as Attorney General. Much of the work that he did as Attorney General was to remove discrimination and to focus on the protection of the vulnerable. This is the work that we do in this chamber of which I am most proud and it is how we can best help the people who need it the most.

Joe Berinson was elected to the Council in 1980 and was Attorney General from 1983 until 1993. He oversaw a range of law reforms in this time that reflected both his desire for social justice and his urge for efficient systems. The Equal Opportunity Act 1984 was shepherded through Parliament under his watch, and it is quite clear that Joe Berinson was an advocate for women. Additionally, he worked on removing from the Criminal Code pejorative terms for people with intellectual disability. He removed gendered language from sexual assault legislation and made those laws provide better protection for both the young and the vulnerable. Most recently, the Royal Commission into Institutional Responses to Child Sexual Abuse commissioned a historical review of state laws on sexual offending, especially against children. This review found that a number of the key legal changes to better protect Western Australian children from sexual abuse occurred during Joe Berinson's time as Attorney General. He also oversaw the decriminalisation of sodomy. This was a vital first step towards legal equality for our lesbian, gay, bisexual, transgender, intersex, queer community, something that many of us continue to work towards in legal and social equality today.

It is very clear that Joe Berinson was articulate and witty and was focused on substance. He valued expertise and the cultivation of expertise and he had faith that members of Parliament were up to the task of deep engagement in policy and legislation if they were given the right environment in which to do that. He did seem to have very little patience for pomp and circumstance that got in the way of getting things done, and getting things done well. It is clear from his contributions to the chamber that he felt a strong obligation to the people of Western Australia to make good use of his time in Parliament. That is an obligation that I hope we all still feel.

My deepest condolences to his family, in particular his wife, Jeanette, his children and the rest of his family and also to his friends and members of the Jewish community. Vale Joe Berinson.

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [2.41 pm]: It is an honour to contribute to this condolence motion today. I had the pleasure of meeting Hon Joe Berinson and some of his family in the course of my work as the member for East Metropolitan Region. My reflections today are shared by Mr Simon Millman, the member for Mount Lawley. Together, we extend our condolences to the Berinson family.

According to Jewish custom, a funeral must take place as soon as possible after a person has died. When Joe Berinson, sadly, passed away on Saturday, 2 June, his funeral was arranged to take place the following day. It

Extract from Hansard

[COUNCIL — Tuesday, 26 June 2018]

p3725b-3734a

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

is no surprise that he left this life as he had lived—a staunch adherent to the Jewish religion, customs and beliefs that he held so dear. In speaking to this condolence motion, others will have emphasised Joe’s terrific and amazing contribution as a member of the Western Australian Parliament and our federal Parliament, as a minister in the Whitlam government and as our state’s Attorney General.

Those are achievements that should be recognised and celebrated. But it is equally important to record, and to recognise, Joe’s outstanding contribution to the Western Australian Jewish community and to the Jewish faith. There are three institutions that Joe helped to build and fostered for and endowed to the Jewish community of Western Australia. They are social, religious and educational and they reflect Joe’s three passions—his service to community, his faith, and his commitment to educational opportunity. They are the Dianella Shule, the Jewish Community Council and Carmel School. Members should know of the contribution these three institutions make to the lives of Jewish people in our community, because to know of that contribution is to understand Joe’s passions and his achievements. At the funeral in his eulogy, Joe’s son, David, who lives in Israel, said this of his father’s commitment to his faith —

He was enormously proud of his Jewish heritage and practice and certainly would never dream of hiding either in any context, and definitely not in order to advance his career. On the contrary. Each time he was sworn in as a minister at Government House, it was on a chumash and wearing a kippa. In fact, he just recently told us that when he first took office as Attorney General in WA he called a meeting of his staff to tell them two important things: firstly, that he didn’t work and wouldn’t be in the office from late Friday afternoons to Saturday nights because of shabbat—and secondly, that if he ever had to be at a function where food was served, then they should arrange a plain undressed salad for him—and, if people were to ask why—his staff were to state unequivocally that it was not because he was a vegetarian but because he was Jewish”.

Dad made a point of being actively involved in all things Jewish—often in leadership positions. In his early days, he was prominent in Habonim, often having a leading role in the Habo reviews of his day. He was an active shul member from his earliest years, attending every shabbat without fail, initially in Brisbane Street, then the PHC at Freedman Rd, where he also served as a board member—and in his later years at Dianella shul.

I want to acknowledge in the President’s gallery Rabbi Marcus Solomon, QC, rabbi of the Dianella Shule and Joe’s son-in-law.

The Jewish Community Council is the peak body representing the diverse range of Jewish organisations that contribute to our civil society, particularly in Mt Lawley, Dianella and Menora. These organisations are engaged in terrific diversity of endeavours such as cultural, sporting, social, religious and educational pursuits. Between 2001 and 2005, Joe was the president of the Jewish Community Council, a position he held on account of the esteem in which he was held by members of the Jewish Community Council. I guess this extract from the eulogy of his daughter sums it up well —

Throughout his working life Dad maintained a keen and active interest in Jewish community affairs. From a very young age he was a member of the shule choir, Maccabi sports club. The debating team, a ZYL madrich and the list goes on.

In his role as president of the JCC, he worked closely with state and federal members of Parliament, and I want to acknowledge Stephen Smith, Jann McFarlane and Bob Kucera, as well as the current president, Joan Hillman, who have all joined us today.

The mission of Carmel School is to provide excellent educational opportunities to students in a Jewish cultural and religious context. To quote from principal Shula Lazar —

Carmel School offers the best of both Jewish and General education; invigorating our students with positive Jewish identity while empowering them with the knowledge and values to become successful and contributing 21st century global citizens.

Jewish education is both a great privilege and responsibility. We take seriously our role of educating the Jewish generations of tomorrow, but revel in the opportunity to do so.

Joe Berinson was instrumental in the establishment of Carmel School and he remained committed to it and the principle for which it stood throughout his life. Again, from his daughter’s eulogy at Joe’s funeral —

Dad’s main passion was Carmel School. Dad believed that Jewish education together with practice in the home was the only chance for the survival of the community and so, long before he and mum even had children they both set to work with a group of likeminded people to set up the school. He remained passionate about the school even after his retirement from any sort of active participation in its running.

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

Taken together, these three things, the Dianella Shule, the Jewish Community Council and Carmel School, provide an insight into the significant role that Joe played in the Jewish community of Western Australia and the preservation of the Jewish faith in that community.

To his family, friends and community, the member for Mount Lawley and I say, may you have a long life, and to all the people of Western Australia, we say, vale Joe Berinson.

HON ADELE FARINA (South West) [2.48 pm]: It was a great privilege to have known Joe Berinson. He was a gentleman in every sense of the word. Those who have already spoken today have covered Joe's many achievements, and they have been considerable, so it is really difficult to do justice to Joe Berinson and the enormous contribution he has made to Western Australia and to Australia. His intellect, considerable ability and the respect with which Joe Berinson was held is reflected in Joe's membership of a very select group—that is, people who have served in both the federal and state Parliaments, and an even more select group being those who have served as a minister of the Crown in both the WA and commonwealth governments. In fact, Joe Berinson was the second person after Sir John Forrest to serve as a minister of the Crown in both the state and federal governments.

As other members have indicated, Joe contested the state seat of Mount Lawley in 1962 unsuccessfully, and ran for the federal seat of Swan in 1963, also unsuccessfully. At the 1969 federal election, Joe successfully contested and won the seat of Perth. On 14 July 1975, Joe was appointed federal Minister for the Environment in the Whitlam government. Sadly, it was a position he held for only a short time, with the Whitlam government being defeated at the 1975 election. After leaving the commonwealth Parliament, Joe undertook further legal studies at the University of Western Australia and entered legal practice in 1977.

Joe Berinson was elected to the Western Australian Parliament on 22 May 1980, representing the North-East Metropolitan Province, as it was known then, which later became the North Metropolitan Region. He held this position until he resigned on 30 April 1993. Joe Berinson was Deputy Leader of the Opposition in the Legislative Council from 1980 to 1983. Under the Burke government, he was initially appointed Deputy Leader of the Government in the Legislative Council from 1983 to 1987, and then Leader of the Government in the Legislative Council from March 1987 to February 1993. He was also appointed Attorney General, a position he held during his time in this place with great distinction. He also held a number of other portfolios, including Parliament and electoral reform; intergovernmental relationships; budget management; prisons; defence liaison; resources; and Minister Assisting the Treasurer, among others. Of all his ministerial positions, he is perhaps most remembered for his role as Attorney General, or at least that is the role with which I most remember Joe Berinson.

I got to know Joe Berinson and occasionally work with him when I worked for Bob Pearce as his policy officer for planning and later as his chief of staff. When I think of the position of Attorney General, I always think of Joe Berinson. He was the first Attorney General I knew and, rightly or wrongly, he is the Attorney General against whom I have measured all subsequent Attorneys General—so high is my regard for Joe Berinson, not only as Attorney General, but also as a person. I was in awe of his intellect and his legal knowledge. I recall sitting in on meetings as he gave considered views to his colleagues on various matters being discussed. I recall wondering whether there was any limit to his knowledge. His contributions to any matter under discussion were always well considered and well reasoned. He was quietly spoken, yet always managed to have his views heard. He was a man of great principle and when he spoke, people listened. He was highly regarded by his colleagues and was often able to sway the room with his intellect and good reason. He was cautious by nature and every word spoken was well considered. His colleagues trusted him and respected his views.

As far as Joe the person was concerned, he was a gentle soul and a compassionate man, always choosing to see the good in others. He was always polite and pleasant; he always said hello and asked how you were doing, and seemed genuinely interested in the reply. Indeed, my views of Joe are reflected in the expressions of condolence in the obituaries by others who knew and loved him. They referred to him as a “man of great principle”; “a statesman”; “a most principled man”; “a brilliant and principled mentor”; “a kind and loving man”; “always there for us”; “his gentle smile, patience, humour and wisdom will always be remembered”; and “at once brilliant and modest, beloved and revered, a leader and a servant of his community who in life did that which was asked of man—to act justly and to love mercy and to walk humbly with God”. I believe those words spoken reflect the man that Joe Berinson was, and certainly the man I knew.

While working as Bob Pearce's chief of staff, I became good friends with one member of Joe's staff. I recall her recounting to me on one occasion that when she had gone to make a photocopy, she found Joe using the photocopier. Being quite embarrassed and surprised to find him there using the photocopier, she went on to remind him that he was the Attorney General and should not be doing his own photocopying, that he had staff to do his photocopying and that she was more than happy to do the photocopying for him. He replied very genuinely that all his staff were important and had busy jobs in the service of the state and that he did not feel comfortable to impose on them to do his photocopying when this was a task he could easily manage himself. I remember that

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

conversation very clearly and I remember thinking at the time, possibly very unkindly, that I doubted that very many ministers would do their own photocopying, and perhaps even more unkindly, doubting that my own minister even knew where to find the photocopier in the office, much less know how to operate it. He is here in the President's gallery at the back of the chamber today, so, Bob, I apologise for those unkind thoughts and now having put them on the record! But this example of Joe doing his own photocopying typifies the man who Joe was. He was the Attorney General, he was brilliant and he was revered by many, but he was a very, very modest person, and he did not think twice about doing his own photocopying.

In search of Joe's valedictory speech, I came across the valedictory speech of Hon Fred McKenzie—a man I also hold in the highest respect. In that valedictory, Hon Fred McKenzie makes reference to Joe Berinson. I will read from that valedictory. He said —

I turn to Mr Berinson. Nobody is like Joe Berinson ... He has given me great support when I have made mistakes.

People will remember that Hon Fred McKenzie was the government Whip at the time. He continues —

He has never bawled me out ... if I had left someone off the pairs list or done something wrong that we were beaten by two votes instead of one. It is a great comfort when one is not to be bawled out. Joe Berinson has told me a lot of things that I should have done that I never did and members never got to know about. Leaders sometimes get jittery and he would ask me how many speakers I had ready for a debate. I would say I had six when I had none. However, backbench members can always be relied on when one is stuck. Somebody will always come to one's aid.

He was a great leader. Again, this typifies Joe Berinson. I never once heard Joe bawl anyone out, raise his voice or speak unkindly of anyone. He was always a gentleman and always treated people with kindness, dignity and respect, and I have to say that the same was true of Fred McKenzie. He was also a very decent man and I think in that valedictory speech was being a bit harsh on himself. I am sure that he did not make any mistakes at all.

Joe's accomplishments as Attorney General were many. As I indicated earlier, it is not possible to outline them all, and some members have already pointed to some of them. I want to make reference to just a few. He introduced laws to protect children and special witnesses, enabling these witnesses to give evidence by closed-circuit television or video, rather than appearing in court, to avoid intimidation or distress. This set of legislative amendments also prevented unrepresented defendants directly cross-examining children under the age of 16 years. He introduced new provisions about the competency of young children to give sworn or unsworn evidence, and a number of other very important measures in that swag of legislation.

He revamped the system dealing with complaints against lawyers. He established the Legal Practice Board and he included non-lawyers in the disciplinary proceedings and greater disciplinary powers, including the ability to order lawyers to make good any harm or inconvenience caused to their clients. He introduced amendments to the equal opportunity legislation, making discrimination on grounds of age unlawful. He amended the Justices Act to allow the use of video link. He also introduced the first chapter of the model Criminal Code dealing with principles of criminal responsibility, which was designed to lead the way to model uniform criminal laws for the whole of Australia. He introduced laws to make money laundering a major crime in Western Australia, with penalties of up to 20 years' imprisonment, and introduced a package of offences against children, including sexual offences. Other members have listed a number of his other very important achievements. As Attorney General, Joe Berinson was not interested in personal gain, nor in his media profile. He went about his job modestly, focused on reform and doing what was just and in the best interests of the people he served.

I extend my heartfelt condolences to Joe's family, especially his wife, Jeanette. Joe made an enormous contribution to our state, our nation and the Jewish community. He will be remembered with great affection and will be greatly missed.

THE PRESIDENT (Hon Kate Doust): Members, I would also like to add some words of condolence to the family of Hon Joe Berinson, particularly to his wife, Jeanette, and his children. I acknowledge also members of the Jewish community who are with us today, and the significant number of former members of Parliament who are here today to pay respect to Joe as well. Having listened to all the members who have spoken today, it is evident that Joe was respected by members on both sides of the chamber, and former members from both sides are here with us today.

Unfortunately, I never had the opportunity to work with Hon Joe Berinson, as some of my other colleagues did. However, as a very young union official, I was fortunate enough to sit with Joe from time to time when he attended the state executive of the Labor Party as part of our delegation. Certainly in Joe's retirement over the last few years, I had the good fortune to see him from time to time when I attended a range of events with the Jewish community. It was always a great pleasure to see him. One thing that members have talked about today is Joe's great dignity. I always looked forward to seeing Joe because of his good conversation. He is a man for whom

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

I have always had enormous respect for the work that he did for not just our state and our nation, but also, certainly, his own community.

The one thing that people have not talked about today is the work that he did within his own party. I have been asked by one of his former staffers and colleagues, the former member for Perth, Stephen Smith, to put some words on the record. Stephen has said that Joe was the second last minister into the Whitlam cabinet, followed by Paul Keating, who was last in. He said that whenever Joe's name came up, Paul would instantly say, "A very good man, Joe; a very good mind." I think that has been reflected and reinforced today in the conversations in this chamber. Stephen also said —

In his short time as Federal Minister for the Environment, Joe proclaimed Kakadu National Park.

In his decade as one of the State's great Attorneys General, among his many pieces of legislative action, he had enacted legislation to abolish capital punishment, to introduce Equal Opportunity and Sex Discrimination laws, to introduce a modern Sexual Assault regime, to substantially modernise the State's Criminal Code, to create the office of DPP and to abolish appeals to the Privy Council. He closed Fremantle Prison.

Such a substantial list of achievements and more, however, does not of itself give you a measure of the man. It does not give you the quality of just how good a Minister and Parliamentarian he was, just how good a mind and intellect he had, and just how good a person he was, of consummate integrity, decency and humility, and absolute commitment to family faith and community.

I once told one of his daughters Ruth how, when I was working for him as Attorney General, I would spend hours days and weeks working up draft submissions for him. Upon presentation, they would be returned shortly afterwards, with red pen mark ups and corrections to everything from typos to grammar and policy.

Ruth's response: Laughter and "You should have seen our English essays."

It was a great personal and professional pleasure and honour to have known and worked for Joe.

May his passing be a blessing.

I think those thoughts have been reflected by the various speakers today. Joe was a man of integrity, decency and dignity. I was very pleased to hear Hon Jacqui Boydell reference Joe's comments about the nature and type of debate that should happen in this place. Joe had worked in the federal Parliament as the member for Perth. He then, if we listen to his interviews, made a somewhat reluctant entry into this place. However, once here, he certainly engaged. If members go back through some of his comments in *Hansard*, they will see that the matters that were canvassed by Hon Jacqui Boydell are absolutely pertinent today. This house is still looking at how we manage our standing orders, and how we evolve with our committee processes. The one matter that we have been talking about of late, and in which I am sure he was engaged right up until the end, is electoral reform to the Legislative Council. Even more than 20 or 30 years later, these matters are still of great interest to all of us and hopefully one day we will find a solution to them.

In relation to Joe's activity in the Labor Party, Joe joined the Labor Party at a very early age. Having read through the interviews that Joe has provided, he was very active in his local branches. At one point, Joe was even acting party secretary when Joe Chamberlain took some leave. I read in Joe's interviews that Chamberlain was very keen to come back and resume his position, because I think Joe was engaged in looking to modernise how the party functioned. To my colleagues in the Labor Party, having looked at how Joe Chamberlain ran the party during that period, it was probably a shock to the system. I think that we can see that engagement that Joe had in looking to make significant changes to how the Labor Party operated during that period. Certainly, we can see from his comments in *Hansard* about how the Legislative Council functioned during that early stage that Joe was a man who was a significant agent of change and not one who rested on his laurels. Even after Joe had made significant changes in his various roles as minister in the state Parliament, and certainly also as a federal minister, upon retirement he did not take a fishing pole and go out and see what he could do but remained very active and engaged in his community. In Joe's involvement in the Jewish Community Council of Western Australia, he moved for ongoing change in that area as well.

I say to the family of Hon Joe Berinson: we are very proud of Joe as a Labor man, and we very proud of him during his time in the Legislative Council. As a member, he was certainly very active and engaged and made a significant contribution, as has been referred to by a range of speakers. A life well lived, I would say. We are indeed saddened by his passing but enriched by the activity that he participated in during his time here.

Members, in putting this motion, I ask that members now rise and stand in your places to indicate your support for the motion and observe one minute's silence in memory of Hon Joe Berinson, an esteemed former member of this Council.

Question passed; members and officers standing as a mark of respect.

Extract from *Hansard*

[COUNCIL — Tuesday, 26 June 2018]

p3725b-3734a

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Alannah MacTiernan; Hon Alison Xamon; Hon Alanna Clohesy; Hon Adele Farina; President

The PRESIDENT: Thank you, members. I advise that in accordance with our custom and practice, a copy of the *Hansard* transcript of this condolence motion will be forwarded to Hon Joe Berinson's family.