

Standing Committee on Estimates and Financial Operations — Fifty-second Report — “2015/16 Budget Estimates Hearings— Sitting Schedule”

Resumed from 25 March.

Motion

Hon KEN TRAVERS: I move —

That the report be noted.

The speech given at the time of the tabling of this report outlines the estimates hearings for the upcoming budget for the 2015–16 financial year. Members, we have been developing which agencies will come in, and obviously priority is always given to those ministers who are in the upper house. There will be, I think, limited spots available, and members will talk to other members around the chamber over the next couple of weeks about the agencies involved. There will be limited opportunity during that week after we go through the agencies that are represented by ministers in this house and call those, but we certainly welcome suggestions because there is also still the capacity for hearings on our usual Monday afternoon meeting times for other agencies to attend.

The other thing I would again draw to members' attention is that we have set up a process for questions in advance of the hearings, as we always have, and we have invited members to ask questions about any agency in the budget papers. Members will have the capacity to submit those questions by, I think, the Friday following the tabling of the budget. It is a short time frame so that we can get those questions off and get them back. So it is not just for the agencies that have been called but any agency. This is to facilitate this chamber's oversight and scrutiny of the budget.

As a member of the Legislative Council, I make the statement that I think it is often forgotten by the executive that it is still the role of Parliament to approve the budget. We understand that in the other place the government always has the numbers. Of course in this place we have a situation whereby although technically this house could block supply, because we do not go back to the people ourselves—unlike, say, the Senate because of the structure—it is my personal view and the view we have always held on this side of Parliament that it would be highly improper to block supply—nonetheless, I think there is still a role for us to exercise scrutiny. I remind ministers that that requires them to provide answers to the estimates committee.

Members may be aware that alongside the budget process, we currently have an inquiry into the provision of information to Parliament, because there is an increasing roll of ministers who are not doing that. I think the committee has always taken the approach that even if we think something should be made public, we have never made it public if an agency has asked for it to be kept private without calling the minister in. I think we are currently trying to find a time when the Leader of the House can come and meet with us to discuss some documents that, after some considerable toing and froing, have been provided by the Minister for Energy to the committee. We now want to sit down with the Minister for Energy's representative in this place to go through them—some of that may be in public and some may be in private—to fully understand and discuss why certain elements need to be public or private. The committee takes its responsibility to provide information to Parliament seriously, but it also needs to protect the broader interests of the state. I do not think there is a single member of the estimates committee who would seek to release information if they were of the view that it would genuinely do damage to the state. I use as an example Brookfield Rail, about which the government consistently tried to argue that contracts should not be made public. A committee of the other place actually made all those contracts public, and I am yet to be made aware of any adverse impacts as a result of those documents having been made public. I think there is often an attempt to withhold, but at the very least those documents should be made available to the committee, with a request for them to be kept private.

As I say, I hope members will take advantage of that procedure. This process has been set up by the committee, rather than just using normal questions on notice. We understand the way in which governments and this chamber has always interpreted it, which is that we can ask the questions and ministers can give answers completely irrelevant to the question asked. During question time that is part of the theatre and game of politics, but when it comes to matters of budget and the scrutiny of the budget, that is not the case; the government should be providing to Parliament proper answers to questions around the expenditure of state money before this upper house is required to approve it. We may never block it, but I believe we should expect and should be given proper answers to questions when they relate to budget matters. Therefore, it is important that members be given that opportunity to ask those questions. If they then do not get a satisfactory answer, we can use the role of the committee to assist them in pursuing satisfactory answers. This is not about opposition and government because my experience is that there are as many government backbenchers who struggle to get answers out of their ministers as there are opposition members. In fact, as opposition members we sometimes get better answers than the government's backbenchers.

Hon Simon O'Brien: That is why we hang around with you.

Hon KEN TRAVERS: Yes. We are able to put a political context to the question that forces the government to answer it, whereas government backbenchers, being loyal to their government, do not have that capacity. I note that some members are becoming quite adept at using question time in this place to get answers out of the government. However, I make the point that it is about this Parliament recognising and exercising its right as one of the two houses in a bicameral system to be given proper answers about the expenditure of money before it is made available. The estimates process in this place operates far better than it does in the other place, and we have had a pretty good culture in this Parliament now for a number of years with regard to the way in which the estimates process has operated. I look forward to the participation of members and I also take the opportunity to express my appreciation to the Leader of the House for the way in which he has cooperated with the Standing Committee on Estimates and Financial Operations in setting the times for the hearings. This year it has been quite difficult to do with the various changes, but it is worth acknowledging that we have been able to negotiate on the matter. I understand how things work because I have sat on the government side and talked with our various Leaders of the House over the years, so I know how difficult it is to get cabinet to engage and think about the upper house. However, I hope that in future, when the annual sitting program of Parliament is set, that at that stage we might start to think about fitting in the budget estimates and the annual report hearings. I would be more than happy to talk to the Leader of the House on this matter. I understand the sensitivities for government about these matters and that sometimes it is not an easy thing to organise. But we generally make an assumption about when the Assembly estimates will be held after the annual tabling of Parliament's sitting times, so it would be fantastic to incorporate the Legislative Council's estimates hearings as part of that annual planning, and also our annual report hearings later in the year. I am not in any way trying to be critical and I acknowledge that the Leader of the House has always been very cooperative with the committee in trying to work with us on that. All I suggest is that we try to do it when cabinet starts to think about it. Perhaps at that point the Leader of the House could have a conversation with the committee. I understand the limitations that that brings, but if we could find a way around that, we would be reasonably happy to have a general conversation with the Leader of the House, and then he could come back to us with a date. I do not know that that would give away any more than when the Assembly's hearings are factored into the calendar.

Hon Peter Collier: At the end of this year we might have to do that.

Hon KEN TRAVERS: Yes. This is just about constantly improving the way we practise in this house. I look forward to members attending the estimates hearings and I urge members to use the opportunities through the questions on notice process. My personal experience is that it allows me to focus on getting the answers that I want as a member of Parliament. We can then focus the hearings on those areas that agencies are reluctant to discuss. I urge all members to use this process because it is a good process that focuses on the areas that need it most.

Hon LIZ BEHJAT: I will also make some brief comments on the estimates process. As somebody who served on the Standing Committee on Estimates and Financial Operations in the last Parliament, I completely understand the importance of that committee, the very good work it does and the importance of the estimates process. Unlike the previous speaker, I take exception to the fact that it is difficult for backbenchers on this side of the house to get information from their ministers. I have had nothing but the best cooperation possible from any minister from either place whom I approach for information, and they have always been very forthcoming, forthright and fulsome in their responses. I do not know whether that is exclusive, but I am talking about my experience and would like to put on the record that our ministers do a fantastic job.

The estimates process is an incredibly important process for all members of this house. It is important that the budget is scrutinised by not only opposition members but also government members so that they fully understand all the things contained within those budget papers. From our point of view generally, the budgets often contain good news for our electorates on the whole. We like to find out the details in the budget and sometimes it is not until we drill down during the estimates process that we find out what windfalls there might be for one's particular region or electorate. I encourage all members in this place to participate in the process. Over the years a roster system has developed for attendance at the hearings; all ministers will not turn up on the same day, and certainly not all 36 backbenchers. People will turn up for the particular areas of interest they have by portfolio or by region. I am not suggesting that what has happened in the past will happen again this year, but as a word of caution, those members who are not permanent members of the estimates committee and who come to the estimates hearings should be given some reasonable time for questions. This should apply to not only members of the opposition but also government members. As we know, there is no propensity here, or appetite, for anybody to be asking what could be termed as dorothea dixers. We want to know what the real story is and the meaning behind some of the allocations made to various areas. I ask committee members to always bear in mind that many regional members will make the time to come to the estimates hearings, and it is not terribly useful for them if they come all that way to spend several hours in the chamber and ask only one question. I know that

certain portfolios have lots of questions asked of them. So perhaps when the committee is allocating blocks of time for certain portfolios—I know that committee members take great pains to get it right—they can take that into consideration. It is a very important process and I encourage all members to be involved. I thank the Standing Committee on Estimates and Financial Operations for the work that it has done.

Hon NICK GOIRAN: I intend to be quite brief. The benefit of this new process that we have for consideration of committee reports will hopefully allow us to ask a couple of questions, particularly in this case to the Chair of the Standing Committee on Estimates and Financial Operations. I would have done so during his contribution by way of interjection but I could see that the member was on a roll and I did not want to interrupt him. The chair of the committee has encouraged us to put questions on notice in preparation for the hearings, which the member can imagine I will do, and he has indicated that it needs to happen by 22 May.

Hon Ken Travers: That is the date, off the top of my head.

Hon NICK GOIRAN: According to the report, the due date is 4.00 pm on Friday, 22 May. The chair also indicated that in due course we will find out which agencies will attend those hearings. If it is possible, can the chair indicate when he anticipates those agencies will be allocated? If he cannot do that because of some committee secrecy provision, maybe he could indicate when he might anticipate it will happen or what the normal convention of the committee is. I ask only in terms of forward planning for members and what might happen in that final week in June. That information would be quite helpful.

Hon SIMON O'BRIEN: Like my colleague, I, of course, will be brief.

Several members interjected.

The CHAIR: Order, members!

Hon SIMON O'BRIEN: Now that I have everyone's attention, I had better pop up now, because I, too, would like to have a more meaningful dialogue during the Committee of the Whole House with the Chairman of the Standing Committee on Estimates and Financial Operations—but, of course, he has only one strike left.

Hon Liz Behjat: Two.

Hon SIMON O'BRIEN: He spoke once last week, did he not?

Hon Liz Behjat: Not on this—this is consideration.

Hon SIMON O'BRIEN: If that is the case, I might ask a couple of questions, sit down and stand up again.

Hon Ken Travers interjected.

The CHAIR: Order, member!

Hon SIMON O'BRIEN: I read the fifty-second report of the Standing Committee on Estimates and Financial Operations with interest, as I do all of the reports of that committee. It is a report to advise the chamber about the arrangements for the upcoming estimates hearings. I was prompted to examine the report in light of the experiences of the chamber and how it approaches estimates week, as it has been traditionally known, and other forms of hearings into budgetary matters. I notice that the present committee has for a number of years held separate hearings into the annual reports of committees. I recall that a former incarnation of the Standing Committee on Estimates and Financial Operations would often consider annual reports concurrently with estimates week hearings, but that estimate week hearings were the main vehicle for considering the budget estimates. The way that the present committee commenced the process in the last Parliament by having some separate hearings into different agencies during the course of the year rather than just having what I always felt was a fairly inadequate period of brief activity during an estimates week—I see that it has done that and I am sure it is working fine—is a better way than having the very brief hearings that we used to suffer through for four days and nights during an estimates week. That is a good example of how procedures can evolve over the years. Apparently, the regular Monday afternoon hearings that the committee holds gives the committee the option to have a longer space of time with an agency than, as the honourable member may recall, the occasional half an hour or so for a hearing into an agency during estimates week. By the time preliminary remarks, introductions and what have you were done, there was never any time for members to ask any questions. I understand that the committee is working very well now, but it is hard work, labour intensive and time intensive, and it is to the credit of the members of the committee that they are putting in those hours.

I will sit down, but I had a question for the chairman. I note that there seems to be a heavy focus in this Parliament on this type of inquiry, and I wonder whether we can anticipate from the committee other forms of inquiry, perhaps more issued-focused rather than agency-focused, which perhaps look into some issue of the day, perhaps inquiries that actually get the committee out into the habitat of the public sector more, as it has done in the past. The reason for my inquiry is not based on any analysis of the committee itself; I am genuinely interested to know what else we can look forward to.

Hon KEN TRAVERS: I will seek to answer all of the questions in a more fulsome way than would be the case during, say, question time. In terms of the matters Hon Liz Behjat referred to, I can say that the proceedings of the committee have been relatively good. The matter she raised goes back to when I was a government member on the Standing Committee on Estimates and Financial Operations, when I initiated the abolition of dorothy dixers because I thought that they were a nonsense. My personal view is that asking a dorothy dixer makes a member look stupid and belittles Parliament, and I have always been keen to not ask them. I recognise that there is a fine line between that and asking an information-gathering question. Hon Liz Behjat has made the point that often government backbenchers have good access to ministers, and so that when there is a good news story, government backbenchers can get the information they need to put out a press release. However, equally, I accept that government backbenchers cannot always get answers to their questions. I hope that Hon Nigel Hallett does not mind my mentioning that he has sometimes been frustrated with the agriculture portfolio and has had to ask some pretty probing questions, and it is completely legitimate that government backbenchers do that. Hon Nick Goiran also has particular interest in certain matters on which he seeks answers.

Questions on notice allow members to get that information, and if members do not receive a satisfactory answer, they can go on and probe that matter. That is how all members, government and non-government, can use questions on notice to get the information they are after; and, if they cannot, they can then use the hearings to probe the department to get the information.

It is always a challenge to try to find dividing times. I am always happy to extend the amount of time we hold hearings, but not all members are as keen on that as I might be. Members can look to the federal Senate, which will sit for days until all of the questions have been asked. I am happy to adopt that process, and maybe government backbenchers could talk to their ministers about that. When I first arrived here I was the shadow spokesperson for water, and the Water Corporation came in and I think I was able to ask one question. It was an appalling process, as Hon Simon O'Brien pointed out. So the process is a balancing act.

I think the process is generally focused on the opposition, but we do try to ensure that government members are included, and often we allow that. Technically, committee members have priority, but there is an informal arrangement in which committee members can pass over to another member their right to ask questions. Obviously, allowances have to be made for Greens members, because they are the only members who are not covered by that process. Normally the committee will make allowances, and it will go to the lead speaker for the opposition and always go to a government member. I would encourage internal discussions within the parties to say, for example, if Hon Nick Goiran wants to ask questions in Health, and if members of the committee want to give him priority, then members would say that Hon Nick Goiran has that priority.

The committee listens to feedback. For example, agriculture is an area that generates a lot of interest in this place from all members and results in, in my view, genuine questions, not just dorothy dixers, about what is going on in the Department of Agriculture and Food. The committee has specifically decided that this year that agency will appear for a slightly longer period than it did last year. Last year they appeared late on a Friday afternoon and committee members ran out of time to ask questions.

Every year it is a difficult task, because often in one year the agency may receive more questions than can be answered, so the committee will make more time the next year but then they may not turn up. We try to acknowledge those problems.

The committee always has an open process so that resolutions can be made to allow committee members to discuss with other members of the chamber the program and who will be appearing before it. Feel free to talk to me, Hon Peter Katsambanis, Hon Martin Aldridge for National Party members, or Hon Rick Mazza, and as chair I will take on the role of speaking with the Greens.

Hon Liz Behjat: I am wondering would it be helpful that once you have set out the agencies that you are going to have come in, whether you informally find out who is going to turn up on what day before you set those time parameters, and for those where you have a lot of interest, expand the time.

Hon KEN TRAVERS: The committee decided, upon a resolution on Monday, that committee members could discuss these matters with members of the chamber, so I am sure that this discussion is part of that resolution. The committee has decided upon a nominal list that it can commence with, based on feedback it has received from members, about whom they wanted to appear—that is before the budget is handed down. As I say, I think that probably leaves only about one space to be filled, which we will hopefully leave until after the budget so that we can receive feedback about who else members want included. Members have that list. I do not have it with me right now, but I am more than happy to discuss that informally. But of course that list is still subject to discussions with ministers about their availability and although chief executive officers should make themselves available—this is a matter that is always up for debate—if the CEO is not available, whether we should go ahead. Sometimes the committee makes the judgement that, yes, it will; and sometimes it decides to wait until

the CEO is available if they are not available on the day. In that week, it is very hard to try to then accommodate the members who have an interest in those portfolios, because it just becomes too big and complex a matrix. That list is now available and I am certainly more than happy, outside of the chamber, to have that discussion with people about who we are currently looking at getting in.

Hon Peter Collier: You've got the schedule done, have you?

Hon KEN TRAVERS: A draft schedule. Obviously, it is no surprise to the minister that we have called for the Department of Education. Some of the other parts of the education portfolio, at this stage, we have not asked for; it is just the department. The staff will now be talking to the minister's office to make sure that the minister is available at the time that we would like to have the Department of Education in. That is why I do not want to table a document, because then I think people will say, "But I saw a document that said that you were having Education in on Tuesday morning", and it turns out that the minister is not available at that time. We are happy to talk about roughly who we are looking at and the times that we are trying to get them in. The priority, as we have always had, is the ministers who sit in this house—education, and the portfolios of the Minister for Mental Health. The Attorney General and Minister for Commerce has so much, I think we would pick a couple that members thought would be interesting to have in. I think, for instance, someone suggested they wanted the Building Commission in this year, so we have proposed that. I think I have already mentioned the Department of Agriculture and Food, and it would be wrong not to allow Hon Col Holt as a new minister to turn up to have a Housing session; it would be absolutely wrong. We make those judgements as a committee—Housing versus Racing and Gaming—and as members mentioned, we have only an hour and a half to two hours for some of those portfolios. It is almost a given that bigger portfolios such as health, which is always an interesting one, will be included. This time around we have not called WA Police, but, as mentioned earlier, we have annual report hearings, so there will be that opportunity to revisit it. Hon Simon O'Brien was absolutely right in that we have the process of both the budget and annual report hearings. Not in the last Parliament, but in the Parliament before that, when Labor was in government, I was one of the architects of setting up the process to have both the estimates hearings and the annual report hearings as well as hearings in between those on Monday afternoons.

We also currently have the inquiry into the provision of information to Parliament, which is an important broader issue, in relation to the role of sections 81 and 82 of the Financial Management Act 2006. I think it is quite important to get an understanding of that. I agree with Hon Liz Behjat that having other inquiries into issues is useful. I may still be suffering a bit of post-traumatic stress disorder from the Peel Health Campus inquiry, which was an inquiry we held in the last Parliament. Hon Liz Behjat remembers that well. That inquiry, interestingly, arose out of some questions that I asked in a hearing. The then CEO for Health said, "If you can get any more information, we'd love to hear about it." The committee then started to ask more questions and opened a can of worms. I think everyone is aware of the history that then evolved out of that inquiry. Maybe I am a bit gun-shy after that one, but if an issue genuinely arises out of a hearing, that is where we have a really important role to play, to follow up on it. I am always open to that.

Hon Nick Goiran: When will we know about that?

Hon KEN TRAVERS: We hope to have the exact final timetable in the week after the budget, so I think on 21 May we will have the form finalised. I am more than happy to keep people advised as we get confirmation from ministers of their availability.

Question put and passed.