

PREMIER — QUESTIONS WITHOUT NOTICE — QUOTING OFFICIAL DOCUMENTS

Standing Orders Suspension — Motion

MR D.T. REDMAN (Warren–Blackwood) [3.02 pm] — without notice: I move —

That so much of standing orders be suspended as are necessary to enable the following motion to be moved forthwith —

That this house condemns the Premier for his representations to the Speaker regarding whether he, the Premier, had quoted from an official document during question time.

Several members interjected.

The SPEAKER: Members, he will be heard in silence, please.

Mr D.T. REDMAN: I think the urgency of this motion is clear. The urgency is that in respect of question time today, in following up from a question from the Deputy Leader of the Liberal Party in regard to business cases provided to Infrastructure Australia on 21 August, the Premier responded to the first part of the question. Clearly, he did not have enough information. When the Deputy Leader of the Liberal Party got a chance to ask a supplementary question, in the interim the Premier had been provided with some documents. In response to his supplementary question, the Premier quoted from those documents. Clearly, more than one document was seen by this side of the house. In fact, we already have —

Mr V.A. Catania: It's on video!

Mr D.T. REDMAN: — on video a number of documents that the Premier is quoting from here in this house during question time. I do not think there is any question about that.

I went on to raise a point of order and asked the Premier to table official documents, and he provided one document to you, Mr Speaker. At that stage, you made the point that you asked the Premier whether it was an official document, and he said no. I raised another point of order to say, “Mr Speaker, are you accepting the Premier’s view, or do you need to simply make your own adjudication of whether that is the case?” Subsequent to that, you asked the Premier to provide the documents to you so you could make a judgement. The Premier provided only one document to you, and it was clear to me in question time that he was reading from two documents.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: I might add that the sentiment was reflected in what the Premier did when he sat down. He looked just like a little child who had been caught out with their hand in the lolly jar.

Several members interjected.

The SPEAKER: Members on both sides, I want to hear this in silence.

Mr D.T. REDMAN: This Premier knows that he is trying to stand on the highest standards of integrity, openness and transparency—a platform on which, presumably, the Labor Party came to government—but right on the first call, when he is reading from an official document, he does not declare that to this house, and we know the rules in this place. That is misleading this house, and I think that is a very, very serious offence. Not only do we have it on video; clearly even the media and others saw the tone here. I think this is an opportunity. I think while we are sitting in a suspension to try to seek to debate this motion, the Premier could do two things. The Premier could declare to the house that, “Yes, these are the documents I was reading from”, table those documents and apologise to the house. That would be the end of it. That would finish this right up.

Several members interjected.

The SPEAKER: Members, your own member is on his feet on a very serious issue, and you are interjecting and making all the noise.

Mr D.T. REDMAN: I do not think anyone takes lightly raising a suspension in this place, but this is particularly on a matter of being truthful to the chamber and truthful to this house. I think what has happened here is pretty clear. There is video evidence of what has happened here. The Premier handed up one bit of paper, and then he had this awful coy look on his face —

Mr V.A. Catania: He denied it!

Mr D.T. REDMAN: — and then he denied it. I think it is only reasonable that we have a debate in and around —

Mr D.A. Templeman: Will you agree to 10 minutes?

Mr D.T. REDMAN: Ten minutes each? So will the Premier not hand over the documents and declare to the house that he misled the house? I take it the Premier is not going to declare he misled the house.

Extract from Hansard

[ASSEMBLY — Thursday, 2 November 2017]

p5381c-5387a

Mr Terry Redman; Mr David Templeman; Mr Vincent Catania; Mrs Liza Harvey; Dr Mike Nahan; Mr Mark McGowan

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.07 pm]: I move —

To insert after “forthwith” the following —

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR D.T. REDMAN (Warren–Blackwood) [3.07 pm]: I move the motion.

I thank the Leader of the House for allowing us to debate this. This issue goes to the core of the integrity of this chamber. It indeed goes to the core of the integrity of the Speaker and assessment of actions —

Withdrawal of Remark

Mr W.J. JOHNSTON: With respect, Mr Speaker —

Several members interjected.

The SPEAKER: Excuse me, it is a point of order. This is getting a bit unruly. Every person now who interjects, I will call them.

Mr W.J. JOHNSTON: The member has moved a motion regarding the Premier. In that speech a moment ago, he said that this goes to your integrity, but you are not part of this motion. He, therefore, cannot say it has anything to do with your integrity, because it is not in the words of the motion. He cannot move any reference to you, except by way of a specific resolution, so he has to withdraw those words.

The SPEAKER: I did not hear you say that, but if you did, member —

Mr D.T. REDMAN: I am happy to withdraw that. I do not believe I raised anything that was speaking ill of the Speaker.

Debate Resumed

Mr D.T. REDMAN: Mr Speaker, I think it is clear that the issue here is that we are claiming that the Premier misled this house. That massive issue goes to the whole integrity of this chamber. I walked through the steps that have happened. The Premier has to now respond to the fact that there is going to be video evidence put up that will demonstrate that he had more than one document he was referring to. I clearly recall him sitting there and looking at both sides of that and making comments to the Deputy Leader of the Liberal Party about the question that was asked today. In fact, it was a document that was provided halfway through, as I mentioned.

Point of Order

Mr S.K. L’ESTRANGE: This is a very serious matter and the Premier is not here to listen to the accusations.

The SPEAKER: He is at the back of the house, and that is rather frivolous. This motion is against the whole government and the Premier is at the back of the house. You are just interrupting your own member.

Debate Resumed

Mr D.T. REDMAN: If the government were to vote this motion down, it means that every single one of those members over there who witnessed what happened in question time today is accepting that it is okay for them to mislead the house. I do not think we can get clearer than that.

Mr W.J. Johnston interjected.

The SPEAKER: Minister for Mines and Petroleum, I call you to order for the first time.

Mr D.T. REDMAN: I do not think we can get clearer than that. There were a couple of questions, there were documents that were provided to the Premier, the Premier was on his feet and he was referring to those documents in response to the Deputy Leader of the Liberal Party. He had in his hands official documents.

Mr M. McGowan interjected.

The SPEAKER: Premier.

Mr Terry Redman; Mr David Templeman; Mr Vincent Catania; Mrs Liza Harvey; Dr Mike Nahan; Mr Mark McGowan

Mr D.T. REDMAN: He was called to provide and table those documents, as is provided for in the standing orders of this house.

Mr W.J. Johnston: No, he was not.

Mr D.T. REDMAN: Yes, I asked. He was called.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: I got on my feet and asked the Premier to table them.

Several members interjected.

The SPEAKER: Minister for Local Government. Member for North West Central, you have your own member on your feet and you keep interjecting; I cannot believe it.

Mr D.T. REDMAN: The Premier was asked to consider those documents. He said, “No, they are not official documents.” I made the point that surely you could provide some adjudication, Mr Speaker, and he provides you with one document. That is clear as. He is making the point to you, Mr Speaker, that he quoted from one document, because he clearly provided that to you, but not the other.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: I assume that a member can have official documents, rip them apart, quote from one and that is okay.

It was also pointed out by the member for Carine or the member for Dawesville that the member for Cannington was giving the Premier some instructions about how he should be responding to this, because he is probably the master of the standing orders over there and the master of managing these issues. He said, “Just say you quoted from the second one and put it back.” All the demeanour of the Premier suggests that he was caught out with an official document in his hand and was raising it in this place. He has misled this house and he has misled you, Mr Speaker, if all he is providing is one document off the back of that and that is all you have to adjudicate on. He should have provided the full documentation to you, Mr Speaker, to make the judgement about whether it was an official document. Clearly, it was, because the Premier does not want to put it up. This goes to the core of the integrity of this house and the core of the integrity of the Premier. Every single member over there that votes on this witnessed it—they witnessed it. Every single member in this chamber witnessed it, Mr Speaker, and I think the Premier should stand up, provide the documents and apologise to this house.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.13 pm]: Very briefly, this is now the third occasion this has happened. It is practice in this place that when a suspension of standing orders is to be moved, that some notice is given. The member for Warren–Blackwood gave none and it seems to be a practice —

Several members interjected.

Mr D.A. TEMPLEMAN: It is a practice in this house that when a suspension of standing orders is to be moved, it is through decency that notice is given. There was none given. This is an example of this opposition’s desperation in how it conducts itself in this house.

Several members interjected.

The SPEAKER: Members.

Mr D.A. TEMPLEMAN: This is another example of opposition members not knowing exactly what they are supposed to be doing. We may need to also refer to standing order 157, which clearly states the following —

A Minister who has quoted from an official document will table that document if requested by any other member either during, or immediately after the conclusion of the remarks which include the quotation.

What we saw happen this afternoon was very clear. I am standing here with a number of papers in my hand and I might quote from them. I might, but the fact of the matter is this: the request was made to table information. The Premier clearly explained that they were quotations from notes and the piece of paper that the Premier was quoting was given to you, Mr Speaker, to make a determination.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition.

Mr D.A. TEMPLEMAN: Then, of course, we saw the disgraceful behaviour of members of the opposition continuing to canvass the Speaker’s ruling. They know that if they do not agree with the Speaker’s ruling, there is

Mr Terry Redman; Mr David Templeman; Mr Vincent Catania; Mrs Liza Harvey; Dr Mike Nahan; Mr Mark McGowan

a process, which, of course, is a motion of dissent. They failed to do that, so they do not know their standing orders and they do not follow simple procedure, which is to give notice of a suspension of standing orders.

Several members interjected.

The SPEAKER: Members!

Mr D.A. TEMPLEMAN: The opposition already knows that it does not have an absolute majority. If we all left the chamber, the opposition would not have an absolute majority to carry out this debate. As Leader of the House, I gave them the opportunity to have this debate, but they continue to simply throw away the standing orders of this place. It is appalling behaviour by the opposition and I would expect that in future they would come —

Several members interjected.

The SPEAKER: Minister for Local Government, you will talk through the Chair.

Mr D.A. TEMPLEMAN: I would expect that in future they would come here and give notice of the motion, but they failed to do it.

MR V.A. CATANIA (North West Central) [3.16 pm]: Once I saw that the Premier had two pieces of paper, I looked at the footage to make sure the accusation we are making that the Premier had two documents was correct. I looked at the footage and —

Mr P. Papalia interjected.

The SPEAKER: Minister for Tourism, I call you to order for the second time.

Mr V.A. CATANIA: Clearly, the Premier had two documents; it is on the video—the video that cannot lie. It shows two documents and that the Premier looked at both. The problem is that the integrity of Parliament is being compromised here, which affects your integrity, because the Premier is not supplying you with the information that is needed.

Withdrawal of Remark

Mr W.J. JOHNSTON: Again, I quote the member from a moment ago. He said that this matter relates to your integrity. He cannot do that except by way of a special resolution. He is therefore clearly out of order.

Mr V.A. CATANIA: I withdraw.

Debate Resumed

Mr V.A. CATANIA: The point is that we know the Premier is guilty because he was caught with lollies all over his mouth and his hand in the cookie jar. That is what happened. It is on video footage. The Premier needs to apologise and get on with the business of running this state.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [3.18 pm]: I would think that members on the government benches would treat this a bit more seriously.

Several members interjected.

The SPEAKER: Members.

Mrs L.M. HARVEY: Everybody saw the Premier stand up with two pieces of paper that he was quoting from. We have it on video; it was really clear. The standing orders state that if a member is quoting from an official document, they need to table a document on request. That is what we requested and the Premier refused.

Mr M. McGowan: That is what I did.

Mrs L.M. HARVEY: Did you have two pieces of paper or one piece of paper? Answer the question. You provided one, not two, and we have got you on camera with two.

The SPEAKER: Member, through the Chair, please.

Mrs L.M. HARVEY: You will not even answer. That is how weak and spineless you are.

Withdrawal of Remark

Mr D.A. TEMPLEMAN: That is not appropriate. I ask her to withdraw.

Several members interjected.

The SPEAKER: No, I do not think it was a point of order, but if you have got something you want to table for the rest of the day's sitting, we can do that for you, member for Dawesville. You can put your mobile phone down there.

Mr Z.R.F. Kirkup: It is on my laptop.

Extract from *Hansard*

[ASSEMBLY — Thursday, 2 November 2017]

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Mr Terry Redman; Mr David Templeman; Mr Vincent Catania; Mrs Liza Harvey; Dr Mike Nahan; Mr Mark McGowan

The SPEAKER: You can table that.

Debate Resumed

Several members interjected.

The SPEAKER: Members! This is not funny.

Mrs L.M. HARVEY: The only opportunity the opposition has to interrogate the government is during question time in this Parliament. We expect the government to act consistent with standing orders. We saw the Premier quoting from two pieces of paper. We have got it on footage.

Mr M. McGowan: I did not.

Mrs L.M. HARVEY: It is unbelievable; he is denying it. Not only did the Premier mislead Parliament about the number of pieces of paper he had and whether they were official documents that should be tabled, he misled the Parliament with his answer. I have a media release here—the one that I referred to in my question—that clearly states that on 21 August business cases for Yanchep and Thornlie Metronet —

The SPEAKER: This has nothing to do with the motion, member. It has nothing to do with the motion. We are talking about the Premier.

Dr M.D. Nahan: That was the question.

The SPEAKER: It does not matter. The motion is that the Premier had two answers.

Mrs L.M. HARVEY: With respect, Mr Speaker, the motion goes to the representations to the Speaker. We will come back to the Premier misleading the house on his response to my question at another point in time, but I want *Hansard* to report that the Premier stood up, and was quoting from two pieces of paper. He has now shuffled all those pieces of paper on his desk, so we have no confidence that, even if he offered to table the official document he was quoting from, he would not pick up any bit of paper from that desk now, and we would not know whether it was the official document he was quoting from. What does he have to hide by not tabling that document? Where is the gold standard transparency that he promised? Why will the Premier not table the other document that he was quoting from? What is the big mystery with it? I think it is clear. We have got the Premier on video; we have got the footage. We know he had two pieces of paper—two official documents. He refused to table them, and that is the standard of government that we have.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.22 pm]: This goes to the heart of the effectiveness of Parliament. The Premier stands up to answer a question. He clearly has documents in front of him. When asked by this side whether the documents are official, he hands one to the Speaker and hides the other, and says he has only one. It is clear on video; we saw it ourselves. He is purposely misleading Parliament. He has a track record on this issue. He had the chance to stand up in the Parliament and confess that he got it wrong, but he refused to do so, and he is holding Parliament and the Speaker in contempt. He misled you, Mr Speaker, and he misled Parliament. He deserves to suffer retribution for it. In all the responses he has given to date on this issue, he shows a deeply ingrained contempt for Parliament and accountability.

MR M. MCGOWAN (Rockingham — Premier) [3.23 pm]: I will respond to the motion moved by the member for Warren–Blackwood, but first I want to quote the standing order relating to the tabling of documents cited in debate. Standing order 157 states —

A Minister who has quoted from an official document will table that document if requested by any other member either during, or immediately after the conclusion of the remarks which include the quotation.

There it is. If a minister quotes from an official document, he will table it. The document I was quoting from was handed to me during a question.

Mrs L.M. Harvey: There were two documents.

Mr M. McGOWAN: Yes, there were two documents; that is correct. I want to be completely clear —

Several members interjected.

The SPEAKER: Members, you have just asked a question. You have gone crook for 10 minutes, and now that you are getting the answer, you do not want to hear it.

Mr M. McGOWAN: I was handed two pieces of paper. I had not seen them before.

Several members interjected.

Mr M. McGOWAN: I want to answer the questions. Can I answer the questions? I was handed two pieces of paper. I had not seen them before. I scanned the one on the top. It is basically some notes prepared for a question time attack, I assume, or a response to a question. I quoted two paragraphs from those notes. It is not an official document. It is some notes prepared to respond to a question, because apparently the opposition spokesperson was

out there on Friday raising this issue with the media. Some notes were prepared by a media secretary explaining what occurred in relation to the business case. I read out the two paragraphs from this piece of paper. I was holding two pieces of paper.

Mr D.C. Nalder: Why did you hide it?

Mr M. McGOWAN: Let me speak. Then the member for Warren–Blackwood stood up and said, “Table the official document.” I handed up to the Speaker the document I quoted from. I did not hand up to him the document that I did not quote from.

Several members interjected.

Mr M. McGOWAN: Just let me say two things. I could easily hand over the other document. There is nothing in it. But if a staff member comes in and gives me a pile of documents this thick, and let us say I read out one sentence from the top document, if the logic that I have to table everything in my hand is followed, that means I have to hand across every piece of paper I am holding. That does not accord with the standing orders.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: How can that be reasonable? If I am given a piece of paper and I quote from it, and it is some notes, and I hand it to the Speaker who confirms that it is notes, it is not an official document, therefore in accordance with standing orders it is not required to be tabled. That is what occurred.

Mr S.K. L’Estrange: They’re not your notes; they’re an official document.

Mr M. McGOWAN: The definition of “official document” has been decided by Speakers over time, and the Clerk will give advice to the Speaker on what official documents are. If I write some notes during question time when a member is asking me a question, and I read that out, that is not an official document. If I have some notes that are prepared for answering a variety of questions that might be asked during question time, that is not an official document. I just want to say this —

Mr D.T. Redman interjected.

Mr M. McGOWAN: Let me finish, and then I will take the member’s interjection.

The reason I cannot come in here and table everything that is asked for is that it sets a precedent that, essentially, anything in front of me that I might be holding or that I might pick up, the opposition can seek to have tabled, and that is clearly not the intention of that standing order. I am not prepared to put the Speaker in that position, or bind future ministers, Premiers and the like, that any piece of paper sitting in front of them must be handed to the opposition. That would be absolutely ridiculous and ludicrous. There could be ministers in here dealing with important government business, such as intergovernmental agreements with the commonwealth —

Mr D.C. Nalder interjected.

Mr M. McGOWAN: Just let me finish, and I will take the member’s interjection.

They could be dealing with cabinet documents. They might stand up and have them in their hand while they are reading out another piece of paper, but according to the opposition’s logic that means that paper must then be tabled. That is what it means. Now what is the member’s interjection?

Mr D.T. Redman: Premier, let’s say that you’re given a 10-page briefing note on the one issue, and you quote a line from page 10. Do you believe you’d need to hand over just the last page, or the whole briefing note?

Mr M. McGOWAN: That is not what happened.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine, I call you to order for the second and third times.

Mr M. McGOWAN: Member for Warren–Blackwood, just two points on that.

Several members interjected.

Mr M. McGOWAN: Member for Warren–Blackwood, I let you speak, and I was silent. That is not what occurred. If that did occur —

Mr D.T. Redman: According to you.

Mr M. McGOWAN: Honestly, I cannot get a word out. That is not what occurred. I handed the document that I quoted from to the Speaker. He determined that it was notes. If what you said occurred, then I would hand that document to the Speaker and it would be up to the Speaker to determine that.

Several members interjected.

Extract from Hansard

[ASSEMBLY — Thursday, 2 November 2017]

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Mr M. McGOWAN: That has been the history of this place. The member for Cottesloe will tell you that for 20 years the Speaker would ask the minister in question time, “Is that an official document?” It has been the practice that the Speaker would then examine it. The Speaker examined it and he indicated that it was not an official document. There is the answer. Go and look at the video. If you have a video, look at it. You will see that I read from this page of notes that was prepared by a press secretary somewhere. That is what I quoted from. Therefore, the document I quoted from —

Mr D.T. Redman: You said you’d give it to the Speaker and let him be the judge. You didn’t give him all the documents. Let him be the judge.

Mr M. McGOWAN: Honestly, you guys have gone downhill a long way. You cannot even get —
Several members interjected.

Mr M. McGOWAN: I cannot even get —
Several members interjected.

Division

Question put and a division taken with the following result —

Ayes (13)

Mr C.J. Barnett
Mr I.C. Blayney
Mr V.A. Catania
Mrs L.M. Harvey

Mr Z.R.F. Kirkup
Mr S.K. L’Estrange
Mr R.S. Love
Mr W.R. Marmion

Dr M.D. Nahan
Mr D.C. Nalder
Mr D.T. Redman
Mr P.J. Rundle

Mr A. Krsticevic (*Teller*)

Noes (36)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Ms J. Farrer
Mr M.J. Folkard
Ms J.M. Freeman
Ms E. Hamilton
Mr T.J. Healy
Mr M. Hughes

Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray

Mrs L.M. O’Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Mrs M.H. Roberts
Ms C.M. Rowe
Ms A. Sanderson
Ms J.J. Shaw

Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr B. Urban
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Pairs

Mr P. Katsambanis
Ms M.J. Davies
Ms L. Mettam
Mr J.E. McGrath

Ms M.M. Quirk
Mr R.H. Cook
Ms R. Saffioti
Mrs R.M.J. Clarke

Question thus negatived.