

REDRESS WA — PAYMENT CAP

Motion

MR E.S. RIPPER (Belmont — Leader of the Opposition) [4.00 pm]: I move —

That this house notes the Premier's comment that cuts to Redress WA were "too tough" and calls on the government to reverse the decision to cut the cap on ex gratia payments to those who were abused as children in the care of the state from \$80 000 to \$45 000.

We are talking about 10 000 Western Australians who must be among the most disadvantaged people in our society. These people lost out in the lottery of life; they were not able to be cared for by their own families and were taken into the care of the state. In the care of the state, these people suffered abuse. As representatives of the state of Western Australia, we should be ashamed that these people, for whom we had a deep responsibility and who were very vulnerable, should have suffered that abuse. In a rich state, we should be able to do something to help the people who suffered that abuse. In 2007, the previous Labor government came forward with a scheme called Redress WA to provide a measure of redress—not a full measure of redress—to those people who had suffered abuse in state care. The incoming government, having looked at the scheme, took the extraordinary decision to cut the maximum payout from \$80 000 to \$45 000. Many of these people feel very, very strongly that this is a double betrayal by the state. They were betrayed once by the state when they were allowed to suffer abuse in care. They were betrayed again by the state when it promised them redress, a measure of compensation, but then broke its promise. This is not so much a matter of whether people are Liberal or Labor; this is a matter of the history of the state and the ongoing responsibility of the state of Western Australia as an institution. Surely all members of Parliament want to feel proud of the record of the state of Western Australia as an institution. Surely all members of Parliament do not want to feel a sense of shame about being an important part of the state of Western Australia as an institution. If we do not do something about remedying or reversing the government's decision, all of us as members of Parliament in Western Australia will have reason to feel ashamed of being representatives of that institution. Even the Premier himself is starting to understand that perhaps his government has been mean and hard-hearted on this issue. I will quote what he said when he was interviewed at the beginning of September on the forthcoming two-year anniversary of his government. The article in *The West Australian* states —

"I do recognise that we've made some decisions that are probably seen as a bit tough, a bit too tough in some areas like Redress for example. That's probably the one that caused the most sense of upset ...

He then went on to give an excuse, which I will come to later but which I will quote now. He said —

... but again expectations of people had been unfairly and unreasonably raised."

That is the excuse that I will come to later. This is not just a matter of finances; this is a matter of people's deep emotions. It is well known that being abused as a child has very long-lasting effects and impacts on a person's life. Such is the vulnerability of children that this type of behaviour can have a very damaging effect on the person for the rest of that person's life. When Redress claimants come to see us in our electorate offices, they are concerned not only, and perhaps not even mainly, about the financial issues. They are concerned about the emotional issues. For many of these people, they have opened up for the first time about the experiences they had as children. It is important that they open up about those experiences so that they can get redress from the government of Western Australia. However, it cannot be doubted that that process of reliving the abuse and telling their stories can, in itself, be very stressful and very hurtful. People have gone through this process of telling their stories for a reason and that has made them, in a sense, more vulnerable to a disappointment delivered to them by the government. The disappointment that has been delivered to them by the government is the decision to cut the maximum payments in half, which even the Premier now thinks might have been too tough.

All of us should be aware that in the public gallery today there are a significant number of people who have made claims under Redress WA. I welcome those people to the gallery and I commend those people who have shown the courage to come to Parliament and express, through their presence, their serious and deep concern about this issue. They are very welcome to the Parliament of Western Australia. On behalf of the members of Parliament, I say how sorry I am that they experienced what they experienced in the care of the state. It is something that should not have happened. The state of Western Australia owes them at long last redress and decent and fair treatment for what they experienced as a result of the state's neglect during their childhood.

It is disappointing that there is not a single minister in the house to listen to this debate. I commend backbench members of the government who have chosen to be here, and I thank them for the consideration that they are

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Mr Eric Ripper; Deputy Speaker; Mr Ben Wyatt; Ms Lisa Baker; Mr Bill Johnston; Mr Peter Tinley; Mr Paul Papalia; Mr Tony Simpson; Ms Margaret Quirk; Mr John Quigley; Mr Colin Barnett; Acting Speaker

giving to the issue. It is a matter of regret that there are only four of them in the house and that none of their ministerial leaders has seen fit to be in the chamber to listen to these stories.

I want to put on record some of the stories of people who have made claims under Redress WA. The names have been changed of course, but I will tell some of these stories.

John was a ward of the state and was placed at Castledare and Clontarf boys' orphanages in the 1950s and 1960s. John suffered regular and ongoing physical and sexual assault while in both orphanages. John continues to suffer medical conditions as a result of the abuse he suffered as a child. He was part of criminal court proceedings to prosecute staff members of the orphanages who abused the children. He has been waiting 55 years for justice for the abuse he suffered and the medical treatment that is needed for post-traumatic stress. This is not just about finances; there are deep emotional stories behind what we are talking about today.

I want to talk about the case of Michael, who was placed in state care as a child. Unfortunately, like many, he was subject to abuse at the hands of his carers. He now lives in Sydney. He has stated that although moving states did not help the healing process, leaving Western Australia allowed him to distance himself from the memories of abuse as a child. He was fortunate that his Redress WA application was processed early; however, he feels some discomfort that many people are still waiting for their applications to be processed.

The government really has to give close attention to the administration of the scheme. It is very, very important that there is top quality administration of this scheme. We do not want unnecessary delay. We do not want any insensitivity. The state of Western Australia has done enough damage to these people without further damage being done by poor administration.

Let me talk about Jane. Jane became a ward of the state when she was 13 months old. Her childhood consisted of constant beatings, sexual abuse, no feelings of safety and loss of identity. She suffered severe abuse and neglect throughout her childhood and adolescence in state care. From the age of 10 years to 16 years, Jane was told by her foster parents that she was "worse than an animal". She received a beating almost every day. After suffering abuse in almost every aspect of her life, Jane decided to apply for Redress. The process for preparing her Redress application was, she says, tortuous, as she was made to relive the extreme trauma of ongoing sexual and physical abuse and neglect while in state care. After two years of preparation, and an application of over 200 pages, Jane has suffered from frequent nightmares and ongoing post-traumatic stress. She continues to relive the abuse of her childhood as she waits for the government to reconsider its decision to change the Redress WA scheme.

Let me talk about William. William was subject to continued physical, sexual and emotional abuse at the hands of his foster parents while in state care. At five years of age, he was forced to weed the gardens, chop wood, and wash pots and dishes as well as various other laborious chores. From an early age he was caned and beaten on a regular basis. While in foster care, William was frequently sexually assaulted by a gym teacher at the YMCA. William told his foster parents and welfare officer about the sexual abuse, but was told that he had "a filthy mouth" and should "stop making up tall stories". Due to the many years of abuse, William continues to suffer alcohol and drug abuse, as well as having trust and relationship issues. William went through the horrific task of reliving his abuse in his application for Redress, yet is still awaiting the government to reverse its decision to change the scheme.

Mr C.J. Barnett: You didn't have the scheme in place. You announced it, but you did not put it in place.

Mr E.S. RIPPER: Mr Deputy Speaker, we announced the scheme. We funded the scheme. Of course it fell to the incoming government to establish a lot of the administrative arrangements. That is the responsibility of the government. We are all representatives of the institution of the state of Western Australia and we all have a responsibility here. The former Labor government made the decision, set out the guidelines and provided the funding, and the new government then had the responsibility to administer it.

I do not want the Premier to mutter and to interrupt and interject on me. This is not an issue for which that behaviour is appropriate. If the Premier will give me the right to address the Parliament in an orderly fashion, I will give him, and I will ask my colleagues to give him, the right to respond in an orderly fashion. Let us not turn this into the usual Wednesday afternoon circus as we go through private members' business. Let us treat this issue with the respect that it deserves.

I will return to some of those stories in due course, but I want to come to the issue that the government has been concerned about. The government says that the program was over-budget and that it was necessary to change the payment arrangements because the finances were not in place to meet the full maximum payment that had previously been promised. I think that we need to understand what is going on here. The maximum payouts were to go to those people who have suffered the worst abuse. The impact of the government's decision is to reduce the payments to those people who suffered the most. Where is the justice? Where is the fairness? Where is the

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commonsense in making that particular decision? The people who will experience the worst impact of the government's decision are those people who have already experienced the worst impact of abuse in state care. That double betrayal is for them the worst of the betrayals—even when their circumstances are compared with the circumstances of the other people who suffered abuse. This government decision to change the parameters of the program for budget reasons is not a government decision that is applied to other programs in government. If we have more applicants for the first home owners' grant than were expected, we do not turn around and say that the first home owners' grant will be reduced from \$7 000 to \$5 000 so that all the applications fit within the budget. We simply allocate additional money to meet the new demands that have come in.

Let me give another example of a program that this government has instituted—the seniors' cost-of-living rebate. Presumably, the government did some modelling about the seniors' cost-of-living rebate and the ultimate cost that that would have for the budget. If more seniors had applied for that cost-of-living rebate than had been expected, would the government have reduced the cost-of-living rebate in order to make the number of applications fit within the standard budget? The answer is, no, the government would not have done that; the government would simply have boosted the budget to make sure that every senior who applied would receive the cost-of-living rebate. In another example, recently the government has run a program of payroll tax rebates for small business. Surely the government is not going to tell us that had the modelling for that proved to be wrong, and had the number of applications for payroll tax rebate been more than expected, the government would have paid out to people only 90 per cent or only 50 per cent of the rebates that had been promised. The government would have simply increased the budget allocation for that program. It is quite wrong to say that this is a necessary and standard government decision. The government has treated this program in a different way from the way it has treated other programs. If we go to projects, let us say that the building of Midland hospital costs more than currently planned for. Will the government stop the hospital three-quarters of the way through? Will the government deliver a smaller hospital with fewer facilities, or will the government make the usual expected decision and simply increase the budget? I would say that in most cases with government projects, if there is a budget problem, the government comes to the party and tops up the budget. Sometimes, with capital works projects, it does trim, but mostly the government tops up the budget and delivers the original project as promised to the people. Certainly that is the case with roads. The government simply delivers the original project as promised to the people. A rule is being applied here that is not applied to other government projects. When the government gives its excuses for what it has done, it usually gives excuses along the lines of the quote that I attributed to the Premier earlier—expectations of people have been unfairly and unreasonably raised.

I was part of the discussions that occurred within the Carpenter government about this scheme. The discussions were extensive. There were considerable exchanges between the relevant government agencies and the Department of Treasury and Finance. The previous government did not rush into this decision. The previous government did not approach this irresponsibly. The previous government was well aware that it was difficult to predict the precise number of people who would apply. It was difficult to predict the level of abuse that would be revealed and it was consequently difficult to predict the total amount that would be paid out under the scheme. The previous government acted on the best advice available to it, including from the Department of Treasury and Finance and from other relevant government agencies. We took a responsible decision. Cabinet was advised at the time that there might be a need for additional money. Anyone who knows anything about this scheme knows that it is difficult to predict with precise accuracy how many people are going to claim and what level of abuse will be revealed. I am absolutely convinced that the previous government would have increased the budget to match the applications that came in.

Mr C.J. Barnett: But you didn't.

Mr E.S. RIPPER: We were not there when the issue emerged.

Why do I know that? I know that because I know what the previous government's values were. I know what the previous government's approach to fairness and justice was. I also know about the internal politics of the previous government. I know that the then minister, Hon Sue Ellery, would have been absolutely determined and persistent in her defence of the needs of Redress WA claimants. The previous minister, Hon Sue Ellery, warned her colleagues that there might be a need for additional funding for this program. I know that as Treasurer in the previous government I would have been acutely conscious of the need to make sure that the state of Western Australia behaved in a fair and decent manner towards these people who had suffered so grievously in state care. I was Treasurer for two Premiers and I know for certain that if this issue had arisen, each one of those Premiers would have insisted on a personal basis, one on one to me as the Treasurer, that this matter be rectified and not in any way to the disadvantage of Redress WA claimants. Regrettably, we have a point of difference between the previous government and the new government on this issue. It is a point of difference that I hope goes away. I hope that the government reflects on these circumstances and makes a new decision. In any case, I want the government to take responsibility for its own decisions. Two years on, it is too late to keep blaming the former

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Labor government for the decisions that it makes as an incoming government. Two years have gone by. The government is now responsible. It has to make its own choices about priorities and state finances. It has a lot more money than it thought it would have a year ago. Now is certainly the time for it to rethink this issue.

I will talk a little about improved state finances. The government has concluded new arrangements with BHP Billiton and Rio Tinto that will see \$1 billion extra in royalty income come to this state over four years. That is after a \$1 billion increase in royalties revealed in the state budget over a year and a \$1 billion increase in taxation revenue revealed over four years in the last budget. I will summarise that. In the last budget, we saw \$1 billion extra in royalties, and \$1 billion extra in taxation income over four years. Since the budget, another \$1 billion in royalty revenue has arisen as a result of the deal with BHP and Rio. That surely reveals that we are a rich state. That surely reveals that the finances are a lot better than they were when the government made the decision that the Premier himself now regards as being too tough. Is it not time for the Premier to review that decision and say, "The finances are a lot better, we have more money than we thought we were going to have, we are on the verge of a new boom and we are certainly out of the global financial crisis. Now is the time when we can look after some of the people in Western Australia who are amongst the most disadvantaged in our state's history"? Is a time of economic prosperity not a time when we should remedy historic wrongs and historical injustices? Now is the time to come back and review some of these issues.

Just so that we do not finish this part of the debate without remembering the sorts of circumstances that we are talking about, let me again talk about some of these people involved.

Paul and his brothers were in state care as children. They were placed in Castledare in Sister Kate's where they were regularly beaten, they say, due to the dark colour of their skin. Every night they say one of the brothers who ran the institution called out boys' names and molested them. One of Paul's brothers was subject to this sexual abuse. Paul is now 74 years old and his application for Redress compensation is on the priority list. Three of his brothers have already died and missed out on any compensation or apology for the continued physical, sexual and emotional abuse they faced regularly while in state care. That is Paul's story.

Let me tell members Gary's story. Gary was put in state care as a child and was placed in an institution with other wards of the state. Gary and the other children were sexually assaulted every day, with some children being injected with drugs to keep them docile. After continued abuse, Gary went to the police twice for help but was assaulted again for causing trouble. Gary has stated that he wishes he never heard of Redress because it causes too many bad memories. Gary cannot talk about the abuse or go deeper into the stories of his childhood as he says it is too traumatic.

Listening to that account, we should all be reminded of the sensitivity of the issues that we are dealing with. This is not a set of issues where we can in any way be administratively incompetent, cavalier or arbitrary. This has to be handled in a very sensitive, strong and fair way. The government's decision to cut the maximum payout for Redress WA claimants has had a very, very unfortunate impact on the people concerned. I repeat that it is not just a matter of money; this is a matter of people's emotions. People's emotions have been opened up. People have made themselves more vulnerable by coming forward to tell their stories in Redress WA. They are all the more hurt when the government changes the parameters of the scheme under which they have come forward. I do not know what the government's modelling shows about the costs that would be imposed on the taxpayer if the government returned to the original parameters.

Mr B.S. Wyatt: According to the minister's media release the figure is \$80 million.

Mr E.S. RIPPER: The shadow Treasurer advises me that according to the Minister for Child Protection's media release, the amount concerned would be an additional \$80 million. An amount of \$80 million is not a small sum of money, but we have recently been dealing with the country local government fund and the distribution of those moneys; the country local government fund was \$95 million. In the overall scheme of things, in a \$20 billion budget, \$80 million is not an unjustifiable amount when it comes to the historic injustices that these people have suffered. If the amount is \$80 million, I can assure members that the previous Labor government would have found that \$80 million. I know we would have found it because that is the way that we approached these types of issues when in government. That \$80 million has to be set against the \$1 000 million deal that the Premier has done with BHP and Rio Tinto. That \$80 million has to be set against the \$1 000 million increase in royalty income in the last budget. That \$80 million has to be set against the \$1 000 million increase in taxation revenue over four years revealed in the last budget. This would not happen with a first home owners' scheme, it would not happen with the seniors' cost-of-living rebate, it would not happen with the government's payroll tax rebate scheme —

Ms J.M. Freeman: It wouldn't happen with the fuel card.

Mr E.S. RIPPER: — and it would not happen with the fuel card, so why is it happening to those people who suffered the worst experiences that we could imagine while the state was supposed to be looking after them?

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Why is it happening to those people? I do not think that that can be justified by the government. The Premier should ask his cabinet members to come back to him with a proposal for a review of this decision. He should take the opportunity of the forthcoming midyear review, with the improvement of the state's finances, to look at this decision again, reverse the decision and bring a measure of justice to these people who have suffered so cruelly.

[Interruption from the gallery.]

The DEPUTY SPEAKER: Members of the gallery, you are quite welcome to sit here and listen to debate, but please do not clap or make any other noise, thank you.

MR B.S. WYATT (Victoria Park) [4.33 pm]: I speak in support of the motion moved by the Leader of the Opposition this afternoon. This is rapidly becoming a defining issue of the Barnett government. I think that the Premier himself knows that, which is why he made those comments to Robert Taylor in the interview in which he reflects on the two years since he has become Premier. I think that the Premier knows that the view is rapidly emerging in Western Australia that this government is making decisions that are negatively impacting on some of the most vulnerable people in the state—people who were abused as children while whilst in the care of the state. Redress WA was an opportunity for this state—not only members of this Parliament—and for Parliaments in the future to deal with, and to draw a line in the sand concerning the terrible way children were treated many years ago, and in some cases not so many years ago. When everybody here has moved on and we are no longer members of Parliament, future Parliaments could have proudly acknowledged the fact that here in Western Australia we confronted this stain on our history and we dealt with the emotions associated with the physical and emotional abuse of children in state care.

The document “Redress WA Guidelines” gives the following definition of “abuse” —

“**abuse**” means physical abuse, sexual abuse or emotional and psychological abuse;

It defines “emotional and psychological abuse” as —

“**emotional or psychological abuse**” means any behaviour, verbal or non-verbal, that results in a significant impairment of another person's emotional or psychological well-being, as a consequence of that person being in the care of the State and includes, but is not limited to:

- (a) belittling;
- (b) threatening;
- (c) humiliating;
- (d) blaming;
- (e) ignoring;
- (f) yelling;
- (g) inappropriate control;
- (h) isolating;
- (i) persistent hostility;
- (j) scapegoating;
- (k) rejecting; and/or
- (l) terrorising/tormenting.

The decision by this government to cut the maximum payment available for victims of abuse while in state care is a further example of the humiliation of these children, later in life, who have perhaps copped the worst start to life that we could ever imagine. When the Leader of the Opposition was on his feet, the Premier made the remark that the former Labor government “raised expectations unreasonably and unfairly”. I do not think that that is the case at all. The Premier will make the point that the former government did not fund Redress WA appropriately. The Leader of the Opposition has given a number of hypothetical examples in which this government would not make cuts to the seniors' cost of living rebate if more seniors applied than the Treasury modelling suggested or if more people applied for the fuel rebate in regional WA than the modelling suggested. Would we see cuts to those budgets? Of course not. We would see the government simply ensure that those people who were entitled to those subsidies received them. Similarly, I know that if Labor had been re-elected in 2008, we would not have allowed people who had been abused in the care of the state to be short-changed in this way.

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The Premier and the Minister for Child Protection, Hon Robyn McSweeney, blame the former Labor government for the position they find themselves in; they blame the former Labor government for making the current government cut the maximum payments from \$80 000 to \$45 000. It is important for the Premier to note that for nearly 12 months before she made the decision to cut Redress WA, his minister actively promoted the fact that the maximum payment was \$80 000. For 12 months the Premier and his government talked about how victims of abuse in state care could receive payments of up to \$80 000. The minister's media release dated 7 November 2008 states —

Applicants may be eligible for an ex-gratia payment of up to \$10,000 for reasonable evidence of abuse or up to \$80,000 for proof of medical or psychological problems stemming from abuse.

Similarly, in a media release dated 16 December 2008—a month later—the minister talks about the fact that applicants may be entitled to \$80 000, and on 19 January 2009 the minister talks about the entitlement of up to \$80 000 for applicants to Redress WA.

The Liberal–National alliance did not suddenly fall into government and find that it was \$80 million short. It had been in government for a year and its minister was actively promoting the fact that applicants, who were abused in state care as children, were entitled to a maximum payment of \$80 000. The government has ownership of this issue. The government cannot blame the former Labor government for a decision that it, as the current government, has made. It was not until 28 July 2009 that the minister decided that there was going to be a cut reducing the maximum payments to \$45 000. She gives quite an extraordinary reason in her media release of that date. It states —

Recent analysis conducted by experienced actuaries in this field has revealed that, based on the severity of cases we are assessing and the allocated budget and total applications received, a maximum payment of up to \$45,000 is the more likely scenario.

As the Leader of the Opposition has already pointed out, the cases of abuse were much more severe than the Labor and Liberal governments had realised, yet this government made the decision to penalise those who were suffering from the most severe cases of abuse. It is an extraordinary outcome—an incredible decision for this government to make. I think the Premier knows that the decision he and his minister made in July 2009 will become a defining issue for this government. This government will not be able to escape this issue over the next couple of years. I dare say that if the Premier thinks fairly and thinks hard and wants a fair and reasonable outcome for applicants of payments under Redress WA, he will find that extra \$80 million.

Of course, the opposition does not have the exact modelling that led to the minister's decision to change her mind, but she pointed out in her media release of 11 August 2009 —

... preliminary forecasts showed more than \$200million was needed to adequately fund Redress WA.

We know that the former Labor government had allocated \$114 million, so we were looking at about another \$80 million to adequately fund what were more severe cases of abuse than the government had realised. I make the point that this is not an ongoing recurrent expense; it is a one-off payment. It will not sit in the general government books for years into the future. Where I take issue with the minister is in the same media release on 11 August. Rather than accept responsibility for the decision she and the Premier made to cut the maximum payments, rather than do what the National Party did with the fuel card or what the Liberal Party did about the seniors cost-of-living rebate; rather than find the extra money, the government cut the maximum amounts payable. The minister went on to say in that press release —

In 2007, when this State was experiencing its biggest financial boom in history, it is inconceivable Labor made a decision to underfund its own scheme while they were in a fiscally responsible position to do so.

To the most vulnerable, this is an absolute betrayal by the former Labor government.

That is an interesting comment by Minister McSweeney. I will reflect on that, bearing in mind the financial position this state now finds itself in. The minister referred to the biggest financial boom in history. What people do not realise is that during the global financial crisis and the ongoing devastation of countries around the world, the revenue base of Western Australia did not decline; its make-up changed. The federal government put more money in and we know that, according to the Premier, the forward estimates are not relevant; we look at what actually happens. The state's revenue base did not decline. There are not many governments around the world that can say that. In that climate, the Premier and the minister decided to cut the maximum payments to people who, as children, were abused in state care.

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The decision the minister made on 9 July 2009 was two months after the budget came down for the 2009–10 financial year. At that time, the 2009–10 budget, which was tabled just two months prior to the minister deciding to cut the maximum payments for Redress, predicted a surplus of \$409 million. At that time, the government was expecting almost a half a billion dollar surplus position. But rather than find \$80 million, it cut the maximum payments. In the December 2009 midyear review, five months after the Premier and the minister decided to cut Redress WA payments, the government introduced tax increases that will bring in \$511 million over the forward estimates—an extra half a billion dollars in tax increases in the December midyear review, not even in the budget. Half way through the financial year, the government found the capacity to increase taxes on the small business sector to bring in an extra \$511 million. We now know the 2010–11 budget, just handed down by the Premier–Treasurer, revised down that surplus from \$409 million and now predicts it to be \$290 million. But I bet that surplus will be a fair bit higher than \$290 million. Members should understand we are talking about \$80 million to finally wipe the shame of this issue away from the government of Western Australia. I say that in terms of government—not Labor, not National and not Liberal. The fact is this is a stain on the government of Western Australia. This is an opportunity for us to properly, fairly and adequately address what has been a shameful, shameful chapter in Western Australia’s history.

Mr C.J. Barnett interjected.

Mr B.S. WYATT: Hang on, Premier; the Premier will get his chance. I note there is one other minister in the chamber, which is nice for a change.

Several members interjected.

Mr B.S. WYATT: Sorry; I did not see the Attorney General.

Several members interjected.

Mr B.S. WYATT: Look, people—honestly! The member for Wanneroo’s contributions are not that impressive. The 2010–11 budget also highlighted an extra \$1 billion increase in royalty revenue over the royalty revenue for 2009–10, a 47 per cent increase in royalty payments. We had a surplus position, we had the extra billion dollars and the Leader of the Opposition has outlined the deal the Premier did with Rio Tinto and BHP Billiton. He got not only \$350 million for Princess Margaret Hospital but also approximately an extra \$1 billion over the forward estimates in payments of royalties to the Western Australian government—another \$1 billion. Page 1 of the *Australian Financial Review* states —

An analysis of mineral royalties by *The Australian Financial Review* shows that if current spot commodity prices and exchange rates are simply maintained, state coffers will swell by at least \$1.6 billion over the next year relative to budget forecasts, or \$3.4 billion over two years.

In Western Australia that equates to an extra \$1.9 billion over two years. I understand that is subject to exchange rate and spot price forecasts but we know that the strong commodity prices will deliver even more revenue to the Western Australian government coffers. This is not a problem any more; revenue for Western Australia and the government is not really the issue. When it comes to the overall sustainability of the Western Australian finances, it is the spending side that is the problem. But we also know that there will be an underspend in the state capital works program of about \$1.3 billion or \$1.4 billion for the 2009–10 financial year. The government is underspending almost to the tune of \$1.5 billion in its asset investment program; we have potentially more than \$2 billion in extra revenue above and beyond what the budget papers of 2010–11 suggest, yet this government cannot find \$80 million to adequately and fairly deal with Redress WA applicants once and for all. I make the point again—once and for all. We have an opportunity, as the minister said in her media release on 11 August 2009 —

In 2007, when this State was experiencing its biggest financial boom in history, it is inconceivable Labor made a decision to underfund its own scheme.

The minister claimed this scheme; she spent 12 months advocating for this scheme and she told those who would be applying to Redress WA that they would be entitled to a maximum payment of \$80 000. She has had her fingerprints all over it for 12 months, and she is now in a position to adequately fund Redress WA. She and the government are in a position to find that \$80 million needed to adequately fund Redress WA; there is no reason not to anymore.

We also know that the Premier’s decision to increase fees and charges on the people of Western Australia has seen a direct increase in the state’s revenue. The Premier’s decision to increase the dividend ratio payments for government utilities will see an extra \$404 million come into the general government sector over the next four years—that is, nearly an extra half a billion dollars, and I dare say that that figure will rise. The government has revenue to spare. The Labor opposition calls on the Premier and the government to revisit the decision it made in July 2009 because the Premier knows it was too tough, it was unfair, and it was unreasonable. Now is

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the time, when the government will have strong revenue over the next few years, to put this issue to bed once and for all.

I want to make a final comment. This is more than just about the abuse of children in state care; this is about how governments deal with people. This is about how governments fairly and honestly deal with not only people who have been abused and not only the most vulnerable, but also the way governments interact with Western Australians. Hon Robyn McSweeney's decision to cut that funding, and, in the same media release, spray the former Labor government for inadequate funding, was simply a disgrace. I outlined at the beginning of my contribution the definition of abuse because the minister did not assist in any way when she knew she was dealing with extremely vulnerable people. These are people who were children in care during this time at places such as Castledare, Clontarf, Bindoon, and Moore River, and they were child immigrants or members of the stolen generation. We know now that we need to deal with and adequately move on from that period in Western Australian history. Former Prime Minister Kevin Rudd delivered his apology not long after he became Prime Minister. It was an extraordinary moment, and I was lucky enough to be in the chamber when he delivered that speech, as was the member for Pilbara.

[Member's time extended.]

Mr B.S. WYATT: When the Premier first became Premier, he said that outcomes in Aboriginal affairs would be a key part of his government. This issue is much broader than simply the stolen generation and Aboriginal people; it goes to the very heart of government control over people's lives. This was a time when government felt it could control and raise children in horrendous situations, and, in 2009, this government, without consultation and without care, made this decision. When I look back on the file of my grandmother—my father's mother—part of which I have with me, from the Department of Native Affairs, I see that the subject is "Half-caste Jean Wyatt". My father, thankfully, was not physically or sexually abused in care, but this file shows the extraordinary control, the extraordinary paternalism, and the extraordinary ignorance that government had when it came to dealing with people for no other reason, in this situation, than my grandmother was a half-caste woman. This is not the complete file, but when I look through it, I see that it deals with situations in which my grandmother was trying to see my dad and whether the government would allow her to do that; it is unbelievable! This was not centuries ago; this was in the lifetime of some people in this house.

Now is the time to deal with all of these issues, and not just for people who were abused in care. My father will not be an applicant to Redress WA, but he recognises that this is the time and the opportunity for the government to once and for all deal with a very shameful period in the history of Western Australia. I hope that the Premier revisits the decision he made in 2009 and finds that money in the upcoming *Mid-year Review of Public Sector Finances* in December so that not only the people sitting upstairs today, but also people all over Western Australia, whether they are Redress WA applicants or not, can feel that the government, at long last, has drawn a line under this issue and can move on once and for all.

Opposition members: Hear, hear!

MS L.L. BAKER (Maylands) [4.55 pm]: I rise to support this incredibly serious and difficult to talk about matter. I must say that the people in the public gallery are to be applauded for being in this place. To the Premier, and all members on the other side of the house, this will take three hours of their lives and they need to wake up, keep their eyes open and listen to the debate. I will read out the statistics about the 10 000 applicants who are represented by those in the public gallery. Three hours will be spent in this place talking about the suffering that those people have coped with, some of them for 74 years. I do not care that we had a late night in the house last night or that the Premier has a busy job—the Premier really needs to keep his eyes open and stay awake for this debate. These people deserve at least that. If the government is not going to be able to give them the money they need, the Premier needs to stay awake. These people represent —

[Interruption from the gallery.]

The DEPUTY SPEAKER: Sit down, please, member for Maylands.

Ms L.L. BAKER: I thank the Premier for leaving!

The DEPUTY SPEAKER: Sit down, please, member for Maylands. Members of the gallery —

Ms L.L. BAKER: The people in the —

The DEPUTY SPEAKER: Member for Maylands, sit down, please. Members of the gallery, I have asked you before, no clapping or any comments from the gallery, thank you. The member for Maylands has the call.

Ms L.L. BAKER: I do apologise, Mr Deputy Speaker; thank you.

The people in the public gallery today represent 10 200 applicants who originally applied for Redress support in our state, and I will run through a profile of who the people in the public gallery are representing today. Of the

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applicants, 60 per cent are aged over 50 years; 50 per cent of all applicants are from children of Aboriginal communities; 13 per cent are former child migrants; 37 per cent were in state care; and about half of the applicants, we think, will receive between \$5 000 and \$13 000 in support. Finally, about 2 000 of the applicants live in regional WA. I hope the applicants are looking with some interest at the way the government is spending the royalties for regions money, and some of the projects that have been funded under that as the Redress applicants come into our gallery today with their stories.

Ms M.M. Quirk: And there are no Nationals in the chamber.

Ms L.L. BAKER: And there are no National Party members in the chamber to listen to some of the stories we have heard told today.

My heart goes out to these people, and I cannot believe the arrogance of the government. The Premier has chosen to leave the chamber rather than listen to my contribution to the debate or anyone else's stories. I am sorry; it is just not good enough. I will quote from *Hansard* from last year, when the Premier stated —

We did not want the scheme to run out of money; we wanted to deal with the fact that there is a higher number of claims and, I accept the point, perhaps a higher number of claims for serious abuse, perhaps more serious than originally anticipated.

Well, wherever the Premier is, I say to him that this whole story is about the priorities of his government that is running this state. The government has the capacity to work out where it wants to put its money, and it has chosen not to put \$80 million into a scheme to recompense people who have already suffered at the hands of the state. It did not happen to any members of this Parliament, but these people suffered, and I know that the Premier knows that. It is about priorities and whether the government thinks that the money it has taken to put into Oakajee port is more important than these people and their lives. It is about whether the Premier thinks the royalties for regions program has no scope in it whatsoever to recompense some of these people. It is about whether we think funding for the Northbridge Link is the be-all and end-all for this state or whether the country development fund is the only project the Premier cares about. The Premier knows this is true. The figure I am talking about is \$80 million on top of the amount that has already been put into Redress WA. These people deserve that. It is not a lot of money in the scope of what the government is spending on economic development. It is not a big investment to heal one of the small social wounds in our country and our state.

I remind the Premier also that one of the champions the government had in this campaign is Michelle Stubbs. I remember well working with her in the lead-up to developing Redress WA and in the consultations that were held around it. She is a person with whom I am sure all government members on the other side of the chamber are familiar. We on this side of the chamber know her very well. I want to read from Michelle's notes, which were read into *Hansard* in August 2009 —

Ten thousand West Australians made a choice to either dig up and dissect the most traumatic periods of their lives or to try to let it go. The wounds have been opened for 10,000 West Australians and the Government should act swiftly and ethically to address these past wrongs.

Do members know what happened in February this year? Michelle Stubbs was one of the members sitting on the Ministerial Council on Child Protection that was working on Redress. Do members know what she did? She quit. She walked away, because she was honest enough to say that she was fed up with the chaotic way the government had managed the implementation so far, with the delays in aspects such as counselling, with the inadequacy of resources and with the constant rejection by the government of people who had applied to Redress. She quit. She resigned. She walked away. She saw the writing on the wall. She realised she was not going to get through to what appears to be a heartless government.

I do not know that there is a lot more I want to say about this matter. I am very disgusted with the way this matter has been managed. I am very disappointed that the government has seen fit to continue disappointing what amounts to a very small group of Western Australians when one considers the whole population. These are people who need the government's support and help. The government has walked away again and again.

Finally I call on the Premier—wherever he is; hopefully he is hiding his head somewhere—to end the distress that he continues to cause, to reverse his decision and to immediately give the Redress applicants something that they can celebrate to make their lives a little more bearable and to help them in what is probably the last decades—or perhaps the last 20, 30 or 40 years—of their lives. Please consider their distress and put the money back into this incredibly valuable program.

MR W.J. JOHNSTON (Cannington) [5.03 pm]: I rise to support the motion, which reads —

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That this house notes the Premier's comment that cuts to Redress WA were "too tough" and calls on the government to reverse the decision to cut the cap on ex gratia payments to those who were abused as children in the care of the state from \$80 000 to \$45 000.

It defines the Labor Party—that its members are interested in the suffering of ordinary people who were so very badly affected in state care and are interested in other people in the community who work hard to make a living. However, today we are talking particularly about those people who suffered so very greatly in state care. Castledare Village is in the suburb of Wilson in my electorate and Sister Kate's Children's Home is in Queens Park, also in my electorate. Although those facilities no longer accommodate young people, there is a history of the suffering of these people directly in the electorate that I represent. However, it is not just a history of suffering, because people come to see me on a regular basis regarding Redress WA.

In my view the Barnett government's approach to Redress WA is cruel and heartless. I would argue that it is a second betrayal. The first betrayal by the state of Western Australia for these applicants was in their childhood. Now this is the second betrayal when not just the former Labor government, but also the current Liberal government encouraged them to re-open the hurt that they had suffered and apply through the Redress process for compensation payments. As the richest state in this country, we can do better.

The government always takes an interesting approach to these issues. Even after two years in government, when anything goes wrong in the health department, the Minister for Health blames the former Labor government. If something goes wrong in policing, the police minister blames the former Labor government. But in respect of Redress WA, it is the victims of child abuse that are being blamed. They are the ones who are suffering.

On page 5 of budget paper No 3, there is a table headed "Table 2". That table indicates that from the 2008–09 financial year through to the 2012–13 financial year the state government expects to raise income of \$112 145 million. I will say that figure again—\$112 145 million. That period is basically the time the Barnett government will be in power. The amount that is currently allocated to Redress WA is 0.1 per cent of the state's income for that period. We are asking the government to allocate 0.18 per cent of the state's income to Redress. I cannot understand why the government does not want to allocate 0.18 per cent of the income of the state to the people in the state who have suffered the most. In the richest state in Australia, we can afford this.

I have heard members of the Liberal Party say that the suffering cannot be made up through the payment of money. That is true. I will refer to the suffering that a couple of my constituents endured. It cannot be recompensed by the payment of money. However, in our society that is what happens. When a person seeks restitution, that is what happens: they get a payment of money to make up for their suffering. If these applicants were to successfully sue the state instead of settling through the Redress process, they would receive compensation. The payment is therefore an acknowledgement of their suffering. Let us face it: even if these payments were doubled, they would still be very modest amounts. These modest amounts are an acknowledgement by the state of the error the state made.

I want to refer briefly to two examples of the suffering that people in my electorate have brought to my attention, and I choose not to name the constituents. The first person is an Indigenous man who is now 72 years old. He was taken from his family as a child in the late 1940s. I will read to the house a letter dated 27 September 1950, when this man was seven years old. The address reads "The Commissioner, Dept. of Native Affairs, P E R T H." It is headed "Medical attention —" and there is the name of the constituent. The letter reads —

As the result of a recent medical inspection by a medical officer of the Dept. of Public Health, the abovenamed school boys have been recommended for eye attention. As a matter of fact, Malkin's report says his case is urgent.

Would you please make the necessary arrangements whereby such attention can be given and advise me accordingly. I assume that such attention will have to be given in Perth.

Apart from the cases for eye treatment, a number are in need of dental attention but, for your information, I propose to have this work carried out locally. This will explain the reason for any dental accounts that the Dept. may receive in the near future.

(Sgd) V.H. Sully.

SUPERINTENDENT

Members can see the urgent need for medical treatment for my constituent. I will read from a letter dated 10 November 1950 in response to that letter. It is addressed to the superintendent of Carrolup native settlement via Katanning, "Re – Medical Attention ..."—it mentions the name of my constituent —"Your 1/15/40 of 27th Sept last". The letter reads —

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As no accommodation exists in the metropolitan area at the present time, for male natives, it is regretted that no arrangements can be made at present to bring these boys to Perth for specialist treatment.

It is signed by S.G. Middleton, the Commissioner of Native Affairs. At seven years of age this boy needed urgent medical attention, and it was denied him for the reason that he was a native and there was no accommodation suitable for the boy in Perth. This gentleman is now 72 years of age. Effectively, he is blind in one eye because at the age of seven the state of Western Australia refused him treatment. This is the person to whom this government is denying adequate recompense. He is being denied adequate compensation.

I note again that the ministers have decided not to participate in the debate and they have all left the chamber. I can understand why they have done that; this is an embarrassment. It is an embarrassment not only to the Labor Party and the Liberal Party, but also to the people of Western Australia. I will go on about this gentleman; I have become very fond of him. He has been offered \$13 000 and, in fact, he accepted a \$13 000 payment from Redress WA. However, in the preparation of his application he spent \$5 000 on a lawyer and a psychologist. As members can imagine, with the sort of life he led, this gentleman felt intimidated about dealing with the bureaucracy. Of the \$13 000 he accepted, \$5 000 has gone to other people. He has been left with only \$8 000. This gentleman came to see me a little while ago because he had no money to pay his ordinary bills. He missed out on the \$100 from the state government for the cost-of-living rebate because he made a late application, although he tells me that he believes he applied on time. An amount of \$13 000 was paid to him, \$5 000 of which went to a lawyer and a psychologist. I want to go further on this particular gentleman, and I hope I do not take too much time as I know many members on this side of the chamber have very interesting cases to present. I will read a letter from the government of Western Australia, Department for Communities, Redress WA. It reads —

Further to your conversation with a Redress WA staff member regarding your *ex gratia* payment offer, please find attached the documents relating to the assessment of your application.

As discussed with you, under section 39(2) and (3) of the Redress WA Guidelines, a review of your payment amount can only proceed where you can show that there has been either an error of process and/or an error of fact.

Please note that once you have accepted your offer, a request for a review cannot proceed.

That left the gentleman in a position in which he had debts to a lawyer and a psychologist and an offer of \$13 000. He did not apply because he wanted money; he applied because he wanted to draw a line underneath it. But the way our society makes compensation is to pay money. He thought, "Well, it was never about the money, so I will accept the \$13 000 because I do not want to go through the bureaucracy any more." Later he received another letter, which reads —

I am pleased to advise that your application for an *ex-gratia* payment has been fully assessed in accordance with the Redress WA guidelines. Based on the information you provided along with your records from time in State Care, it has been determined that you are eligible to receive an *ex-gratia* payment of \$13,000 under the Redress WA scheme.

This gentleman kicks around with other people, including his brother, who are also eligible for Redress payments, and he found that \$13 000 was going virtually to every applicant. I have with me the details of the abuse that this gentleman received in care, but I am not going to read that. Of course, he felt aggrieved because his abuse had been far greater than those of other people. However, he has no ability to appeal or to do anything with this, because he had to accept the \$13 000 in order to pay the \$5 000 debt that he owed to a lawyer and a psychologist. How is that fair? I have written to the Premier, and he has replied to me explaining how he sees it to be fair, but it is not. It is wrong. It is wrong that that is what this gentleman has had to go through.

I will refer to a second gentleman. This gentleman is 68 years old. His mother died when he was two and his stepfather suicided four years later because he could not cope with raising this man and his sister. He was fostered out to a psychopath. This woman cruelly abused him, and effectively refused to allow him to go to school; she put him to work at the age of 15 as a labourer, which damaged his health and still affects him today. Not only did that psychopath steal his wages, so that even the little income he received when he was a 15, 16 and 17-year-old labourer was taken from him, but bizarrely, and I do not understand why this would have been occurred, the government of Western Australia at the time refused for his aunt and uncle to adopt him and his sister, which would have taken them away from the psychopath and allowed him to grow up in a loving environment. I do not understand why any state would have done that. That is what we did: the people of Western Australia did that to this boy. In April 2009, he applied for a Redress payment. He still does not have his payment. The reason for that is these payments are processed in this bizarre system where 100 applications are drawn at random and those applications are processed. How can that be? What bizarre thinking led this

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government to introduce a system where 100 people a time are drawn by lot and then have their applications processed? It will be two years before the last applicants receive their payments. Two years! It is interesting that the chamber is silent, but I understand why. It is because every member is embarrassed by that.

Mr C.J. Barnett: How many did you pay out in government? None!

Mr W.J. JOHNSTON: Premier, no-one can defend that. It is impossible to say that is a good system. It is a stupid system. We cannot take two years to process these applications. It is wrong. It is heartless. It is indefensible.

Mr C.J. Barnett: In 12 months you processed none!

Mr W.J. JOHNSTON: If the Premier has a better system, he should introduce it. The Premier cannot defend these situations. The state of Western Australia led one of my constituents to blindness because it refused him medical treatment. Another constituent of mine was put through 11 years of hell by a psychopath because the state of Western Australia allocated him to that person and did nothing to remove him from that situation. That was wrong then, and it is wrong now. It is not as though we can say that people did not understand in the past. That is not right. We did understand. The Department of Native Affairs knew that my constituent needed urgent medical attention to his eye; it refused it because he was a native boy and there was no adequate accommodation. The state of Western Australia knew that my other constituent was being abused by a psychopath and they did nothing to put him into proper care. It is not a question of: that was the case in the 1950s, and now it is 2010. That is not right. It was wrong then, and it is wrong now.

I will not take up the chamber's time, because I know many other members want to speak on this issue. The member for Victoria Park hit the nail on the head when he said that this is going to be the defining issue for the Barnett government. It will be interesting to see what happens, because the house should pass the resolution before it. It is only appropriate. It is the right thing for us to do.

MR P.C. TINLEY (Willagee) [5.19 pm]: I seek the indulgence of the house as I give a contribution of a repetitious nature to the debate on this motion. Each and every one of the people who are listening and who will be mostly affected by this approach have suffered to varying degrees and for varying lengths of time. The abuse of each and every one of them at the hands of state-sponsored institutions is unique to that person. The government is trying to apply the best solution it can to the situation; that is, it is applying a mass remedy to an individual set of circumstances, which is always a challenge for any government. Certainly, that challenge was not shirked by the then Carpenter government; it took on the challenge head-on, which reflects the social heart that beats strongly in the Labor Party and in the labour movement.

The facts of the matter, although repetitious, are worth bearing out again. The Barnett government cut the maximum Redress WA payment from \$80 000 to \$45 000 and added another six months to the time it will take to finalise the payments. They are tough cuts for people who are as vulnerable now as they were when they suffered their abuse. Mr Barnett's cruel cuts are the second betrayal of a group of people whom the state has already abused once. Redress WA applicants are a small and ageing group. They are literally dying off as we speak. Many of the people whose stories we have heard and will continue to hear are 60-plus years of age, and some of them will have a shortened life span because of the suffering they endured.

We understand that we were in the midst of the global financial crisis in 2007–08 when these cuts were announced. The Barnett government, in its ideological approach to cost cutting, decided that this was no different from any other program and decided to cut it. That might have been understandable at some point, but as the GFC played out and the state was handed \$1.7 billion in surplus at the end of the Carpenter government's term, this state did not suffer the recession that some parts of the country did; in fact, it did not suffer any recession. The opportunity exists for the Barnett government via this motion to conduct its own redress—reverse the original decision and give back some dignity to the sufferers of these horrible circumstances. As the member for Cannington said, no amount of money will ever be enough, but the difference between \$45 000 and \$80 000 is important because we said so. The sufferers of this abuse do not distinguish between a Labor government and a Liberal government. They are people of Western Australia who look to this place for moral, financial and physical leadership. They were told by the government of Western Australia that these were the circumstances under which they would be compensated.

The four components are worth trotting out again because this is about more than just money. The promise made to these people by the government of Western Australia was to acknowledge them with an apology, a memorial and the right to place their story on an official file. The stories are very important. I have worked with a number of veterans who suffered from post-traumatic stress. I have had to lead soldiers under those circumstances. The telling of the story within the context of their own suffering is absolutely essential for recovery. It is absolutely essential to fund support services to provide counselling, non-government organisations to provide assistance

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when appropriate and other government agencies to provide financial counselling. Practical steps include not just talking therapy, but outcomes-based therapy and, in extreme cases, police referral for prosecution, if at all possible, although the lawyers in the chamber would be more than aware of the trouble with the evidentiary trail needed to support these sorts of prosecutions. The fourth component was an ex gratia payment for which we proposed two tiers. The first tier was payments without any great evidence of up to \$10 000 and the second tier was payments of up to \$80 000. I heard the Premier's interjection earlier about the announced time line. He said that the Labor government did not process any applications in 12 months. That might be because it was not 12 months. Perhaps we should record the facts of the matter. The scheme was announced in December 2007, and, once the administration was put in place to receive applications, applications closed in May 2009. All claims were to be paid and the scheme was to close by December 2010. That does not correlate with what the Premier said in this house by way of interjection, and that is fine. But we might hear a correction of the record if I have got it wrong.

The Liberal opposition supported the Redress WA scheme at the time it was announced. On 19 December 2007, straight after its announcement, Hon Robyn McSweeney said on 6PR that it was a great initiative. The Barnett government also extended the period for finalising claims to July 2011 and created a new category of \$5 000 payments to the estate of deceased applicants. People who could have been assessed on the living rate to receive up to \$80 000 or, in the case of the modification, up to \$45 000, will now be worth only \$5 000 on their death.

Mr C.J. Barnett: It is \$5 000 more than you were offering.

Mr P.C. TINLEY: We have acknowledged, Premier, that it is \$5 000 more than we offered, but it is a small amount given the \$35 000 cut that this government has applied to the scheme. The government will say that the Labor government underfunded the scheme and that this government, in its great economic wisdom, had the fiscal capacity to apply some rational thought to the process and create something that ought to be budgetarily responsible. The reality is that none of us knew the extent and depth of either the suffering or the number of sufferers. Our scheme was the most generous in Australia at the time and was double the maximum payments available in Queensland and Tasmania. There were to be approximately 9 600 applicants and, under the general insurance principle, 80 per cent of the claims received would have been assessed to receive approximately 20 per cent of the maximum payment. Under the normal actuarial tables that insurers apply to these sorts of issues, as the Premier is surely finding out from the Toodyay bushfires, a flag must be put in the ground. If the Barnett government, in taking up the Redress WA scheme, discovered that the Labor government had underfunded it, why was that an excuse to cut it? If this government discovered that the Labor government had underfunded it, it should have given us a big, old, fat whack and said, "Thank you; you stuffed it up, but we're going to fix it." But the Barnett government did not fix it; it just cut the scheme. The government cut the scheme based on the ideology that it had to cut costs. I wonder whether it was in line with the three per cent efficiency dividends requested of government departments and this was just an easy get, because these were some of the most vulnerable people who did not have the power to talk back.

Governments choose priorities all the time. The Premier is on record in this place as saying those very words—governments have to make hard choices about different priorities. This is not one of those choices. Why? It is not one of those choices because the Western Australian government made a commitment to the people who were abused in state care to compensate them in four different ways, one of which was financial and which, in a cash society, had value to allow people to close off a very sorry part of their lives. The choices that were made at that time were not valid. The choices that were made at that time once again sold out those people. Once again, those who were abused had the opportunity to look towards their government for leadership and to close off their sorrow, allowing them to move on in some sort of harmony, and they were duded again.

Who are the Redress applicants? It is worth reading some of the facts so we can put them on the record. They may already be there but they are worthy of re-reading. I am happy for corrections by way of interjection if somebody thinks my numbers are wrong. My research shows that of the 10 200 applicants, approximately 5 900 were eligible for formal assessment. The majority of Redress WA applicants are between 50 and 70 years of age, and more than 60 per cent are aged over 50 years. They are fading; they are leaving. Fifty per cent of all applicants were children with Aboriginal communities, 13 per cent were former child migrants and 37 per cent were other children who were in state care. According to Redress WA, approximately half of all applicants will receive between \$5 000 and \$13 000. Approximately 90 per cent are still residing in Western Australia, thank goodness, and at least 2 000 are in regional WA. I notice that not one member of the National Party is in the chamber to represent regional Western Australians.

These are just the facts. Who really are these people who were so cruelly dealt with as children at sometimes their most vulnerable stage of life? The member for Cannington had a story about one of his constituents. I think we all do. It is worthy of us to bear witness to their stories and read them into the record.

Extract from *Hansard*

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The member for Cannington chose not to use his constituent's name, for reasons that are probably between him and his constituent. I have talked about this with a number of my constituents. One person quite emphatically said that I should use his name because that is who he is. The statistics that I just read out are those of a mass group. The statistics do not speak to the person. This man was insistent that if I tell his story or parts of his story, I should use his name.

I have Raymond William Chapple's story to present to this chamber and to the leadership of this state to ensure that we understand the power that we have to influence the future of these people. Raymond Chapple is 72 years old. As soon as he walked into my office and I looked at him, I was trying to compare him with someone I might be able to relate to. Raymond William Chapple is as old as my father. He walks with a stoop like my father. He is a proud man. He lives in Hamilton Hill but he is a former state ward and resident of the Salvation Army's Seaforth Gardens in Gosnells—I ask members to excuse me for reading my notes but I want to make sure I get it right—and the Salvation Army Boys Home in Nedlands. He has one brother and two sisters who were also in state care. He and his brother were each awarded a \$28 000 Redress payment while each sister received only \$13 000 each. I have heard the sisters' stories and I cannot for the life of me fathom why there should be such a discrepancy between these two amounts. That is a different story. Mr Chapple's abuse and/or neglect and any injury, harm or loss has been assessed as being in the severe range. We talk about the cut from \$80 000 to \$45 000. It is not a blanket arrangement. As I said, the average payment received was between \$5 000 and \$13 000 or, in Mr Chapple's case, at 72 years of age and in the severe range, only \$28 000 or 62 per cent. I would hate to think what would have had to happen to a person to qualify for the full \$40 000.

I turn to the key findings from Redress WA's notice of assessment decision. Redress WA concluded that it was satisfied that Mr Chapple was in the care of the state of Western Australia as a state ward from 13 October 1943 at the age of five until 17 February 1956 at 18 years of age. My son is nearly five. It does not bear thinking about. Redress accepted the following abuse and/or neglect as acceptable, including this young boy being provided with inadequate food and lacking nutrition, including having to eat porridge contaminated with weevils, mouldy vegetables and rancid butter. He always felt hungry, which made him resort to eating grubs found under wood piles or bark off trees, stealing apples and eating flies. He was not provided with shoes and sustained stone bruises as a result. He was issued with second-hand ill-fitting clothes. He was punished for wetting the bed by being caned and then forced to sleep in the wet bed for the remainder of the night. He was physically assaulted on numerous occasions by staff using belts, canes and feathered canes, which is a new twist. He received cuts and bruises after being beaten or caned by staff. He was threatened by staff with punishment if he informed anyone about the abuse. He had his face shoved in a plate of porridge. He witnessed another child being bashed by one of the majors of the Salvation Army hostel for daring to reprimand the officer for pushing Mr Chapple's face into the plate of porridge. There was honour amongst them—some courage. He received permanent scarring on his back after being struck across the back with a feathered cane. He was forced to eat butter until he vomited. He was made to feel scared, intimidated and threatened when one of the majors organised him and other boys into a circle where he would stand in the middle and shake his feathered cane in the air. Mr Chapple was completely and utterly terrified when this occurred.

One of the other residents, whom I will not name, who was at the same home as Mr Chapple, described his circumstances to me. He said he was called a number, not his real name. His number was 27. Everywhere he went he had this number. He said it was hard and brutal. He still hears the cries of boys getting belted at night and warnings because some had wet the bed. He was so scared of the officers in case he got belted again.

[Member's time extended.]

Mr P.C. TINLEY: Whilst these stories are difficult for all of us to hear, we are all compassionate and well-meaning people. We do not come into this place, we do not seek public office and do not put our name on a ballot if we do not want to make a difference.

Mr Chapple contacted my electorate office in April 2010 following his offer of \$28 000. He did not want to accept this amount. He felt it was inadequate for his pain and suffering. He was also angry that the Barnett government had reduced the maximum ex gratia payment from \$80 000 to \$45 000. He was also distressed that he had no avenue to dispute the amount of the ex gratia offer. Mr Chapple was advised he could only dispute the offer amount if he felt there had been an error in process or in fact. This is something that also speaks to the fair play of this thing. I refer to the Redress WA ex gratia payment and acceptance form. It asks applicants to tick whether they accept or reject their ex gratia payment offer. It makes it clear that if applicants choose to reject the offer after consideration of the certain acknowledgements, no further offer will be made to them and their application file will be deemed closed. End of story!

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Mr C.J. Barnett: You would appreciate that under the Labor government they were required to sign a waiver, something that this government dropped. Your government—you were not a member of it—required that they give up any legal acknowledgement or right, a thing that this government removed. We did not try to limit people's legal rights, like your government did.

Mr P.C. TINLEY: If that is the case, I accept that. I refer to my previous point. If we had inadequacies in our policy, by all means fix them.

Mr C.J. Barnett: We did.

Mr P.C. TINLEY: The government did not fix it enough; it cut it. The Premier should bear in mind what I am saying. The people of this state see only one government. Mr Chapple and his siblings were told that if they wanted more, they could sue the Salvation Army. The cost of that alone, let alone the stress for these sorts of people, was beyond the pale. Mr Chapple chose to accept the ex gratia payment of \$28 000.

It is probably worthwhile stepping away from this and referring to what we are talking about in the political sense. A lot of people say that ideology is dead as both major parties fight over an increasing centre ground—soft left; soft right. The reality is that ideology is not dead. The Liberal Party is still focused on the utilitarian application of a cost-based society that denies any opportunity for humans, and for the variations in human style. If we want any evidence of that, after two years we are starting to see it in increases to household fees and charges, for example, and the complete ignorance of the impact that has on families. What was essential now becomes discretionary, such as fees for junior sporting clubs. It costs about \$120 to join the Hawks Junior Football Club. We have had to go to various charities to raise sponsorship so that some very good young boys can get in and do what every other Western Australian sees as standard. Privatisation of hospitals and school services is on the agenda. Because the failing public housing maintenance program was outsourced to a lowest cost tender, it imposed a 17 to 20 per cent cut on the subcontractor, who had been doing the work for years; imposed a short-term contract of 12 months; and imposed 60 to 90-day payment terms on small business. It is driving apprentices out. The difference in the ideology between the two sides of this Parliament is very stark. This side considers the human face of the effect of public policy and that side looks only at the bottom line. This motion is the government's opportunity to provide the leadership these people deserve because the abuse must stop now.

MR P. PAPALIA (Warnbro) [5.41 pm]: I rise very briefly for a couple of reasons, the first is to acknowledge the people in the gallery who have had the courage to be here today on behalf of the more than 10 000 people around the state who are potentially eligible for this fund we are debating today. Clearly, I am rising in support of the motion. I am disappointed that the Premier has left the chamber because the other reason I wanted to speak now was to make an observation; namely, I felt by way of the Premier's body language and some of the responses during the debate that perhaps the discussion on this motion had become unnecessarily confrontational. It is undeniable—many members have referred to the fact—that everyone in this place becomes a member with the aim of doing their best to do good. Every member in this place feels an enormous amount of empathy and sympathy for the people who underwent the terrible circumstances we are talking about today. Given the opportunity, we would all like the best outcome for these people.

I want to appeal to the Premier and any other ministers who might be listening to not feel so aggrieved at any political accusations or any confrontational remarks that that they feel compelled to make the usual response to a motion moved by this side of the house. If members opposite feel that the previous government did not adequately address this situation, I ask that they take this opportunity to demonstrate how much better they are. If they feel that the nature of the contribution from this side of the house has not been mature and responsible, they should take the opportunity to demonstrate that they are made of better stuff. Please, do not become defensive as a result of falling into what is a normal response for all of us when attacked. This place can be a very confrontational environment and it is easy and natural for us to go on the defensive when we are being attacked. I understand that, but I ask that on this occasion, on this particular subject, if we have behaved in that fashion, members opposite excuse it and elevate themselves above it. I am disappointed the Premier is not here; I wanted to say it to his face.

Mr J.E. McGrath interjected

Mr P. PAPALIA: I know. It has been a long debate and I understand that he has things to do. I did not want to engage in that sort of a debate; I wanted to offer encouragement. Like many of us in here, the Premier is a parent and for most human beings it would be impossible to hear these stories and not feel an enormous amount of sympathy and pain on behalf of the children who suffered. As a parent, in particular, it is impossible to hear of little children suffering in this manner and being deprived of what all children deserve—love, respect and support. It is impossible to hear that and not want to help them.

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This is an opportunity. I am not condemning the government in any way. I know it was in a difficult position when this decision was made, but do not let the circumstances of this debate or what has gone before it back members into a position from which they cannot get out. Please, if they feel they can, they should lift themselves up, act in a more benevolent and mature fashion and demonstrate, as has been pleaded for on behalf of the people we are talking about, that the Western Australian state cares about them more than it did when they were subjected to these horrendous crimes so long ago. Please let us show that the state cares. We have an opportunity; we should not play politics. If the debate has been in any way political and that has resulted in members opposite feeling they are being somehow manipulated, I apologise. Please drop any ill feeling and show how much better they are than that type of behaviour. I implore them to do the right thing.

MR A.J. SIMPSON (Darling Range — Parliamentary Secretary) [5.46 pm]: I start by acknowledging the pain and suffering all those victims of child abuse have to live with each and every day of their lives and that they have had to recall it all again in this debate. I also acknowledge the Leader of the Opposition and the members for Victoria Park, Maylands, Canning, Willagee and Warnbro for their contributions to this debate.

To those who were placed in state institutions and had horrific abuse inflicted on them, as the parliamentary secretary representing the Minister for Child Protection, on behalf of my government, I apologise to each and every one of you.

When the government of the day announced Redress WA on 17 December 2007, it was a major step for both the government and the wider community. It acknowledged Western Australians who were neglected and abused as vulnerable children in the care of this state. When announced, the intentions behind the scheme were very sincere. Former Premier Hon Alan Carpenter said that the scheme would provide monetary and emotional recompense for any person who suffered physical, sexual or psychological harm while in the care of the state. The Carpenter government allocated \$114 million to Redress WA, and \$90.2 million of this fund was committed for ex gratia payments alone. I would like it noted that this fund has been preserved by this government. The former Premier said in a joint media release, dated 17 December 2007, with then minister, Hon Sue Ellery that it “helps correct the wrongs of the past”. I agree entirely with that sentiment.

Since coming to government, serious issues impacting the scheme have come to light. Critical decisions were made by the former Labor government in establishing Redress WA in 2007; namely, it created a scheme that was underfunded from the very start. Many of the 10 000 courageous people who have applied to Redress WA see it as a new beginning. In large part, it is about the acknowledgement and recognition of the neglect and abuse they have suffered. This scheme offered the first real opportunity for a Western Australian government to right the wrongs of the past. The people here today are angry; they are angry because their expectations were unfairly raised. The opposition promised up to \$80 000 in ex gratia payments in cases in which there was medical or psychological evidence of abuse or neglect, and this is what they expected. The scheme was announced as “the most generous of its kind in Australia”, with a bigger funding commitment than was made in either Queensland or Tasmania.

To understand the position we inherited in having to reduce the maximum payment, I will outline to the Parliament the failures of the opposition in establishing Redress WA, failures which included not acting on crucial advice and which have led us to where we are today. Based on the information provided to me, I understand that Hon Sue Ellery was advised that the preliminary forecasting showed that more than \$200 million was needed to adequately fund Redress WA. In 2007, when this state was experiencing the biggest financial boom in its history, it is inconceivable that the opposition made a decision to underfund its own scheme while it was in a fiscally responsible position to do so. I have been advised by the Department for Communities that a document was prepared for the former Labor government regarding a forecast costing model for the scheme. I am advised that this document was used to forecast that the scheme would receive about 10 000 applications, based on 17 per cent of the approximately 54 321 children who were in state care from 1947 to 2006. The general insurance principle was applied to that forecast that 80 per cent of the claims would be assessed within 20 per cent of the maximum value allowed. This would suggest that 8 000 people would get about \$16 000 each, requiring \$128 million for that group alone, which is more than the total funding of the scheme. Given that the scheme had \$90.2 million of its \$114 million total budget to disburse to applicants, as announced by the previous government, the forecasts seemed to be at odds with the allocated funding.

I understand that the document advised that if the original forecasted number of applicants was received, not only were low payments likely to eventuate for potentially suicidal applicants, but also the scheme would be inadequately funded. For the most vulnerable, this was an absolute betrayal by the former Labor government. Following the announcement of the scheme, public speculation mounted about whether the scheme was adequately funded. When it became apparent that it was not, Hon Sue Ellery stated, in an article in *The West Australian* dated 22 February 2008, that there were no plans to increase the amount of money allocated to the

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scheme. Before the details were even announced, advice provided to Hon Sue Ellery recommended that an independent actuarial assessment be undertaken to determine the budget needed to adequately administer the scheme; these recommendations were never acted on. That raises serious concerns about the process the opposition followed to result in a significantly underfunded scheme, a scheme that, given the current government's financial constraints, it cannot possibly afford to increase.

In addition, on taking office we inherited the administration of a scheme that operated without approved guidelines—the opposition sat on draft guidelines for 12 months after announcing the scheme. Within a month of taking office, this government verified the legalities of the guidelines and got it happening. As a result of the opposition's poor judgement, mismanagement and underfunding of the scheme, on 28 July we announced an adjustment to the ex gratia payment from a maximum of \$80 000 to a maximum of \$45 000. Put simply, the funding allocated by the opposition could not support the equal distribution of payments given the severity of claims among all applicants, which is something that could have been avoided had Hon Sue Ellery acted on advice to undertake actuarial analysis to estimate the funding required for the administration of the scheme.

Following the closure of the scheme on 30 April 2009, analysis was undertaken to assess the severity of the claims received. Actuarial assessment revealed that to fairly and equitably distribute payments within the budget allocated, an adjustment had to be made to the maximum payment. The decision to adjust the maximum payment recognised the fact that more people would be entitled to a greater share. We have acknowledged the trauma abused people have suffered in their lifetime and that the decision they made to revisit their pasts was an extremely difficult and painful one; however, it is incumbent on us, as a government, to have a fair and equitable system for everyone who applied to Redress WA. We will continue to be up-front and honest with the claimants, and I am committed to keeping in regular contact with them throughout the life of the scheme.

Since the Liberal–National government took up ownership of the scheme, we have built a system and a pathway and outlined the processes needed to take it from the first assessment application of eligibility to the actual ex gratia payment. I can assure members that each and every applicant is treated with the due consideration and respect it deserves. The system that has been put into place complies with the Department of Treasury and Finance and the Office of the Auditor General guidelines for the administration of such a payment scheme.

In September 2009 we announced that there would be an amendment to the draft guidelines to include a \$5 000 eligibility payment for applicants who had passed away before their applications were assessed or approved. I am also pleased that although, originally, the applicant had no right to appeal the ex gratia offer, guidelines were updated to provide applicants with an opportunity to request a review of their assessment. The review can be undertaken either by an independent review panel or through the Ombudsman's office, if an applicant believes an error of fact or process was made in how the application was assessed. All applicants can also request a copy of the documents explaining their payment decision prior to agreeing to their payment offer. This was an important step for us to take in offering a right of reply to our applicants.

Another equally as important decision was to remove the requirement for all applicants to sign a waiver when accepting an ex gratia payment, meaning that the applicants did not lose their right to seek compensation through the court system if they thought they were eligible. I am pleased to say that this decision was supported by the State Solicitor's Office and the applicants themselves.

In addition, the original guidelines stipulated that applicants receiving the maximum payment would be required to have psychological assessments to support their application. The removal of this requirement meant that applicants were not subject to the additional stress and trauma that any psychological or medical assessment would have on them. I am pleased to report that the guidelines for the scheme were finalised, and Redress WA is working hard to streamline the procedures and measures to ensure that a consistent approach is applied to how applications are processed to finalise completion of payments by mid-2011. This includes establishing a second independent review panel, streamlining lower value payments, and requiring that higher level payments be assessed by only the independent review panel. Redress WA has also worked hard to recruit more trained staff and is consistently seeking additional information relating to records of care to confirm applicants' placements. All applicants and their applications are treated with due care and consideration, and in an individual manner.

All these measures have been put in place to ensure that applicants receive their ex gratia payments in as timely a manner as possible. As of 15 September, 1 274 eligible applications have been paid, totalling \$22.9 million. A further 366 applicants have offers in various stages of processing, and a further 435 applications have been completed and are awaiting a decision of offer to be made.

Through Redress WA, 3 666 applicants have been assisted to complete their application forms; priority assessment has been given to 728 applicants as a result of submitting medical certificates showing they are seriously ill; 980 apology letters have been sent to applicants on acceptance of their ex gratia payments;

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500 phone calls a week have been received by the Redress WA helpdesk; 468 applicants have taken up the offer of free counselling; 325 applicants have attended free Redress WA support groups; four newsletters have been sent to applicants since August 2009; and, the Redress WA website has been updated as an information resource for applicants. The Liberal–National government is on track to issue all remaining *ex gratia* payments by mid-2011. What we have also done is deliver a fair and equitable scheme for people eligible for an *ex gratia* payment.

In closing, I acknowledge the pain and suffering that all victims of child abuse have to live with each and every day. To those who were placed in state and religious institutions and had horrific abuse inflicted on them, as a parliamentary secretary speaking on behalf of the Liberal–National government, I again apologise to each and every one of them.

MS M.M. QUIRK (Girrawheen) [5.58 pm]: I will be brief. I think we have heard some stories today that are representative of a vast number—way too many cases—of young children who had their innocence robbed and who have been victims of a betrayal of trust. I want to make a couple of comments from the perspective of someone who used to prosecute many child abuse cases. What I noticed with those cases in which there had been an unforgivable violation of young children was the feeling of betrayal they faced and, most importantly, the feeling of not being believed or of not having those feelings validated. Not only were they not believed, but also often there was a hostile reaction—even denial—to that very often courageous disclosure by the child that he or she had been abused. Not being believed and having been the object of hostility and anger from the person whom the victim chose to trust with that disclosure lives with the victim for many years; it impacts on every aspect of the victim’s life. When the wrongs to wards of the state were finally acknowledged by the state of Western Australia, it was a big day. It was a day on which we finally acknowledged the systemic wrongs that had been done to so very many. Children were entrusted to the care of the state, and that trust was so very sorely abused. However, the decision taken by the Barnett government to reduce compensation and to string victims along for such a long period has victimised those victims all over again, and I regard that to be unforgivable. The lack of empathy and the lack of resolve to determine these issues speedily are unforgivable. It is unacceptable, and the Premier must explain why the government will not fully compensate these victims, and why the government has been mean and dilatory in making this determination. Many Western Australians have been abused, wronged and betrayed, and we must finally set them on the path to finding some closure.

MR J.R. QUIGLEY (Mindarie) [6.01 pm]: Most of what I want to say has already been said; I refer in particular to the speeches made by the members for Victoria Park and Willagee, and I adopt the comments they made. I do not want to speak for the sake of repetition, but it has been said before that the test and measure of any society is not how wealthy or prosperous it is; the moral worth of any society is to be measured against the yardstick of how it treats the most vulnerable and weak members of that society. I would suggest that should the government persist in so very severely cutting the amount of compensation under Redress, it will cut short its own reputation.

There have been occasions on which Premier Barnett has, on further reflection, thought about the justice of a situation and moved to moderate his position. I refer in particular to the government’s early decision to cut the Clarkson to Butler railway line from its program. In the face of stiff community representation and opposition to Premier Barnett’s cut, the Premier rethought his position and restored the line. In another example, upon further reflection on the harshness of mandatory sentencing, the Premier, to his credit, rethought the position of making 14-year-olds subject to that law and moderated his position. We have in Western Australia a Premier who has the capacity to not just dig in, but to moderate a situation where appropriate. As I said, at the end of the day, and when future generations look back, the measure of this community will not be simply how prosperous we were or how wealthy we were, but how we looked after our most vulnerable and weakest.

I can see what has happened here. When the government came to power, it had to look at a range of programs to see which cuts could be made to fit in with its programs, and this was a program that could save the government millions and millions of dollars. This is a government that talks about messages in the field of law and order, and other messages it wants to send to the community. I quietly ask the Premier to reflect upon which message this cut sends to the most vulnerable sections of our society, and to contemplate the prospect of this government’s reputation being cut a little shorter by this decision. It is not for me to hector the Premier in any way, but to make the plea for the full amount of compensation to be restored. I can hear what the Premier is saying; I have listened to his interjections during the debate. He has said that the previous Labor government, on the acceptance of compensation, required recipients to sign a waiver against legal action and full compensation, whereas under the present offer, reduced as it is, such a waiver is no longer required. However, I say to the honourable Premier that it was never realistic for any of these people to be able to litigate in the Supreme Court individually to recover substantial compensation. Yes, the lifting of the waiver is the lifting of a legal barrier to future legal action, but in reality, I would suggest that that probably would not have happened.

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I make a plea to the Premier to bear in mind that the measure of our worth as a society is how we deal with the most vulnerable and that this is not a huge sum of money. Now that the Premier has had further time to reflect upon the financial situation of the state, he will know that there is the capacity in Western Australia to restore the full amount. Names can stick with us into the future, such as the name of A.O. Neville, the Chief Protector of Aborigines in Western Australia from 1915 to 1945. He has garnered a harsh historical reputation, albeit only for administering laws passed by this Parliament; that is not a moral judgment. On this occasion, as on some previous occasions, it would enhance the reputation of the Premier and this government to rethink this position. I say to the Premier that to vary one's decision is not a sign of weakness or dithering. I ask him to look at this decision in its entirety, in view of where the state is with its income stream. We have the capacity to do this, and on behalf of these people, I make a sincere plea for this decision to be revisited.

MR C.J. BARNETT (Cottesloe — Premier) [6.08 pm]: The member for Darling Range stated in detail what has happened, so I will not repeat that, but I will make a few comments.

[Interruption from the gallery.]

The ACTING SPEAKER (Mr P.B. Watson): We like to have visitors in the public gallery, but we will not stand for anyone calling out or interrupting the business of Parliament. Thank you.

Mr C.J. BARNETT: I think every member of this Parliament and, indeed, most people in this state, would agree that vulnerable, defenceless children suffered in both state and religious institutions.

[Interruption from the gallery.]

The ACTING SPEAKER: I do not want to have to clear the gallery. This is a very delicate situation, and I would prefer visitors to sit in silence; otherwise, they will have to be removed.

Mr C.J. BARNETT: I think everyone recognises the abuse that happened to defenceless children in both state and religious institutions. Many of those children were child migrants who came to this country in that post-war environment out of desperate conditions, principally in the United Kingdom. Many of them had been orphaned and many had parents who could not support them in a war-ravaged and almost destroyed Britain. There were other children, Aboriginal children, who are the stolen generation. I listened to some of the names mentioned and I actually went to school with some of these kids. I remember some of their names. We played footy together and we went to school together. That was the era of the 1950s and into the 1960s, and by that stage they had reached primary and secondary school level.

I congratulate the previous government for introducing the Redress WA scheme. I think it was one of the better decisions of that government; it was an appropriate decision and a good decision. The then opposition, now government, supported that decision when it was made. I noted also that reference was made to the apology issued by former Prime Minister Kevin Rudd, which was appropriate, very well delivered and sincere. Child migrants came to Australia under an agreement between the commonwealth government and the British government. They were then placed in the care of the various states, and some went into state institutions and others went into religious institutions. Although the commonwealth issued an apology, I think it should be placed on the record that the commonwealth has done nothing more than simply state that apology. It is to the credit of Western Australia, Queensland and Tasmania as the only states to have considered and put in place some form of monetary payment. The commonwealth has not contributed to that and there has been no similar scheme in the other states. I think that should be placed on the public record and I give due credit to the previous state government.

The amount of money allocated at the time of the previous government, \$114 million, of which \$90.2 million was to be in *ex gratia* payments, was a substantial commitment. I want to make it clear that this government has maintained that commitment; we have not cut the funding at all. Indeed, we recognise that, even with the changed criteria, the total funding for the scheme is likely to exceed that. At this stage, we do not know by exactly how much, but it is almost certain to exceed that \$114 million. The major issue is that this government reduced the maximum payout from \$80 000 to \$45 000. What concerned me—is that there was an expectation amongst many, many people, maybe even a majority, that their payment would be something close, if not equal, to \$80 000. Even had the criteria not been changed, their payment would not have been that. Yes, some would have, maybe a significant number, but not the majority, yet that expectation in the community was allowed and the previous government did nothing to correct it. People who have spoken to me at various rallies had an expectation that they would receive \$80 000. That was never ever going to happen, and members opposite know that. What we did was maintain the funding with the recognition that we would probably have to increase it. We accept that and we will do so to meet the number of applications that have come in. However, we also took a decision that the \$100 million or plus, whatever it might

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end up as, should be distributed more evenly across a large number of applicants. I think that is appropriate and I understand people feel aggrieved by that.

Another change that this government made was that we provided a \$5 000 payment for applicants who passed away before their applications were assessed. That was a new component to the scheme—it was described in quite dismissive terms by members opposite—that was some recognition for an applicant's next of kin when the applicant had passed on while their application was being processed. We also created an opportunity for an independent review if people are aggrieved by the level of assessment. Therefore, people do have a right to come back and have their application reassessed. We also removed the requirement that applicants would have to sign a waiver giving up any rights to legal action. I accept what the member for Mindarie said, that perhaps most would not have had a capacity or interest in doing that; nevertheless, I think that was an onerous part of the scheme as it was originally proposed. We also removed the requirement that anyone who received a maximum payment would have to have a psychological assessment. I would think that is somewhat patronising and unnecessary. So, yes, we reduced the maximum payment from \$80 000 to \$45 000, but we have also put a lot of equity and fairness into this scheme and I think that should be recognised.

As the member for Darling Range said, when the change of government occurred, yes, the decision to set up the scheme had been announced and money had been put into forward estimates, but not much else had happened at that time. This government inherited a rather garbled set of criteria, which simply did not stack up. To the great credit of the minister, Hon Robyn McSweeney, she worked on that with her department and got credible criteria in place. We then started the process of actually assessing people and dealing with them. It was ridiculed by members opposite for taking a sample; they made fun of that! What a foolish point of view to take. Priority was given to those who were ill and where it could be seen that they were ageing or they may have been the most extreme cases, but until those thousands of applications and files were assessed, we did not know—no-one knew—who were the most extreme cases. Therefore, to try to treat everyone equally, where there has been a special situation or someone is in ill-health, they have been brought forward and dealt with.

It is not easy. It has been necessary to verify people's stories, to check the records and compare. It is an exhausting and exacting task to work through these thousands of applications for funding, and I commend the public service. We increased the team of people involved to deal with that process. As the member for Darling Range said, as of 15 September, 1 274 applications had been agreed and paid out to a total of \$22.9 million. Another 366 applications are at the stage that they are probably about to be paid and another 435 applications are being assessed. I sign the letters that go to those applicants individually, as does the minister. I recognise the names of many people as I go through that process. They are well-known Western Australian names, particularly from amongst the Aboriginal community. It is also interesting that I notice a significant number of those people no longer live in Western Australia. I simply make that observation from the point of view that they are living in other states where people who have been treated in a similar disrespectful and harmful way receive no recognition from their state governments. This state government is doing the right thing by those people; other state governments and the commonwealth government are not.

Again, we are on track, and it is estimated that all ex gratia payments will be made by the middle of next year. I think that is quite an outstanding record of dealing with a situation, putting the resources in, dealing with people with respect, dealing with it as quickly as humanly possible and getting those payments out. As I say, every week I sign another 100 or so letters with an apology that goes out with a cheque to the people who receive it.

In conclusion, this payment is not intended to be compensation. We cannot compensate a person who, as a child, was sexually, physically and emotionally abused, and some of the stories have again been related today. This is not compensation and should not be seen as that. It is simply a payment in recognition that a generation or two ago, back in the 1950s and into the 1960s, small children, defenceless children, in this state were harmed. They had been brought here under agreements by the commonwealth government, they were in the care of this state and they had been in both state and religious institutions. Now, 40 or 50 years on, this generation of Western Australians accepts what happened and is making a payment in recognition of the harm and suffering that took place. That is all it is; it is not compensation. How could even a payment of \$80 000 compensate a young child who suffered horrendous abuse? We should not even pretend that it is that; it is simply an apology and recognition and an ex gratia payment in good faith. That is what it is, and this government is doing all it can to treat people fairly and with respect and to process their applications as quickly as possible to make those payments. All of those payments, the several thousand involved, will be completed by the middle of next year.

Question put and a division taken with the following result —

Extract from *Hansard*
[ASSEMBLY - Wednesday, 22 September 2010]
p7139b-7158a

Mr Eric Ripper; Deputy Speaker; Mr Ben Wyatt; Ms Lisa Baker; Mr Bill Johnston; Mr Peter Tinley; Mr Paul Papalia; Mr Tony Simpson; Ms Margaret Quirk; Mr John Quigley; Mr Colin Barnett; Acting Speaker

Ayes (20)

Ms L.L. Baker
Ms A.S. Carles
Mr R.H. Cook
Ms J.M. Freeman
Mr W.J. Johnston

Mr J.C. Kobelke
Mr F.M. Logan
Mr M. McGowan
Mr M.P. Murray
Mr A.P. O’Gorman

Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mr T.G. Stephens

Mr C.J. Tallentire
Mr P.C. Tinley
Mr P.B. Watson
Mr B.S. Wyatt
Ms R. Saffioti (*Teller*)

Noes (23)

Mr P. Abetz
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr T.R. Buswell
Mr M.J. Cowper

Mr J.M. Francis
Mr B.J. Grylls
Mrs L.M. Harvey
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson

Mr A. Krsticevic
Mr W.R. Marmion
Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan
Mr C.C. Porter

Mr D.T. Redman
Mr A.J. Simpson
Mr T.K. Waldron
Dr J.M. Woollard
Mr J.E. McGrath (*Teller*)

Pairs

Mrs C.A. Martin
Mr A.J. Waddell
Mr D.A. Templeman
Mr M.P. Whitely
Mr J.N. Hyde
Mrs M.H. Roberts

Mr I.M. Britza
Mr G.M. Castrilli
Mr F.A. Alban
Dr K.D. Hames
Mr M.W. Sutherland
Mr J.H.D. Day

Question thus negatived.