

TREASURER'S ADVANCE AUTHORISATION BILL 2010

Committee

Resumed from earlier stage of the sitting. The Chairman of Committees (Hon Matt Benson-Lidholm) in the chair; Hon Helen Morton in charge of the bill.

Clause 3: Authorisation of expenditure to make payments in respect of extraordinary or unforeseen matters or to make advances for certain purposes —

Committee was interrupted after the clause had been partly considered.

Hon KEN TRAVERS: As I was asking the parliamentary secretary before we went into question time, I am trying to understand this: the annual allocation that goes in at the head of the budget has a global figure that is intended to allow for parameter changes of employee expenses. As I understand it, the midyear review was based on the parameter changes for all the agencies being \$341.1 million, which was allocated out across a whole range of agencies, with a continuing global figure of \$187.7 million for this financial year. I am just trying to understand whether, when an agency has had a parameter expense change, that money needs to be included within the Treasurer's advance or whether it is allocated by the Treasury through some other process?

Hon HELEN MORTON: During question time, the question was considered by my adviser and he has provided me with the following information. It is likely to be different among agencies for a variety of reasons. Different circumstances apply among agencies. In some cases, salaries form the majority of the cost of the initiatives mentioned in the detail, for example, an increase in prisoner population at the Department of Corrective Services. In other cases, expenses may have been moved from other costs to salaries and both situations may apply in some cases. Hon Ken Travers is seeking a general answer on whether all those circumstances can apply among agencies. No one particular response is applicable in any one agency.

Hon KEN TRAVERS: The document tabled at the beginning of the committee stage shows under corrective services an increase in daily average prisoner population the amount of \$37.7 million. I think the example the parliamentary secretary gave for the parameter change for employee expenses was predominantly additional staff. I assume that is a global figure that picks up additional staff and on top of that the actual prisoner costs. How much of that \$37.7 million is for additional employee expenses and how much is for other costs involved in managing the increase in prisoner population?

Hon HELEN MORTON: The suggestion that it was a global figure is correct, but the member is looking for a level of detail that will have to be taken on notice.

Hon KEN TRAVERS: Does that mean that the parliamentary secretary is taking it on notice?

Hon HELEN MORTON: Is Hon Ken Travers talking specifically about corrective services? If so, he needs to direct that question to the appropriate minister.

Hon KEN TRAVERS: This is one of the difficulties we face in this process, Mr Chairman. We are being asked, effectively, to approve somewhere in the order of, I think, seven per cent of the total budget in this Treasurer's advance authorisation in a process that does not provide the level of scrutiny that is provided when we approve the budget through the estimates process and all the rest of it. I am still trying to understand the issue. I understand there is a global figure. Even in the midyear review \$187 million was put aside in the budget, which was a central provision to accommodate growth in salaries expenditure across the general government sector, equivalent to projected growth and the wage price index and its historical average growth in full-time equivalent levels, consistent with past practice. I am trying to understand whether that total of \$187 million in parameter employee expenses contained within the midyear review has now been allocated to individual agencies in light of their cost pressures between now and the end of the financial year or whether it is being maintained within the Treasury books. If so, how will it be transferred to the agencies if they face an increase in their salary costs?

Hon HELEN MORTON: The figure Hon Ken Travers is referring to is the overall increased cost in employee expenses. Some of that funding is reflected at agency level by movements of money out of one area to another and some of those costs are caught up in this request for additional funding. One single answer cannot be provided at a general level that will fit all agencies. If the member were to ask that question agency by agency, he would find that the answers would differ. Given the level of detail he is asking, responses will have to be sought from the individual ministers. The answer to his overall question is that there is a range of ways in which each individual agency is acquiring funding for increased employee expenses.

Hon KEN TRAVERS: I understand that. Is that \$187 million in the documentation I gave the member still held in Treasury's books or is it the case that some is still in Treasury and some has been allocated to individual agencies?

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Hon HELEN MORTON: It is within agencies' approved expense levels as part of the midyear review.

Hon KEN TRAVERS: If that expense level then results in the agencies going over their appropriation at the beginning of the year, one would expect that they would have something recorded under the Treasurer's advance. If all the other changes result in agencies going over their approved expenditure, should they have something listed in the Treasurer's Advance Authorisation Bill?

Hon Helen Morton: Not if it is offset by some other money.

Hon KEN TRAVERS: Even allowing for offsets, if it then results in agencies going over their approved expenditure in the original budget and therefore needing additional money, should that show up in the Treasurer's advance authorisation?

Hon HELEN MORTON: If it requires additional appropriation, it will come through the Treasurer's Advance Authorisation Bill, but it could be offset, as we mentioned before. It could also be sourced by revenue streams that agencies have. So many of those factors apply to agencies that, once again, a general response to a whole-of-government issue will not help the member learn about individual agencies.

Hon KEN TRAVERS: I appreciate that, but I am still trying to get my head around how it works in the system at a global level rather than specifically, although because the parliamentary secretary invites me to get down to specifics, I am happy to. When the chamber last sat on April Fool's Day, the parliamentary secretary indicated that approximately 60 per cent of the \$210 million contained within the Treasurer's Advance Authorisation Bill goes to salaries and FTEs, and I am still keen to get a greater breakdown. I find it interesting that we just get a global figure for health, which is the largest single budget item, yet for every other agency we get a breakdown that gives a little more detail about how much is actually related to salaries and the like. I do not know why we cannot get that detail for health. My first question is: why can we not get a greater breakdown for the single largest item in the Treasurer's advance, as we do for all the smaller items? I also want the parliamentary secretary to explain how the \$126 million going towards salary costs is reconciled with this document, which shows that the Department of Health in Western Australia should be saving \$45 million in salary costs?

Hon HELEN MORTON: The figure that is provided in the parameter employee expenses document that the member tabled is as at the time of the midyear review. The figure we are dealing with now—\$210 million—is post-midyear review. We have already provided the member information on the breakdown of the 60 per cent associated with direct employee costs. I do not understand what additional breakdown of information the member is looking for. The fact is that the member can find out that 60 per cent of the \$210 million relates to employee costs; what additional employee cost breakdown is the member looking for below that?

Hon KEN TRAVERS: Very simply, if we look at all the other agencies, including education, we get information on how much goes to Gold State Super, how much goes to the enterprise bargaining agreement offer for education assistants, school cleaners and gardeners, how much is for additional support staff and how much for growth in student numbers. That is the sort of breakdown I am asking for; however, we get a \$210 million global figure from the Department of Health and the parliamentary secretary is saying that 60 per cent of it relates to salaries and full-time equivalents. Is that because the government did not factor in the nurses' pay rise that came into the budget on 1 July 2009? Is it because the government did not include the increase of three per cent to the doctors' enterprise bargaining agreement that came in on 1 October 2009? Is it because the government did not factor in the Health Services Union agreement that came in this year? That is what I want to know. There are three different major agreements that I know of in the health system; I would like a breakdown of how much went into each of those agreements. I find it extraordinary for the parliamentary secretary to tell me that, prior to the midyear review, the government expected to save money in health salaries to the tune of \$45 million. She is now telling us that since the midyear review, the government expects to spend \$126 million. Another thing that I am interested in is whether that \$126 million is on top of the \$45 million, so that it is actually \$160-odd million? Has the government taken the \$45 million off and put it back on? That is the sort of breakdown I want, and I think this parliament has every right to expect that sort of information before it passes a bill to authorise the expenditure of some \$700 million of taxpayers' money. I do not believe that the upper house should block money bills, but we should be able to expect to get explanations as to how tax money belonging to the public of Western Australia is being spent. The opposition is being asked to just provide a rubber stamp for \$210 million to the Department of Health without getting a rational explanation as to how the government thought it could save \$45 million before the midyear review but now expects to spend \$126 million after the midyear review. Where, within the Department of Health, will the money be spent? Did this come about because the Treasurer was sloppy and did not include enterprise bargaining agreements in his budget calculations when we approved the original budget? Is that why—because of sloppiness? Is it because something has happened since the time the original budget was brought down that has changed the parameters? That is another legitimate question for this parliament to ask and to expect an answer from the parliamentary secretary.

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Hon HELEN MORTON: Although Hon Ken Travers implies through his comments that there are some difficulties around the accounting processes, that is not necessarily the case. It was very clear at the time of the midyear review that the requirement for excess spending in health would be in the vicinity of \$210 million to \$250 million. That information was clear, known and voiced, and it was included in the midyear review. I do not think it is appropriate to suggest that there have been some kind of inadequate processes or that inadequate consideration has taken place within that time. The figure in the parameter employee expenses was the expectation of what would occur at that time; that is what the figure represented.

Hon Ken Travers: But you just said it was known at the time that was going to be more than that.

Hon HELEN MORTON: The figure that has now been determined as 60 per cent of the overall cost of \$210 million is the figure that is absolutely clearly known to represent the requirement in employee costs.

Hon KEN TRAVERS: On one hand, the parliamentary secretary is telling me that the government knew; on the other hand, she is telling us that the government took the \$45 million off, because that is what it expected to happen. The parliamentary secretary cannot have it both ways; the government either did or did not know. If it did know, why did it take the \$45 million off?

Hon Helen Morton: It was identified as a risk.

Hon KEN TRAVERS: Yes, it was identified as a risk, but at the same time the government was taking \$45 million out of the system.

Hon Helen Morton: That was the expectation of the agency at that stage.

Hon KEN TRAVERS: The government took it out when it knew that there was a risk it would blow out by \$210 million. What an extraordinary statement! This is why the opposition becomes concerned. I think we have a reckless and cavalier Treasurer in this state; that is my view. We see it consistently in his performance across his portfolios. He is not across the detail and he is not managing the detail of his portfolios. I still want to know whether there was an allocation in this year's health budget for the increases in enterprise bargaining agreements for nurses, doctors and health services. Was that included in the budget, or have those increases been picked up as part of the \$210 million we are being asked to approve tonight as part of the Treasurer's Advance Authorisation Bill—tonight, tomorrow or whenever we finish it?

Hon HELEN MORTON: We have already been through what was and was not included. The answer I gave previously made it absolutely clear that if it had been concluded that any of those negotiations were to take effect this year, they would have been included. The agency's answer is that that was not the case. I will repeat what I said previously.

Hon Kate Doust: You can table it.

Hon HELEN MORTON: It has been tabled and the opposition has a copy of it. We are going over stuff that has been considered already.

Hon KEN TRAVERS: You have not answered the question. How much was allocated in the budget to cover EBAs?

Hon HELEN MORTON: The amount in this bill is what has been previously referred to; that is, 60 per cent for salary costs. If the member wants a more detailed breakdown on the different kinds of salary increases, it would involve a much more detailed level of information.

Hon Ken Travers: You have given those details as they apply to other agencies. Why won't you provide those details for health?

Hon HELEN MORTON: The level of detail the member is asking for has not been provided.

Hon Ken Travers: It has. You should look at the document you tabled. Those details are there for education and police. Why are they not available for health?

Hon HELEN MORTON: I have been advised that the agency has already provided information that indicates that sufficient additional information has been requested to cover the cost of salaries. Sixty per cent of that \$210 million relates to employee expenses. The information that the member is seeking is at a level of detail that is beyond what is necessary for this bill.

Hon KEN TRAVERS: Mr Chairman, I like this new chamber.

Hon Helen Morton: It is good, isn't it?

Several members interjected.

Hon KEN TRAVERS: It is all right—we are a sword length away from each other and that is important.

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Hon Helen Morton: It is two and half.

Hon KEN TRAVERS: That is right.

The parliamentary secretary has provided that level of detail for other agencies. The reason I keep coming back to this is that the parliamentary secretary is telling the chamber that there has been a blow-out of \$126 million in salary costs. However, she cannot advise how that has been arrived at. Has it been arrived at because the health department is employing extra staff? The parliamentary secretary has told the chamber that no EBAs have been negotiated. Therefore, the cost of the EBAs would have been factored into the original budget. If the parliamentary secretary is saying there has been no change to the salary component, because that was put in place in the budget and there have been no EBAs since the budget, then all I can assume is that \$126 million is required because the number of FTEs has blown out. If that is not the case, how can the parliamentary secretary explain a blow-out of \$126 million and that there has been no parameter changes for EBAs? It does not make sense. The reason we keep harassing the parliamentary secretary about this is because we have lost faith and trust in the Treasurer of this state to get it right.

Hon Norman Moore: What a terrible thing to say. I can't believe you would say that.

Hon KEN TRAVERS: We have lost faith and trust in the Treasurer, Mr Moore, because we cannot get a straight answer. I understand the difficulties experienced by a parliamentary secretary because he or she has to relay the information their minister gives them. I am happy for Mr Moore to, as a member of cabinet, tell me why we need to approve salary increases of \$126 million for the health department if there have been no changes to the EBA since the budget was set. If it is not related to EBA increases, what has caused the salaries at the health department to increase by \$126 million this financial year? I do not understand it. Until it is explained to me, I will keep coming back to it. I might let one of my colleagues pursue another area, but I will come back to it. I will not let this bill pass through this place until I have a decent answer for the people of Western Australia about why we need to give the health department an additional \$126 million for salaries when that amount is not related to EBAs.

Hon HELEN MORTON: I will paraphrase the member's question: how much of the \$126 million relates to increased staff and how much relates to increased salaries?

Hon Ken Travers: What are the drivers for the additional \$126 million for salaries?

Hon HELEN MORTON: Now the member is asking a question that goes beyond this bill. He is asking what is driving increased expenditure in health.

Hon Ken Travers: No, I am not.

Hon HELEN MORTON: The member wants to know how much of that \$126 million relates to increased activity—I have already told him that—how much relates to increased demand, how much relates to salaries and how much relates to an increase in staff numbers. That information has been provided. The member should not grandstand, but he should be very specific about precisely what questions he wants answered over and above what has already been provided.

Hon KEN TRAVERS: I am very happy to do that. I asked whether any of it relates to EBAs. The parliamentary secretary says none of it does, and I accept that. What does the \$126 million represent? I am talking about the amount that relates to salaries. I thought there might be drivers in there. It might be because the department is spending more on overtime or more on employing additional staff and in that case the number of FTEs has increased. If that is the case, I would like to know whether it is driven by FTEs.

If members look at the document that the parliamentary secretary provided, they see that that level of information is provided for other agencies. For education there is a breakdown of how much of the increase relates to increased superannuation costs. Some of this might be related to superannuation costs. I imagine that the health department would have a number of staff in Gold State Super. How much of this increase is related to that? Additional expenditure requested for education relates to the EBA for school cleaners and gardeners. The parliamentary secretary is saying that none of the increase for health relates to EBAs. I am not sure whether I accept that. I think that the parliamentary secretary will find that when she checks with the health department some of it does.

Hon Helen Morton: As long as you are absolutely clear that no EBAs have been negotiated this year.

Hon KEN TRAVERS: Does it relate to the fact that EBAs have been negotiated in previous years and the cost of those EBAs was not factored into this year's budget? That is a simple question.

Hon Helen Morton: I said before that they have been factored in based on the activity at the time. There are no new EBAs this year.

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Hon KEN TRAVERS: On that basis, if we have in health the same number of FTEs as there were last year doing the same jobs, the money should have been there to cover the EBAs. If that is the case, this increase would be driven by an increase in the number of FTEs.

Hon Helen Morton: You asked whether it relates to additional staff, more overtime, superannuation or EBAs.

Hon Ken Travers: Will you take that question on notice?

Hon Helen Morton: Certainly.

Hon KEN TRAVERS: I thank the parliamentary secretary. I will hand over to my colleagues to ask further questions.

Hon LJILJANNA RAVLICH: I will continue with the health line of inquiry. As there is so little information on the increased activity in costs, I will follow on from Hon Ken Travers' line of inquiry. Would the parliamentary secretary be in a position to advise whether more contract staff have been employed by the Department of Health and whether this could perhaps be one of the cost drivers?

Hon HELEN MORTON: I do not have that detail. However, if they are contract staff, they will still be counted as full-time equivalents, and that is the information that Hon Ken Travers has already requested.

Hon LJILJANNA RAVLICH: I understand that there were 6 173 FTEs on temporary contracts as at March 2010. The question is: how much of an increase or a decrease was this over what may have been the number of temporary contract staff prior to this financial year? If the parliamentary secretary does not have that information, she might be able to take that question on notice.

Hon HELEN MORTON: I would have said that I expect that that would be a question to be directed to the minister, but given that we have agreed to get some staffing information, I will add that to the list.

Hon LJILJANNA RAVLICH: I want to spend a bit of time on education. Education assistants are referred to on page 3. Clearly, there is an allocation of \$1.799 million for "Education Assistants, School Cleaners and Gardeners EBA Offer". A few lines below that, there is an item "Additional School Support Staff", with an allocation of \$3.235 million. Are any of those additional support staff in fact education assistants? The reason I ask that is that the parliamentary secretary might remember that there was a cut to the number of education assistants, and it would be interesting for the committee to know whether the government has come back subsequently and, through this allocation, sought to reinstate some of those education assistants in government schools.

Hon HELEN MORTON: The information that the member is seeking needs to be directed to the minister.

Hon LJILJANNA RAVLICH: The parliamentary secretary might take this on notice: \$3.23 million has been allocated for additional school support staff; can the parliamentary secretary provide information about the categories of support staff so that we can see whether they are school psychologists, teaching assistants or education assistants? I think the committee has a right to know, and the parliamentary secretary cannot fob off a line of questioning purely and simply because she is not the minister. We accept that she is not the minister; she is the parliamentary secretary representing the Treasurer in this place. However, it does not mean that we cannot canvass issues about all portfolios, because that is exactly what this appropriation seeks—that is, an appropriation across a range of portfolios to enable the government to get on with the job of implementing its policies.

Hon HELEN MORTON: As I understand it, the member is asking about the sorts of support staff included in the additional school support staff allocation of \$3.235 million. We will get the member some examples of the categories of support staff.

Hon LJILJANNA RAVLICH: The next one that I quickly want to canvass is the three per cent efficiency dividend realisation shortfall. This is a substantial amount of money—almost \$52 million—that could not be harvested, if one likes, from the Department of Education; therefore, the government has come to the Parliament for an appropriation to ensure that the department does not go without. On what basis, given the size of the Department of Education's budget, was the department unable to harvest a three per cent efficiency dividend?

Hon Norman Moore interjected.

Hon LJILJANNA RAVLICH: I am just interested to know. This is a fair enough question. The government harvested the money from other major service delivery agencies such as health and police. The Leader of the House argued that that cost recovery component should not be included for Fisheries, for example, and that it should only have —

Hon Norman Moore interjected

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Hon LJILJANNA RAVLICH: I have just asked the parliamentary secretary, and I think the committee has a right to know, why the Department of Education, in a \$4 billion-plus budget, could not harvest \$51.9 million.

Hon Norman Moore: You're either for it or against it.

Hon LJILJANNA RAVLICH: Life is not that simple.

Hon HELEN MORTON: The reason that this is taking a while is that we have answered this question. Just to be 100 per cent certain that we are answering it in exactly the same way as we did last time, we are having to trawl through *Hansard* to ensure that we have the exact answer. If I recall rightly, Hon Ken Travers congratulated us on the answer to this question last time around. Given that the member wants the answer again, we are going to make sure that we provide exactly the same answer that we provided last time, which we were congratulated for.

The CHAIRMAN: Members, if the question was asked before and answered, maybe during the break it would be appropriate for the parliamentary secretary to seek out that response and provide it again to the committee, if she is in agreement with that. If the parliamentary secretary provided the very same answer that is required of the question, she may like to locate that during the break, which is only about 12 or 13 minutes away, and then provide that after dinner.

Hon Helen Morton: Mr Chairman, could we ask the member to read *Hansard*?

The CHAIRMAN: That may well be appropriate. If the parliamentary secretary would like to stand and ask that question, that will be fine.

Hon HELEN MORTON: We will make sure that we get that answer for the honourable member during the break.

Hon LJILJANNA RAVLICH: I am happy about that, but I thought that part of the answer might be because of the growth in student numbers, as I suspect there has been some growth.

Hon Helen Morton: That's a different item.

Hon LJILJANNA RAVLICH: Yes, I know it is a different item, but I am just saying —

Hon Helen Morton: So you are trying to trap me. That's why we're getting the exact answer.

Hon LJILJANNA RAVLICH: I do not think so. However, I am wondering whether the parliamentary secretary would be able to provide some information about the growth in student numbers and perhaps provide the committee with the latest figures on the growth in the public education sector.

Hon HELEN MORTON: In 2009, total student enrolments in public schools increased by 3 617. A further increase in the current school year is anticipated. The additional funding is being recommended for approval to assist the department to manage the resultant increased school-based workforce requirement. A provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process.

Hon LJILJANNA RAVLICH: I thank the parliamentary secretary for that information. In terms of the re-cashflow, I understand that \$34 million for a teachers' enterprise bargaining agreement was originally provided for but has subsequently disappeared. Could the parliamentary secretary provide us with some information about where this \$34 million commitment has been re-cashflowed to?

Hon Helen Morton: What page are you looking at?

Hon LJILJANNA RAVLICH: It is not there; it relates to the fact that the department could not achieve a three per cent efficiency dividend. I suspect there would be a number of reasons for it. It is a general question about where that \$34 million that was originally in the budget has gone.

Hon Helen Morton: What \$34 million? Are you talking about education?

Hon LJILJANNA RAVLICH: Yes. It was an election commitment. We need to know where that money has gone.

Hon Helen Morton: You need to be more explicit. I do not know what you are talking about.

Hon LJILJANNA RAVLICH: Could the parliamentary secretary provide some information about the categories under which the procurement savings were made?

Hon HELEN MORTON: The \$14.763 million is a target for the agency to achieve. The agency will be working across a raft of initiatives to achieve that under the procurement area. We will not know until the end of the year which areas it has been able to make those savings from. It is not any specific area at the moment; it is across all

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the procurement areas. We will know at the end of the year which areas it has been able to achieve those savings from.

Hon LJILJANNA RAVLICH: Is the parliamentary secretary saying that the agency has until the end of the financial year to achieve those savings? This is the 2009–10 budget and the end of the financial year is 30 June. I am wondering whether it has until 30 June to find \$14.7 million. Could the parliamentary secretary give me some advice on that?

Hon HELEN MORTON: The procurement savings have been targeted for this agency for the whole year. It is on track to achieve it. The member has specifically asked me which procurement initiatives it relates to. That cannot be determined until the end of the year because it will range across all the procurement initiatives to achieve that outcome. It is on track to achieve it.

Hon LJILJANNA RAVLICH: I move to transport. The question I would like to pose relates to the offsets, and, firstly, the deferral of the Fremantle port rail service, which is supposed to generate savings of \$2.1 million. How will those savings be achieved? Could the parliamentary secretary give us practical examples so we can better understand the likely impact of the deferral?

Hon HELEN MORTON: The additional funding of \$5.4 million in 2009–10 is partially offset by \$2.1 million of expenditure deferrals with lower than anticipated container movements by rail into Fremantle port and \$500 000 due to delays in finalising the continuation of the north west shipping subsidy. In addition, there are estimated savings in government procurement, fleet and grant savings initiatives totalling \$933 000.

Hon LJILJANNA RAVLICH: In terms of the reduction in rail transfer, how will the containers be transported and where will they be transported to?

Hon HELEN MORTON: I understand a lower number of containers will be moved.

Hon LJILJANNA RAVLICH: Why do we have a lower number of containers? That would imply that we have a lower number of imports. If that is the case, that is fine. Is it a government policy decision to lower the number of containers? If we have the same level of imports, surely they would be distributed by an alternative means. I am trying to get a handle on what we are talking about.

Hon HELEN MORTON: It is a lower number than was budgeted for. The honourable member should be aware that it is not necessarily a decrease but it is a lower level than was budgeted for. If the member requires anything more specific, she needs to direct her question to the Minister for Transport.

Hon LJILJANNA RAVLICH: What is the implication of budgeting for a lower number? I know that fewer containers will be moved, but what does that really mean?

Hon Helen Morton: From Treasury's point of view —

Hon LJILJANNA RAVLICH: I want to know what it means from Treasury's point of view, but I am trying to get a handle on what it means from a practical Western Australian consumer point of view.

Hon HELEN MORTON: I can talk to the honourable member only from Treasury's point of view. The impact of that is an offset of \$3.533 million. If the honourable member wants a better understanding of the impact on the general community or on transport in general or how it will impact on a particular neighbourhood or suburb or anything of that nature, she needs to direct that question to the Minister for Transport.

Hon LJILJANNA RAVLICH: Following on from that, in terms of the next offset, what is the impact of the deferral of the north west shipping subsidy and what is the practical impact of this deferral?

Hon HELEN MORTON: Again, I can say only from a Treasury perspective that the impact of that is \$500 000 due to delays in the finalisation of the continuation of the north west shipping subsidy. If the member wants to find out the impact of other transport issues or considerations, other than a Treasury impact, it is necessary that she go to the minister concerned.

Hon LJILJANNA RAVLICH: Could the parliamentary secretary explain to us what TravelSmart is? Who uses TravelSmart? Whom is it targeted at?

Hon HELEN MORTON: Once again, this question has been asked before and answered comprehensively. We are seeking to ensure that we get the exact answer that we provided last time. I understand it is the cessation of the pedestrian projects that we were involved with. It was identified as a project that we are no longer providing funding for.

Sitting suspended from 6.00 to 7.30 pm

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The DEPUTY CHAIRMAN (Hon Max Trenorden): Does any member have any further comments on clause 3? I give the call to Hon Ed Dermer—sorry, Hon Ken Travers. I am not sitting alongside you any more, member!

Hon KEN TRAVERS: Can I say, Mr Deputy Chairman, that I miss not sitting alongside you. I always enjoyed having a chat to Hon Max Trenorden. I actually miss not sitting alongside Hon Philip Gardiner, too, if I can put that on the record as well. They obviously broke us up because we were causing too much trouble!

Several members interjected.

Hon KEN TRAVERS: Come and sit with us! If any other members opposite want to come over and sit on this side, they can come now, or they can wait three years—it does not matter.

Hon Donna Faragher: You wish!

Hon KEN TRAVERS: I will return to the bill before us. Can the parliamentary secretary please explain—in terms of the new English dictionary that is obviously being used by the Department of Treasury and Finance—the meaning of the item “Capital Project Contingency repositioning”?

Hon HELEN MORTON: Could Hon Ken Travers please indicate which page he is referring to?

Hon Ken Travers: It is on page 5, under “Police”, and it is one of the offsets.

Hon HELEN MORTON: That terminology reflects the repositioning of the expensed components of the capital project contingency for the Perth police complex to be moved to the 2010–11 year, when it is more likely to be required. So I guess it is another form of re-cashflowing.

Hon Ken Travers: But for capital works?

Hon HELEN MORTON: Yes. Can I also, in response to a question that was asked before the dinner break by Hon Ljiljana Ravlich, refer to page 30 of the uncorrected *Hansard* of Wednesday 31 March 2010, which contains all the information that Hon Ljiljana Ravlich was looking for.

Hon KEN TRAVERS: Just so that I can be absolutely sure, what the parliamentary secretary is saying is that for the new Perth police station project on Roe Street, there is \$240 000 in capital works that was proposed to be spent this financial year but will now be spent next year. In fact, why is that funding under “recurrent” if it is related to the new police station?

Hon HELEN MORTON: It is for the recurrent elements of that project; and, yes, it is a re-cashflowing.

Hon KEN TRAVERS: While we are on police, I refer also to the item “Post Separation Medical Benefits”. I think the parliamentary secretary started to touch on this when we last sat. I do not know whether the parliamentary secretary is aware of when the post separation medical benefits legislation was approved by cabinet. However, it strikes me that this money should have been applied when that legislation was approved by cabinet. Is it now the case under this government that when legislation is approved by cabinet, the financial implications of that legislation do not form part of the cabinet approvals process but are dealt with later as a subsequent decision of cabinet?

Hon HELEN MORTON: As we mentioned last time we debated this matter, in order to establish a base level of funding, it is intended that for the first three years, this will be funded through the Treasurer’s advance authorisation. Once the three-year time frame has concluded and a base level of funding is known and understood, this will become a budget item.

Hon KEN TRAVERS: What the parliamentary secretary is saying is that in respect of the cost of the implementation of that legislation, no indicative figure was available to cabinet, before it made the decision to approve that legislation, about what the cost would be. Again, if that is the case, I find that quite an extraordinary process.

Hon HELEN MORTON: That is the decision that was made.

Hon KEN TRAVERS: In that case, all I can say is it was an extraordinary decision that cabinet approved legislation that has financial implications but did not incorporate that into the budget. It is another piece, in my view, of sloppiness by cabinet and therefore by the person who takes it to cabinet—namely, the Treasurer. I am pretty sure that the parliamentary secretary will find that never occurred under the previous government; when legislation was introduced and taken to cabinet, the financial implications were part of the consideration and would have then been factored into —

Hon Liz Behjat interjected.

Hon Michael Mischin: You never spent any money.

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Hon KEN TRAVERS: It is always interesting because we either spent it on projects that members opposite did not agree with and opposed, such as the Mandurah rail line, or we did not spend it. It depends which of the two mutually exclusive themes that members opposite tend to run on; that we either did not spend money, or we did spend money and we spent too much of it.

Hon Liz Behjat: I was saying that I thought Committee of the Whole was the time for question not comment.

The DEPUTY CHAIRMAN (Hon Max Trenorden): Members, let us just settle it down a bit.

Hon KEN TRAVERS: As long as I am talking to the bill and the detail of the bill, I can make as long a speech as I like during the committee stage, and for everyone else it is 10 minutes. It is not just question time. I must say that I do not know whether this is necessarily the most effective process for the house to be operating, but I do think it is important that the detail that we as an opposition are trying to ascertain is put on the public record. I keep coming back to the point, and members on the other side may not understand the importance of this, that this is the second highest Treasurer's advance ever approved in Western Australia. The highest was last year. It is an extraordinary percentage of the budget. When we passed the Financial Management Act 2006, we thought, as a Parliament, that three per cent would be sufficient to tide governments over. We now have a government coming back for the second year in a row asking for massive increases and, to be honest, not giving us the information that I think we are entitled to. We still do not have the level of detail that I think this Parliament is entitled to with respect to health; we have a global figure that has been broken down into some very generic subsections. I must say that in some of these areas it is quite good, in others it is not.

However, I will move back to questions. Can the parliamentary secretary explain to us exactly what "ICT Continuity and Development"—the \$4.256 million for the police—means?

Hon HELEN MORTON: This item refers essentially to a movement of funding from capital to recurrent. It reflects a reduction in the capital contribution with an equal increase in recurrent appropriation to correctly reflect the expensed component of the project. The large expensed component of this project is attributed to the costs of equipment purchases that are less than the capitalisation policy threshold—whatever that means.

Hon KEN TRAVERS: Quite seriously, if the parliamentary secretary might like to just give us a bit of an explanation in plain English, I would very much appreciate it. I followed the first part of the answer, but not the second.

Hon HELEN MORTON: I am giving the member 101 in accounting.

Hon Ken Travers: Good. Do we get recognition for prior learning after having sat through this session?

Hon HELEN MORTON: I think that I will get the recognition!

What I understand is that for funding to be put into capital on the balance sheet, it has to actually be equivalent to more than \$5 000. These items are less than \$5 000 and as such in accounting terms it is referred to as recurrent expenditure.

Hon KEN TRAVERS: Therefore, there is \$4 million of items that are all less than \$5 000 that have now been transferred from capital to recurrent.

Hon Helen Morton: Yes.

Hon KEN TRAVERS: What are we talking about here in terms of ICT, which I assume is information and communications technology —

Hon Helen Morton: Yes.

Hon KEN TRAVERS: Again, is it because each individual laptop is treated as an individual item? I would have thought that if they were leased as a job lot that would still be a single expenditure and it would have been capitalised.

Hon HELEN MORTON: My understanding is that it is based on the value of each individual item and, yes, the types of items that the member refers to such as computers and other technology elements like that are included. That is what I believe I am being advised, but once again I will get that 100 per cent confirmed by the agency, if the member so wishes.

Hon KEN TRAVERS: I appreciate that and maybe whilst the parliamentary secretary is on that, could she just find out from the agency why they were included in capital in the first place? Has the method of purchasing changed? Again, I would have thought that if they were purchased as a collective lot and certainly if they were leased as a collective lot—but anyway, I guess if they were leased that might make them come under recurrent.

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Whilst we are dealing with the police, there is a “2008–09 Supplementary Funding” line item of \$2.533 million. Can the parliamentary secretary explain why we are including supplementary funding from last year in this year’s TAA?

Hon HELEN MORTON: Apparently the police were given the authority to draw this supplementary funding but during the time that was applicable, realised they did not need that funding and consequently the funding has been deferred until a time when the police will need it. That is the plain English version; that is what is written before me.

Hon Ken Travers: So what is it actually for?

Hon HELEN MORTON: The Western Australia Police met \$5.1 million of its supplementary funding requests for 2008–09 through the use of cash balances with the amounts to be recouped over the next two financial years—namely, 2009–10 and 2010–11. It is just for general operational purposes.

Hon KEN TRAVERS: I am quite happy to admit that I get very confused when I start looking at these budgets, but if the police used its cash balances last year to expend the money, then surely it should have been appropriated last year. This is about appropriations, this is not about cash; therefore, why are we appropriating it this year if it was spent last year?

Hon HELEN MORTON: It would have created an offset last year that was made use of and this bill is about authority for excess expenditure, so that is why it has come back into this budget.

Hon HELEN BULLOCK: In the schedule provided by the parliamentary secretary, some of the items are listed under “decisions made” and some under “issues under consideration”. If a decision is made later that the government will not go ahead with a project, will those funds be re-cashflowed? What will the government do with those funds?

Hon HELEN MORTON: If a decision is not made on the issue under consideration, the funding will not be drawn down.

Hon HELEN BULLOCK: Does “will not be drawn down” mean it will be re-cashflowed? It will not be spent, but it has been approved. Where would that money go?

Hon HELEN MORTON: The expenditure related to those items is for those specific items. If the items under consideration end up being decisions not made, the funds will not be drawn down.

Hon SUE ELLERY: I refer to page 5 of the schedule and Treasury and Finance. Forgive me if someone else asked this question when I was out of the chamber: what decision does item 55 under “Office of Health Review” refer to?

Hon HELEN MORTON: The additional \$261 000 addresses a shortfall in funding for 1.5 FTE, a medical consultant employed to deliver the services of the office, and for escalation in accommodation costs. Before the Leader of the Opposition asks about the medical consultant, that was my question. It relates to expert advice that the medical consultant is required to deliver to the Office of Health Review.

Hon KEN TRAVERS: I want to go back very quickly to “ICT Continuity and Development” and “2008–09 Supplementary Funding” under item 74. I am not sure that I understand what the supplementary funding is for. When the parliamentary secretary refers to supplementary funding, what was it actually used for, and what was the underspend that was deferred last year to fund it?

Hon HELEN MORTON: It is necessary to refer to last year’s Treasurer’s Advance Authorisation Bill to get that information, and we will take the member’s question on notice.

Hon KEN TRAVERS: I understand there were a number of capital projects within police that were affected, and both the Southern River and Carnarvon police stations were deferred and funding re-prioritised into the ICT continuity project. I wonder whether any of this money relates to the deferral of those two projects. The parliamentary secretary might also want to take that on notice.

Hon HELEN MORTON: Is Hon Ken Travers referring to the line item relating to “ICT Continuity and Development” or the “2008–09 Supplementary Funding”?

Hon Ken Travers: To either—since we do not know what the supplementary funding relates to.

Hon HELEN MORTON: On the basis that this is referring to recurrent funding, it is very unlikely that it relates to any kind of re-utilisation of funds from those capital projects to which the member referred. The funding for “ICT Continuity and Development” is quite specific to that particular project, and it is not open to move money out of those other capital projects into that ICT area. I think that covers what the member is asking.

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Hon KEN TRAVERS: I wish it did. I refer the parliamentary secretary to page 111 of the *Government Mid-year Financial Projections Statement*. Under Western Australia Police, capital works audit, is “ICT Continuity and Development Program”. That indicates that the government is deleting \$5 million from this year’s budget, and while this does not exactly tally with the parliamentary secretary’s earlier answer that the government is taking it from capital and making it a recurrent expenditure, this suggests the government will spend the \$5 million on capital works next year. I am trying to reconcile the two. I wonder whether some other capital works such as the Carnarvon police station or the Secret Harbour police station are getting “re-cashflowed” or “contingency repositioned” or “expensed” into the ICT redevelopment program.

Hon HELEN MORTON: My advice is that it is most unlikely that it is —

Hon Ken Travers: Only most unlikely?

Hon HELEN MORTON: The area has to refer to that particular project, which is in the ICT area. Therefore, it is most unlikely. I can get that confirmed, if the member wants me to, but, again, it would be very unlikely.

Hon KEN TRAVERS: So it has gone from it is definitely not—this is where it is coming from—to now it is most unlikely. I will get the parliamentary secretary to go away and find out about that, and we will see whether it turns into any higher odds than most unlikely.

If we can now jump over to the Western Australian Sports Centre Trust, can the parliamentary secretary explain to us what the \$2.221 million for the “Operating cost of the new athletics and basketball stadiums” relates to in regard to the operating costs and why there is the additional expenditure? What has changed to cause that?

Hon HELEN MORTON: It refers to the additional funding provided to meet the revised operating cost of the new athletics and basketball stadiums constructed on AK Reserve at Perry Lakes, and an increase in depreciation.

Hon Ken Travers: But what is it that has gone up? The basketball stadium has only just started to be used.

The DEPUTY CHAIRMAN (Hon Max Trenorden): If that is a question from Hon Ken Travers, he should stand and deliver it.

Hon KEN TRAVERS: I am sorry; I have learnt bad habits from others in the chamber about doing things by interjection.

The DEPUTY CHAIRMAN: Probably from me.

Hon KEN TRAVERS: No, never from Hon Max Trenorden—never whilst he is in the chair, anyway. I am still a bit intrigued about whether we can get some more information. That seems to be an awful lot of money for an increase in operating costs. I think Basketball WA has finally moved in.

Hon HELEN MORTON: The decision about the building of this item was undertaken by the previous government. No allocation was made for the operating costs associated with it, and these are the operating costs that are required.

Hon KEN TRAVERS: Are the stadiums not operated by VenuesWest, in which case would it not be a community service obligation, and would that not mean that it would appear under the Treasury item? I would have thought that the Sports Centre Trust would normally tend to have in its budget only its capital costs, and anything else would be done as a CSO through Treasury.

Hon HELEN MORTON: It is an appropriation-funded agency.

Hon KEN TRAVERS: What has caused the increase in the revised gambling tax rebates? Can the parliamentary secretary answer that, please?

Hon HELEN MORTON: The additional funding of \$7.1 million is largely a result of the casino tax revenue being well above earlier estimates, resulting in additional rebates payable to the casino.

Hon KEN TRAVERS: In what circumstances are the tax rebates paid? The casino is actually collecting more money, but it is being given a bigger rebate.

Hon HELEN MORTON: I understand that in our agreement with the casino there is a requirement for us to provide that rebate, but I am not familiar with the specific details. The member could get that from the Minister for Racing and Gaming.

Hon KEN TRAVERS: Going on to planning, I think the parliamentary secretary undertook earlier to get us a bit more information. I do not recall the parliamentary secretary reporting to the committee—I think Hon Lynn MacLaren also asked about it—about the Planning and Transport Research Centre grant. Is this the complete

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grant that is provided to PATREC? Has the state government now completely withdrawn from supporting PATREC?

Hon HELEN MORTON: The answer is yes, but let us be quite clear. The Department of Planning has completely ceased its funding to PATREC. That is why it comes under Planning.

Hon KEN TRAVERS: I find it an extraordinary situation that we are basically withdrawing our funding for that organisation. Whilst the amount was small, the benefits to Western Australia were immense in getting research and other information passed on to Western Australia.

Can we now turn to the Department of the Attorney General? Again, we have the item “2008–09 Supplementary Funding”. Can the parliamentary secretary explain to us what that relates to? What exactly was funded in 2008–09 that is now being appropriated in 2009–10?

Hon HELEN MORTON: This is another example in which we would have to go back to last year’s Treasurer’s Advance Authorisation Bill. This information will be sought for the member. However, in general, the Department of the Attorney General met \$2.2 million of its supplementary funding request for 2008–09 through the use of cash balances, with the amounts to be recouped in 2009–10.

Hon KEN TRAVERS: I still find that an extraordinary answer. What is being said is that the department spent the money. If it spent that money last year, surely it should have been appropriated last year. The government can appropriate the money and not give the department the cash, in which case the department would use its cash balances. We are told that that is what happened in the health department when it dug into the cookie jar and stole money that had been donated to hospitals and the like, or given to the hospitals for other purposes. However, I cannot see how a department can use its cash balances to pay for something and then have the money appropriated this year. If that is the correct answer, I wonder what the process for us to refer the matter to the Auditor General for further investigation would be. I might seek the Deputy Chairman’s advice on that shortly, but we will wait to see whether we get a better answer first.

Hon HELEN MORTON: The ability to underspend in some areas and use that money to spend on this particular project means that those other areas were underspent and need to be re-funded. If an agency underspends in one area, it can use that money to manage its budget to do something else. That funding must be reconstituted for those areas in the coming financial year.

Hon KEN TRAVERS: An internal deal might have been done within the government.

Hon Helen Morton: They did not draw down on it.

Hon KEN TRAVERS: I understand that. I understand also that the government might have done an internal deal late last year whereby the agency would not spend the money and that it would get an additional appropriation this year for some other function. That is fine. I am sure that that type of thing goes on in cabinets all the time. However, for the purposes of this house, that should be shown today. The government should not be highlighting the fact that a backroom deal was done between the Treasurer and the Attorney General, which I am not suggesting is inappropriate, about how things were funded last year. What is being funded this year through the Treasurer’s Advance Authorisation Bill should be listed as an item for which the department is getting additional funding this year. The house is entitled to know what the department is getting funding for this year. The parliamentary secretary is absolutely correct to say that the department did not need it last year. It managed to fund whatever it did last year out of its internal resources and its existing one-line appropriation, which we have in Western Australia. This year the department is obviously getting money to do something that is over and above what was appropriated for at the time of the budget. I want to know what it is getting the funding for, not that a deal was done within cabinet last year.

Hon HELEN MORTON: The level of detail that the member is seeking is not available to me at the moment, but we will provide that.

Hon SUE ELLERY: I refer to the Department of the Attorney General on page eight of the document titled “Treasurer’s Advance Authorisation Bill 2010: Details of Excesses and New Items for the 2009–10 Financial Year” and the change to the classification of State Administrative Tribunal members—this may be a case of two for the price of one—and the increase in the remuneration for members of the Mental Health Review Board. Can the parliamentary secretary explain what is new about both of those?

Hon HELEN MORTON: A determination resulted in \$12 000 being required to meet the increased funding costs associated with the reclassification of members of SAT from ordinary to senior members.

Hon SUE ELLERY: Was the determination made by the Salaries and Allowances Tribunal? Who made the determination? Was it a government decision or was the decision imposed on them?

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Hon HELEN MORTON: We think that it was a government decision. If it was a SAT decision, it would be a standing appropriation. We believe that it was a government decision.

Hon SUE ELLERY: Can the parliamentary secretary clarify that for me later? I also asked about the Mental Health Review Board.

Hon HELEN MORTON: This \$15 000 increase is to meet the increased funding costs associated with the increase in pay rates for the members of the Mental Health Review Board.

Hon SUE ELLERY: I want to get on the record whether the decision to grant the increase to the members of the Mental Health Review Board was a policy decision by government or whether it was otherwise.

Hon HELEN MORTON: I do not know how that decision was made. Once again, given that we are looking up information on the other matter, we will look up information on this matter also.

Hon SUE ELLERY: I thank the parliamentary secretary. Two matters under the Department of the Attorney General relate to the Coroner's Court. The first is under the heading "Decisions made". That is when cabinet has made a definite decision to allocate funds to deal with the backlog of files. I am interested to know to what extent that will clear the backlog of files. I note that under the heading "Issues under consideration", which I would describe as "go ahead and plan and spend it now and with a wink and a nod you will get it in the budget", there is also a reference to the Coroner's Court and external costs. Can the parliamentary secretary explain both of those? In reference to the backlog of files, to what extent will the decisions made clear the backlog, and what are the external costs of the Coroner's Court under "Issues under consideration"?

Hon HELEN MORTON: Because the Law Reform Commission will undertake a review in 2010, it is expected that the backlog would have to be undertaken by then. Once again, we believe that the \$822 000 provided to the Coroner's Court to reduce the backlog of files will complete the review of that backlog in time for the Law Reform Commission's review, which is required in 2010.

Hon SUE ELLERY: I also asked about the Coroner's Court external costs under the heading "Issues under consideration".

Hon HELEN MORTON: Additional expenditure of \$394 000 is required to meet increased costs, including costs relating to toxicology and services provided by Chemistry Centre (WA). The Chemistry Centre costs have increased as a result of increased costs for staff, equipment and the use of more complex and resource-intensive techniques. A provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process.

Hon KEN TRAVERS: I will move on to the act-of-grace payments. Can the parliamentary secretary explain what they are for?

Hon Helen Morton: You know what an act-of-grace payment is.

Hon KEN TRAVERS: Yes, but I want to know what the \$10.5 million worth of acts-of-grace payments was for.

Hon HELEN MORTON: I am advised that the level of information I am about to give is all the information that we can provide without breaching confidentiality. The additional expenditure of \$10.5 million is required to meet act-of-grace payments including mesothelioma settlements and other payments that may need to be made before the end of the financial year. No budget provision is made for these claims as they are paid on an emerging basis on the understanding that supplementary funding will be provided. A provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process.

Hon KEN TRAVERS: Will these not be stand-alone expenses, rather than part of the budget process?

Hon HELEN MORTON: The 2010–11 budget also deals with the outstanding 2009–10 issues, and this is how it will be captured.

Hon KEN TRAVERS: Can the parliamentary secretary assure us that none of the funds from these act-of-grace payments will be used to fund the settlement of any claim for—I do not want to name the person—people who have recently had court cases settled and who may be taking action against the state because of assets that were seized and losses incurred as a result of those seizure actions by the state? Can the parliamentary secretary assure us that none of that money will be used to compensate people in those circumstances?

Hon HELEN MORTON: I cannot actually give the member that assurance, but I think that if the member asks a question on notice of the Attorney General, he might get the assurance.

Hon KEN TRAVERS: Is that highly likely or likely?

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Hon Helen Morton: Highly likely.

Hon KEN TRAVERS: The parliamentary secretary thinks it is highly likely that we will get answer; I will look forward to asking that question, because I am not sure that the Attorney General has been keen to answer that question in the past.

One of the offsets referred to is the amount of \$179 000 for “Executive Director Court and Tribunal Services”. Has that arisen because of the abolition of a position? Is that what we are talking about there?

Hon HELEN MORTON: It has become a State Administrative Tribunal position, so the funding for the transfer of salary costs for the executive director of court and tribunal services from recurrent appropriation to special acts—the Salaries and Allowances Act 1975—is the outcome of that.

Hon KEN TRAVERS: Where does the expenditure for \$179 000 occur within the Treasurer’s advance? I understand that there can be transfers where an amount is taken out of this one, but if the position has not been abolished, then it should be being allocated to another agency somewhere else as a SAT payment.

Hon HELEN MORTON: It has been funded from standing appropriations; it was automatic.

Hon KEN TRAVERS: If that is the case, why, then, is the government having to include the change in classification for SAT members if it is automatic and SAT positions are covered under automatic appropriation?

Hon HELEN MORTON: Is the member referring to SAT as in the State Administrative Tribunal, or the Salaries and Allowances Tribunal, because the member might have them mixed up?

Hon KEN TRAVERS: Which SAT was the parliamentary secretary referring to when she referred to SAT originally?

Hon HELEN MORTON: I was talking about the State Administrative Tribunal.

Hon KEN TRAVERS: Is the parliamentary secretary saying that the executive director of court and tribunal services has been transferred over to come under the auspices of the Salaries and Allowances Tribunal?

Hon Helen Morton: Yes.

Hon KEN TRAVERS: Is the parliamentary secretary saying that once it comes under that classification, the amount is authorised by another statute?

Hon Helen Morton: It is automatic appropriation.

Hon KEN TRAVERS: When we pass the budget each year, we have the delivery of services and we have the amounts authorised by other statutes, and then we have the capital works. Is the parliamentary secretary saying that no further appropriation is required if a position is moved to fall under the auspices of the Salaries and Allowances Tribunal, and it is automatically covered and does not require an additional appropriation? So, in fact, we can add on another \$179 000 to the \$1.12 billion, and last year’s record might be broken if we find enough of these things. Will the parliamentary secretary tell me why the Department of the Attorney General is not required to have procurement savings?

Hon HELEN MORTON: I am sure that it is not because it did not have to make them. What I am not sure about is why it has not shown up as an offset. Once again, I will have to follow that up.

Hon KEN TRAVERS: To deal with the one subject all together, if the parliamentary secretary looks down the list to “Corrective Services”, she will note that it has “Procurement Savings”, but it does not have fleet savings. Why is the Department of Corrective Services not required to have fleet savings?

Hon HELEN MORTON: Once again, we will check that out, but it is most likely because it is offset by other items.

Hon KEN TRAVERS: Offset by which other items? These are offsets.

Hon Helen Morton: That will have to be checked.

Hon KEN TRAVERS: Did the parliamentary secretary say she would go away and check that?

Hon Helen Morton: Yes; I have already said that.

Hon KEN TRAVERS: If she could check that one as well. Maybe, as part of that checking, the parliamentary secretary could check whether or not the 10 per cent reduction in Corrective Services’ fleet has already been factored into its three per cent efficiency dividend. If that is the case, maybe the parliamentary secretary could tell us which other agencies have had the opportunity to have their 10 per cent fleet savings considered as part of

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their three per cent efficiency dividend; and, how does an agency get to choose whether it is a three per cent efficiency dividend or a 10 per cent fleet saving?

Hon Ljiljana Ravlich: Good point!

Hon KEN TRAVERS: I think the parliamentary secretary will find that the Department of Corrective Services did use it as part of its three per cent efficiency dividend.

I move to an area that can be very contentious. An amount of \$37 million has been set aside for the Department of Corrective Services to cover the "Increase in daily average prison population". Can the parliamentary secretary give us an explanation of how that will be broken up into salaries, increased full-time equivalents, training, payments to prisoners, and expenses such as food and clothing for the prisoners?

Hon Helen Morton: For goodness sake!

Hon KEN TRAVERS: No. I want a break-up as to how the Treasurer arrived at \$37 million.

Hon HELEN MORTON: The additional recurrent funding of \$37.7 million for operating costs to manage and maintain a daily average prison population of 4 600 is funded in accordance with the prisoner muster funding model. Is Hon Ken Travers asking for a copy of the prisoner muster funding model? It is obvious that there is a costing model that is known and is used, and that is what has led to the \$37.7 million. I do not have that model with me. Nevertheless, if the member requires that level of detail, we can probably source it from the Department of Corrective Services.

Hon KEN TRAVERS: I would appreciate that. I will try to find the document that gave us some explanation for all of this funding. Again I come back to the issue that if it relates to the use of a funding model, the number of prisoners and the funding model would have been known before 1 December and the midyear review. There was some money included in the midyear review, but for that amount I would like an understanding of what was included in the midyear review.

Hon Helen Morton: This was the amount.

Hon KEN TRAVERS: I want an understanding of what was included in the midyear review and what is being included subsequent to the midyear review.

Hon HELEN MORTON: This is the amount that was referred to in the midyear review. I think in the midyear review it was referred to as \$39.5 million, and this funding refers to that.

Hon HELEN BULLOCK: I was just wondering whether the parliamentary secretary has a soft copy of the "Details of Excesses and New Items" document.

Hon Helen Morton: What are you talking about?

Hon HELEN BULLOCK: The schedule "Details of Excesses and New Items"

Hon Helen Morton: Are you talking about this?

Hon HELEN BULLOCK: Yes. Do you have a soft copy?

Hon Helen Morton: What is a soft copy?

Hon Ken Travers: Electronic.

Hon Helen Morton: No, I do not have an electronic copy.

Hon HELEN BULLOCK: I am asking that question because I think that all those items listed on this schedule are a summary of another much more detailed schedule. It is obvious that this is a spreadsheet. If the parliamentary secretary had a soft copy, I imagine that every item on this schedule would have a link to the other more detailed schedule which would give a breakdown of each item. For example, under "Item 4 Delivery of services: Escalation of Core business" would give a list of what the \$300 million comprises. What bothers me is that this summary schedule is classified as okay to be released to everybody to see; whereas the other detailed schedule is classified as a secret cabinet document. What is the difference between this schedule and the other detailed schedule, which gives a breakdown of all the listed items that are summarised in this schedule?

Hon HELEN MORTON: I think this was the very first conversation that was had at the beginning of the Committee of the Whole in which I said that this is the level of detail I am authorised by the Treasurer to provide to members.

Hon HELEN BULLOCK: I probably missed something somewhere. What the parliamentary secretary said is that the other detailed schedule is classified as a secret document; whereas this one is classified as a document that is okay to be released.

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Hon HELEN MORTON: Hon Helen Bullock is using the word “secret”. I am just saying that this is the level of documentation that I have been authorised to provide, and have been very pleased to do so.

Hon LJILJANNA RAVLICH: I refer the parliamentary secretary to page 8 of the “Details of Excesses and New Items” document, and specifically refer to the “Act of Grace Payments”, which amount to a sum of \$10.5 million. Can the parliamentary secretary advise us how many act-of-grace payments this involves; and, if she has that information, what is the average cost of an act-of-grace payment?

Hon HELEN MORTON: I am wondering whether the honourable member was in the chamber when we discussed this just a few minutes ago.

Hon Ljiljanna Ravlich: No, I was not. Was this asked?

Hon HELEN MORTON: Yes, it was.

Hon Ken Travers: I thought it was a better way of phrasing the question. I thought you might be able to answer this one.

Hon HELEN MORTON: No.

Hon Ljiljanna Ravlich: So the parliamentary secretary provided the average cost per act-of-grace payment?

Hon HELEN MORTON: No; none of that. I did provide information that basically referred to some of the types of payments that were referred to. If the member wants me to repeat what I said —

Hon LJILJANNA RAVLICH: No, I do not. I just say to the parliamentary secretary that providing information generally about act-of-grace payments does not equate to providing me with the specific nature of the information I asked for in my question. I asked the parliamentary secretary two very specific questions. Firstly, how many act-of-grace payments have been made amounting to a total sum of \$10.5 million; and, secondly, what is the average cost of the payment under the act-of-grace payments? Those are two very specific questions. Although the parliamentary secretary might have provided information of a more general nature, I am seeking from the parliamentary secretary a direct response to each of those questions.

Hon HELEN MORTON: I appreciate that Hon Ljiljanna Ravlich is very interested in getting that sort of information, but the information that I gave prior to this was that the additional \$10.5 million funding was required to meet the act-of-grace payments, including the mesothelioma settlements and other payments that may need to be made before the end of the financial year. No budget provision is made for these claims and they are paid on an emerging basis—some payments might not even be known at this stage—on the understanding that supplementary funding will be provided, and provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process; therefore, some of the emerging requirements might be picked up in the following financial year. It is therefore not possible to answer the question on the exact number of claims or the question on the average cost of a claim.

Hon LJILJANNA RAVLICH: The amount of \$10.5 million must have been based on some consideration; or does the parliamentary secretary want us to believe that the Treasurer pulled that figure of \$10.5 million out of the air? We know that the Treasurer is reckless and that he can be quite flamboyant and lacks attention to detail, but the parliamentary secretary really cannot expect us to believe that the Treasurer has given consideration to only one potential act-of-grace payment and that he has some figure in mind in relation to the mesothelioma case, when clearly there are a range of other payments or considerations. It is beholden on the parliamentary secretary to provide us with the information on those other act-of-grace payments under active consideration for which funding will be required.

Hon Helen Morton: You must be joking!

Hon LJILJANNA RAVLICH: No, I am not joking. I am absolutely not joking. I am deadly serious about this. Otherwise, the only thing I can conclude, parliamentary secretary, is that this figure of \$10.5 million has been plucked out of the air. This is totally unacceptable. The parliamentary secretary is asking us to appropriate \$10.5 million, but she is telling us that she cannot provide us with the basis of how this \$10.5 million has been calculated. I am definitely not joking. I can assure the parliamentary secretary of that.

Hon HELEN MORTON: As I have indicated, the specific information that the member is looking for is not available; and much of it is confidential, anyway, so the member would not get it even if it was available. The decision around the \$10.5 million is obviously an estimate that has been made by the Attorney General in a submission to the Economic and Expenditure Reform Committee. Obviously that committee was satisfied with the explanation about that level of funding. As I have said, no budget provision has been made for these claims. They occur on an emerging basis. There will potentially be further emerging claims this year. The purpose of this funding is to provide for that. If any additional funding is required, it will be caught up in the 2010–11 budget process.

Hon Ken Travers; Hon Helen Morton; Hon Ljiljanna Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon LJILJANNA RAVLICH: I have to say that that is very concerning. I would hope that much more attention has been given to the funding requirements that have been sought across other portfolio areas. There is no doubt in my mind that very little thought or consideration has gone into deriving that figure of \$10.5 million. What is concerning is that if this figure is so rubbery, it begs the question of the integrity of the remainder of the figures contained in this appropriation bill. I have very little confidence in the accuracy of the figures that are contained in this appropriation request. Although I know that the parliamentary secretary has a difficult job in terms of providing information, it is not good enough for the parliamentary secretary to just fob off the members of this chamber and not provide the advice that is being sought. If the parliamentary secretary wants to do the right thing, she should take the question on notice and provide to me, through the Attorney General, the number of cases that are actively under consideration and that may draw on the \$10.5 million that is in question here for this line item. I think that is a reasonable and fair ask.

Hon HELEN MORTON: I do not know if I have read the member wrongly, but is the member suggesting that this funding could be used for something else?

Hon Ljiljanna Ravlich: No.

Hon HELEN MORTON: That is not an option. If this funding is not drawn down for these purposes, it will not be drawn down at all. As I have said, the information that the member is seeking is not available. It is not appropriate for us to disclose individual amounts for individual cases et cetera, or how many cases there may be. If the member wants more specific details, she can attempt to get it from the Attorney General. But I know that this is the level of detail that I have been authorised to provide.

Hon LJILJANNA RAVLICH: I need to put on the public record that I am very, very unhappy about this. The parliamentary secretary, who is the representative of the Attorney General in this place, is saying to me, after I have asked a fair and reasonable question, "If you do not like the answer that I am giving to you, go and ask the Attorney General. I do not think he will give you the answer, but at least go and ask him direct." I do not want to ask him direct. That is why we have the parliamentary secretary in this place—so that through her —

Hon Michael Mischin interjected.

Hon LJILJANNA RAVLICH: Hon Michael Mischin can have his say when he is ready.

Hon Donna Faragher: He will never be able to get up, because you will not stop talking!

Hon LJILJANNA RAVLICH: He will not be allowed to get up on this one!

I ask the parliamentary secretary to take this question on notice and put it to the Attorney General, and to endeavour to provide me with, if not the quantum amounts, at least those cases that are under active consideration.

Hon Helen Morton: Absolutely not.

Hon LJILJANNA RAVLICH: Why not?

Hon Helen Morton: Because it is confidential information.

Hon LJILJANNA RAVLICH: Why is it confidential? The public has a right to know. The parliamentary secretary is asking for \$10.5 million of taxpayers' money to be spent on this item, and she is telling me that the public does not have a right to know. That is utter nonsense, and the parliamentary secretary should be ashamed of herself.

Hon SIMON O'BRIEN: Hon Ljiljanna Ravlich seems to be telling the parliamentary secretary representing the minister that she has to provide information that is not available to her, and she then feigns surprise and indignation when she is acquainted with that fact!

Hon Ljiljanna Ravlich: I am not surprised.

Hon SIMON O'BRIEN: Hon Ljiljanna Ravlich might think it is funny to just sit there and keep these proceedings ongoing —

Several members interjected.

Hon SIMON O'BRIEN: Hang on! I have the floor now, Mr Deputy Chairman, and I would like to be given the opportunity to use it!

Hon Sue Ellery: Good! It will take the pressure off us!

Hon SIMON O'BRIEN: What pressure are members opposite under? Here we go! They are filibustering!

Hon Ken Travers; Hon Helen Morton; Hon Ljiljanna Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon Alyssa Hayden interjected.

Hon SIMON O'BRIEN: I will repeat what I have just said for the benefit of Hon Alyssa Hayden. If I take a minute or two to talk, at least according to the Leader of the Opposition, that will take the pressure off them to keep this debate going endlessly. As Hon Ljiljanna Ravlich has said —

Hon Ljiljanna Ravlich: You know that is not what she said!

Hon SIMON O'BRIEN: That is exactly what she said!

Several members interjected.

The DEPUTY CHAIRMAN (Hon Max Trenorden): Order members! I do not like to call all members to order, but let us get back to the subject of the bill.

Hon SIMON O'BRIEN: I can tell the Labor Party members, who are enjoying themselves in opposition over there, that there is a serious side to this. Members opposite are frivolously wasting the time of this committee, and ultimately of this house. I do not know what they are trying to achieve, because in 13 or 14 hours of committee stage on this bill, I do not think they have turned up anything that is notable. They certainly have not turned up anything that the public has found notable. But perhaps now they might take notice of it. Hon Ljiljanna Ravlich, who has been haranguing the parliamentary secretary just now, ought to know a bit about the provision of act-of-grace payments. I say because when she was a minister—specifically the Minister assisting the Minister for Planning and Infrastructure—she used to make a lot of act-of-grace payments, did she not?

Hon Ljiljanna Ravlich: I do not know. Did I? You are telling the story. Did I?

Hon Robyn McSweeney: Are you another Labor member who cannot remember?

Hon SIMON O'BRIEN: I am glad to find that there is some little aspect that the honourable member does not reckon she knows everything about. That almost invites me to consider that maybe there is a touch of humanity somewhere over there.

Hon Robyn McSweeney: Humility?

Hon SIMON O'BRIEN: No. There is no humility over there. I am talking about humanity. The fact of the matter is that when Hon Ljiljanna Ravlich was responsible for areas of government licensing, there were a lot of act-of-grace payments. Hon Ljiljanna Ravlich would have signed a lot of them. They would mostly have been for fairly small amounts. Act-of-grace payments are an appropriate way of dealing with the frequently occurring occasions when people find themselves out of pocket, not as a result of any malicious activity by government, but as a result of the consequences of the way a government department might go about its business. I am sure that Hon Ljiljanna Ravlich would have claimed that it would be totally unrealistic to ask her, a week or a month or six months ahead, what the average amount of act-of-grace payments might have been, or how many payments there might have been, and to whom those payments might have been issued.

Yet that is what the member is requiring of this parliamentary secretary at the table who is not even representing the minister whose vote that the member is claiming to scrutinise. Therefore, it is quite unreasonable to put to the parliamentary secretary that the amount requested has been plucked out of the air.

Hon Ljiljanna Ravlich interjected.

Hon SIMON O'BRIEN: No, what has been endeavoured is to make provision for legitimate occasions for act-of-grace payments to be made. I do not know what they would be for; I have heard reference made in the course of this debate to mesothelioma cases. I do not know how the government might be involved in this particular case but that is the seriousness of what we are talking about. I am sure that the honourable member who is haranguing the parliamentary secretary —

Hon Ljiljanna Ravlich: Do not say haranguing; it was a reasonable question from a very lovely member of Parliament.

Hon SIMON O'BRIEN: It shows what the member is interested in; the member is interested only in rabbiting on and just constantly droning on and stringing out the debate on this bill.

Hon Ljiljanna Ravlich: You're holding it up!

Hon SIMON O'BRIEN: I think that it is a pity when the member is talking potentially about, as someone has already indicated, mesothelioma sufferers.

Hon Ken Travers: This does not relate to the act-of-grace payments, does it?

Hon Ken Travers; Hon Helen Morton; Hon Ljiljana Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon SIMON O'BRIEN: I am sure it does. The member can get up again in a minute as he keeps doing. However, try to be dinkum about what members are doing —

Hon Ljiljana Ravlich: It's not personal!

Hon SIMON O'BRIEN: No, I believe it is. I think the member was absolutely insincere in the way she was conducting herself and it does not reflect very well on any of the members on that side of the chamber—the member is a disgrace.

Several members interjected.

The DEPUTY CHAIRMAN (Hon Jon Ford): Members, before I give the call to the Leader of the Opposition, members are entitled to ask questions and people might not like those and people might not like the answers. The minister has made some comments and people might not like them but he is quite entitled to do that within the rules of the debate. It is a very, very broad ranging debate but as long as we do it so that Hansard and everybody else can hear it, it means that when you have the call, you have the call and when you have not, you have not. Just remember that, please.

Hon SUE ELLERY: I appreciate the Deputy Chairman's guidance to the chamber because you are quite right; this is a wide ranging debate. I appreciate the comments from the deputy leader of the government as well about this being a serious matter because it is. It is a piece of legislation that we are being asked to pass without the level of detail that matches the size of the figures we are being asked to consider and that means we will keep asking the questions and will also try to ask them in different ways to try to elicit the information that we, as a house of review, are entitled to get when we are dealing with a piece of legislation that asks us to authorise the second highest Treasurer's advance authorisation in the history of Western Australia with no detail. When we do this for the budget, we do it in an entirely different way and we apply a level of scrutiny, if we like, and we examine a level of detail that matches the kind of figures we are talking about.

Hon Simon O'Brien: No you don't.

Hon SUE ELLERY: Yes we do; it is called the estimates process.

Hon Simon O'Brien: Yes, and you ask a lot fewer questions and take a lot less time than you do right now.

Hon Ken Travers: It is all about where you are spending the money!

Hon SUE ELLERY: Because a greater degree of detail is provided to us either in the budget documents or indeed the committee invites us to put questions on notice so that the time in the chamber during the estimates process is used to the best effect. The deputy leader of the government is quite right if the point he is trying to make is that this is not an efficient use of the house's time—damn straight it is not. A much more efficient use of the house's time when we are dealing with a bill with figures the size of which we are being asked to authorise would be to provide us with a level of detail which meant that we did not have to waste the house's time trying to ask a question —

Hon Simon O'Brien: At least you admit you are wasting time!

Hon SUE ELLERY: No, the member knows exactly what I am saying. The government has put us in a position whereby we are being asked to authorise the second highest Treasurer's advance authorisation in the history of Western Australia and the government objects to us taking the time to ask the questions. That does not reflect badly on us; it reflects poorly on the government.

Hon KEN TRAVERS: I just want to add to the words of the Leader of the Opposition and I predicted —

Hon Simon O'Brien: Here we go!

Hon KEN TRAVERS: If Hon Simon O'Brien wants to take this debate into another day, he can take it into another day because that is what he does when he comes into this place makes those sorts of comments.

At the very beginning of this debate, we made it very clear that one thing that would have progressed this debate would have been to have a more detailed explanation of how this funding is broken up. The government is asking us to approve somewhere in the order of seven per cent of the state budget without that information and this is all of the excess stuff. This is all the stuff whereby the government has not been able to control its expenditure and that is why I think people have a right to ask what has happened; why the government could not work it out at the time it set the budget last year so that it needs the funding this year.

Hon Simon O'Brien: Unexpected act-of-grace payments by the Attorney General—that is specifically what you're wasting time about at the moment.

Hon Ken Travers; Hon Helen Morton; Hon Ljiljana Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon KEN TRAVERS: I will come back to the act-of-grace payments in a second, but I just want to ensure that everybody understands the level of detail we get when we deal with a budget. We get information about things like major policy decisions that affected the budget and it goes through that in a great deal of detail and we have an estimates process to follow up on that.

Hon Simon O'Brien: What would you have on this line that you haven't got before you now that you would have if it was in the budget?

Hon KEN TRAVERS: Normally we would have information about significant issues affecting agencies—would we not—and in that might be explained what it is that is driving \$10.5 million —

Hon Simon O'Brien: Which has just been verbally given by the parliamentary secretary over and over again; it is exactly the same as the length of comment that you would get if it was in the budget document.

Hon KEN TRAVERS: This is where we would get more information; we would be able to go into estimates. The member is right in that we would have a better system if it were not the parliamentary secretary to the Treasurer having to deal with this, but Hon Michael Mischin. He was here a minute ago and I am sure he has had to go away on urgent parliamentary business that might be to get instructions from the minister so he can help advise the house, because I thought he indicated that he wanted the opportunity to say something to the house, so maybe he is trying to get instructions. However, when we are talking about \$10.5 million, these are not the act-of-grace payments that the minister was talking about for the transport agency; these are the act-of-grace payments that will come out of the Attorney General's agency. Some of the payments might be of small amounts but it is clear when we are discussing \$10.5 million that these are some fairly significant additional payments and that there were probably some significant individual payments. Again, I do not think there is anything wrong with this house seeking to ascertain in various ways some idea of what it is that we are expecting. Are we talking about 10 500 \$100 payments or are we talking about one \$10.5 million payment? It is not unreasonable for us to try to get some idea of the magnitude and the type of payments that are being made. I suspect it is more a case of very few payments of larger amounts than a very large number of payments for smaller amounts, and it is not unreasonable for this house to seek that information from the government. However, I will let Hon Ljiljana Ravlich finish her questions.

Hon LJILJANNA RAVLICH I agree that it is not as though these payments are from the Department of Transport; they are in fact under the Attorney General. I return to the point that I do not think it is unreasonable for the parliamentary secretary to actually go back and ask the Attorney General to provide the information that I seek. For her to say, "We do not want to give you that answer" or "This is as far as the Attorney General is prepared to go" or whatever other excuse she has used is unacceptable. I know that the parliamentary secretary is representing the Treasurer in this case, but we are dealing with a Treasurer's advance authorisation bill. I believe that I have not breached any standing orders. I believe that I am not unreasonable in my request; in fact, I believe I am being very reasonable in my request and the least the parliamentary secretary can do is say that she will do the right thing and take it to the Attorney General and see what response he gives.

I understand that the parliamentary secretary has just been given some information that may be of assistance to her. It is quite clear that there is some documentation—I have very good eyesight—with this information on the table. It would be very good if after all of this the parliamentary secretary stood and gave the information to me line by line—I can see there are only about six lines of figures.

If the parliamentary secretary does not provide us with that information, the only thing we can conclude is that she is less than open and accountable when dealing with genuine matters raised by members in this place. I will be very interested to see how the parliamentary secretary responds.

Hon HELEN MORTON: I am so sorry to disappoint Hon Ljiljana Ravlich. The information that she saw passed to me was the same information that was passed to me before. There is not new information. The information is that \$10.5 million is required to meet those payments. It is a fact that no budget allocation is made for this and it is based on emerging items. I do not know what the member is referring to when she talks the "five lines", but it has nothing to do with act-of-grace payments. Provision has been made in this budget for emergence spending. I do not know what the member does not understand about emergence theory. "Emergence" means things that are likely to happen or could happen. There is not specific information about items that are emerging. I do not intend to carry on about the act-of-grace payments any further.

Hon KEN TRAVERS: I accept that we are not going to get the information from the government. However, I urge the government, through a suggestion to Hon Simon O'Brien, that a bit more detail in future might speed up this debate. I refer to the daily prisoner population and this figure of \$39 million, which the parliamentary secretary says was included in the midyear review. An amount of \$39.5 million was included in the midyear review; and an amount of \$32.8 million was also included in the midyear review for a capital contribution. I

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cannot seem to find that \$32.8 million anywhere else. I wonder if the parliamentary secretary could give us the reason that it was not in the Treasurer's advance when it was in the midyear review.

Hon HELEN MORTON: Since the midyear review it has been identified that the agency's capital works program is lagging sufficiently that that funding will not be required in this current financial year.

Hon KEN TRAVERS: Is the parliamentary secretary saying that the government has fallen behind with the \$32.8 million capital works program that only late last year it advised it was going to bring forward this year?

Hon HELEN MORTON: We have fallen behind, yes.

Hon KEN TRAVERS: It is interesting, referring to housing, I remember a great fanfare about how the government was going to bring forward the housing expenditure this year. I remember, at the Standing Committee on Estimates and Financial Operations hearing, questioning the head of the housing department and saying that it was impossible, and I was told that it was all going to happen. I note that none of it happened. Again, we are seeing a bit of spin from the government suggesting it is doing something when it is not. I understand that at the time the decision was taken to put the \$37.7 million for increased prisoner numbers in the 2009–10 year there was an additional expenditure across the whole of the forward estimates to the tune of \$157.7 million. That was the decision taken by cabinet at the time. Can the parliamentary secretary confirm that is correct? The advice that the Under Treasurer gave to the estimates committee was that when the additional \$37.7 million was included for prisoner numbers for 2009–10, a total amount of \$157.7 million was put in as additional expenditure across the forward estimates, and that includes the \$37.7 million.

Hon HELEN MORTON: Can Hon Ken Travers indicate whether he is referring to capital only?

Hon KEN TRAVERS: Recurrent. My reading of the advice the Under Treasurer gave to the Standing Committee on Estimates and Financial Operations was that \$157.7 million was factored into the Department of Corrective Services' budget over the forward estimates, which was to deal with the anticipated increase in prisoner numbers and, on top of that, \$48 million was to be put into the 2009–10 and 2010–11 years for an additional 640 demountable beds in an additional prison farm. The capital works component was going to be \$32.8 million this year and I think \$16 million next year. I want to confirm whether that \$157 million was put in across the forward estimates.

Hon HELEN MORTON: I am not 100 per cent certain we are talking about the same information, but the amounts that I think the member is referring to are both capital and recurrent. The capital items were listed in the midyear review in terms of forward estimates, and the recurrent expenditure is around parameter changes.

Hon KEN TRAVERS: I understand that. That \$32 million was to provide 640 demountable beds at existing prisons. What is happening to those prisoners? Where are they being housed if the government is not spending that capital works money this year?

Hon HELEN MORTON: It is not saying that funds are not being spent. They are using existing resources to provide accommodation for those prisoners at the moment, but things have slowed down sufficiently so they have some capacity to undertake the work that has already been committed to.

Hon KEN TRAVERS: What was the projected increase in average daily prisoner population based on?

Hon HELEN MORTON: The prisoner numbers have gone from an average of 3 900 per day to 4 600 a day, which is an average increase of 700 prisoners on a daily basis.

Hon KEN TRAVERS: It was based on a 4 600 average daily prisoner population. My understanding is that the prison population has been operating above that figure since November last year, which would have been the pre-budget cut-off date. I realise that these are averages and that the figure will fluctuate, but my understanding is that the figure has not gone down; it has actually gone up. If it was based on 4 600 prisoners, even operating on the figures at November last year—I think 4 794 prisoners was the muster last year—it would suggest that if there are an extra 200 prisoners, and it is on the model that the parliamentary secretary was talking about earlier, to increase the muster by 700, the government will need \$37 million. To increase the muster by 900, the government will need about \$48 million or something like that—it is another \$10 million-odd. How was the figure of 4 600 arrived at, and does it make any provision for an increase over the full life of this year? When the figure was being calculated into the forward estimates, why was there not an escalation figure in it as well for future years?

Hon HELEN MORTON: It is an average across the entire year. Obviously, being an average, it means that at some point, especially early in the year, it was less than that. Therefore, the escalation can occur, but it is still the average for the whole year.

Hon Ken Travers: If it was already at 4 794 by November —

Hon Ken Travers; Hon Helen Morton; Hon Ljiljana Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon HELEN MORTON: It must have been less than that, though, before that. The average has been worked out based on that figure. However, if it goes over and the average is higher than that for the year and additional funds are required, it will be considered as part of the contingency fund.

Hon KEN TRAVERS: So it is quite possible that that \$37 million will go up again, and this is only a rough estimate.

Hon Helen Morton: No, it is not a rough estimate; it is a very good estimate.

Hon KEN TRAVERS: I am trying to work it out. We were already operating at almost 4 800 prisoners in November last year. Certainly, one of the figures that I saw was 4 794 prisoners, I think, back in November last year. For the midyear review, we calculated 4 600 prisoners. It becomes quite significant, because we are dealing only with a \$51 million surplus at that snapshot in time. Therefore, if the government can save \$10 million here, and if it has \$17 million from the parking levy sitting in a trust account and not being spent, and if it has other amounts of \$10 million here and \$17 million there, the parliamentary secretary can understand why members on this side of the chamber might start to think that the \$51 million is an artificial figure. By cabinet using artificial figures that do not reflect reality, it arrives at a surplus that is not actually there at the time. I accept that it is always about a snapshot in time, but it was not a true reflection of that snapshot in time because we were probably looking at significantly larger increases in prisoner numbers.

I will move on. I think the Leader of the Opposition has already covered Child Protection.

Hon Sue Ellery: No, I haven't.

Hon KEN TRAVERS: I might let Hon Sue Ellery ask some questions, and I wonder whether Hon Sally Talbot wants to do anything on Environment and Conservation also.

Hon Norman Moore: It's quite devastating the way they keep changing the speaker.

Hon SUE ELLERY: I am not sure whether there is anything odd about me standing to ask some questions about Child Protection.

Hon Norman Moore: It's just the odd questions.

Hon SUE ELLERY: I have not asked them yet, so how does the Leader of the House know they are odd?

Hon Norman Moore interjected.

Hon SUE ELLERY: We can keep up this banter and that will extend the debate, but I actually stood to ask —

Hon Norman Moore: You're going to keep talking until you can't talk anymore anyway, so don't take that silly —

Hon SUE ELLERY: Did the Leader of the House and I not have a conversation behind the chair about when this debate might end?

Hon Norman Moore: You just said this month. I thought that was pretty clever.

Hon SUE ELLERY: The Leader of the House knows that is not true.

Hon Norman Moore: Before the end of April; that's what I said.

Hon SUE ELLERY: The honourable leader knows that that is not the full extent of the conversation.

Hon Ken Travers: If that's what he believes, maybe that's what will happen.

The DEPUTY CHAIRMAN (Hon Jon Ford): Order, members! In the few years that I have been in this place, I understand the rules for a Committee of the Whole debate to be that questions are asked of the minister or parliamentary secretary representing the minister at the table of the house. It is not an opportunity for a general conversation between members across the chamber, especially the two leaders who are supposed to be setting an example. If members adhere to the rules of debate, I will be happy.

Hon SUE ELLERY: I refer to the emergency management service, which is not strictly a child protection matter, but is managed by Child Protection. For what were the additional funds sought? It might be something to do with Toodyay, but I am not sure whether that is the case.

Hon HELEN MORTON: The information I have is that the allocation of \$2.2 million in 2009–10 is to enable the Department for Child Protection to continue to provide emergency welfare management services under the Emergency Management Act 2005.

Hon Ken Travers; Hon Helen Morton; Hon Ljiljana Ravlich; Deputy Chairman; Hon Helen Bullock; Hon Sue Ellery; Hon Simon O'Brien

Hon SUE ELLERY: I wonder whether the parliamentary secretary can give any indication of what is new. That is part of what the department has done for a very long time. Does the parliamentary secretary have any information about what is new?

Hon ROBYN McSWEENEY: I can answer that question. It is not actually new money. All the other agencies had five years of funding, but the DCP was funded for only four years. This is its fifth year of funding. It is a one-off payment until the review of all agencies is done. That money is what is owed to the department.

Hon SUE ELLERY: I refer to the high needs placements. What is new about that? I guess I am asking whether there has been a spike in demand. The need for high needs placements is not new. It is relatively constant, unfortunately. Normally that would be factored into the department's budget. Does the parliamentary secretary have any information about what is new in respect of high needs placements?

Hon HELEN MORTON: I probably do not have the information the member is looking for. The information I have is that the allocation of \$7 million in 2009–10 is for the procurement of high needs placements for non-government agencies to meet the costs of unbudgeted and unavoidable fee-for-service placements of high-risk children and young people. A provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process. I suggest that if the member wants specific information about what has caused that, she should direct an appropriate question to the minister.

Hon SUE ELLERY: I refer to the state's contribution to the National Partnership Agreement on Homelessness. Can the parliamentary secretary confirm when that agreement was signed off and whether any of that money has been drawn down?

Hon HELEN MORTON: As at 31 March, none of that money had been drawn down.

Hon SUE ELLERY: I refer to leave liabilities. I might stand corrected, but I think this is the only agency in the schedule provided to us for which leave liabilities appear. It would suggest that something new or different has happened and that is why the agency needs additional funds to meet what is an ongoing cost of employing people.

Hon HELEN MORTON: A review of Department for Child Protection's leave provisions was undertaken and it highlighted a shortfall in the leave provisions over the forward estimates. There was insufficient provision to cover that liability, which has resulted in this additional allocation of \$1 million in 2009–10.

Hon SUE ELLERY: I am not sure whether the parliamentary secretary has this information, but I would like to know whether that is because it had not been built into the previous budget. I am not sure how that would have happened.

Hon HELEN MORTON: It is because an insufficient allocation had been made in the budget.

Hon SUE ELLERY: The other question I have is about the decisions made for residential care funding and what is new. This is the core business of the Department for Child Protection. Although the number of children coming into the department's care is increasing, the department applies the demand model to predict how much money it will need. It was certainly hoped that Treasury would see that set of numbers, given it was involved in creating the demand model, and that the agency would have had enough funds to carry out its core business, which is about providing residential care for children who come into the care of the state. What is new about that? Why do we need to be authorising additional expenditure?

Hon HELEN MORTON: This is one of those items whereby the allocation has been transferred from capital to recurrent. The reason for that is that the items for which the expenditure was meant fall into recurrent expenditure more than capital expenditure. To ensure that the funding sources for the reform of residential care services accurately reflects the purposes to which the funds are to be applied, \$2.864 million in 2009–10 has been transferred from capital funding to recurrent funding, and there is also an offsetting of the capital.

Hon SUE ELLERY: I wonder if I might be so bold as to suggest one of two things. The minister is in the chamber and she might know why money that was allocated to be spent on either purchasing or building properties has effectively been transferred into the recurrent cost of care or to the cost of staff who care for children. Why did that happen? If the minister cannot respond, perhaps the parliamentary secretary might take that question on notice.

Hon ROBYN McSWEENEY: The demand model funding is still being used, but this is the reform of residential care, which was started by the former government. We are selling old residential care units and putting children into new four-bedroom homes, which is a good outcome for the children. This funding is for that purpose.

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Hon Sue Ellery: Is the answer that you are shifting money from capital—that is, to spend on buildings—into recurrent, which is for staff costs and the costs of caring for children? Why did you have to do that? Why are you not spending that money on capital? Why are you spending it on staff or on the cost of caring for children in care? Why did you transfer it from capital to recurrent?

Hon ROBYN McSWEENEY: I will not go through that tonight but I will take the question on notice and get back to the member. I am thinking that I am on one path but I could be on another. I will provide that information to the Leader of the Opposition.

Hon HELEN MORTON: One of the examples of why funding from capital might be moved to recurrent is that instead of building, owning and operating a facility or a house of some sort, someone might decide to go with a non-government organisation and that becomes a recurrent cost rather than a capital cost to be borne by the agency.

Hon SALLY TALBOT: I draw the parliamentary secretary's attention to item 110, which is the Department of Environment and Conservation. As my colleague Hon Ken Travers noted a couple of minutes ago, I have a couple of questions. The parliamentary secretary will notice that the second highest figure in the chart that we have been provided with is \$15.3 million for wildfire suppression. I asked the parliamentary secretary some questions earlier in this debate about the \$11.4 million for the Fire and Emergency Services Authority under that national fire plan. Can the parliamentary secretary give us some idea of what this \$15.3 million is about?

Hon HELEN MORTON: It is estimated that additional funding of \$15.3 million will be required in 2009–10 to provide the Department of Environment and Conservation with additional fire management resources to respond to major bushfires on DEC-owned land, unallocated crown land and in native forests. Provision has been made for this funding in anticipation of the submission being considered as part of the 2010–11 budget process.

Hon SALLY TALBOT: Would the parliamentary secretary be able to give the chamber any indication of why this has happened? What has happened in the nine months between the 2009–10 budget preparation and the need for such a significant amount of money in the midyear review?

Hon HELEN MORTON: I do not have any additional details but it is understood that it was as a result of the agency undertaking a risk assessment of its requirements for the remainder of the financial year. If the member requires some more specific details, we can direct those questions to the minister on her behalf.

Hon SALLY TALBOT: That would be useful. Will the parliamentary secretary come back with a fuller answer in due course? I am particularly interested in whether the Boorabbin fire had any impact in this reassessment. Can that risk analysis be made public? If the parliamentary secretary can take that on board, I would appreciate it.

So that I can put this file down and stop spraying papers all over the place, I move to the item “Brookdale Decommissioning recashflowed”, which is \$2.2 million. There is an explanation at note 1 on page 892 of last year's budget papers, which states —

Expenditure for 2008–09 Estimated Actual is less than 2008–09 Budget —

We are now going back two full financial years —

due mainly to the deferral of \$2.6 million for the decommissioning of the Brookdale Liquid Waste Treatment facility ...

We then find that there is this re-cashflowed item in the schedule. Can the parliamentary secretary give me some idea of how those two things are linked and what is going on here?

Hon HELEN MORTON: The amount of \$2.2 million has been re-cashflowed from 2010–11 as a result of delays experienced in finalising investigations, the risk assessments and the site management plans in relation to the remediation of the Brookdale site. I do not have any more detail related to the previous budget papers.

Hon SALLY TALBOT: That is another matter that I might refer to the Minister for Environment more directly. It seems odd that we are going to continue, presumably every six months—I am trying to avoid using “re-cashflowed” as a verb—deferring this particular payment. I think it is the same amount, because that same note I just referred to in the budget papers refers to another \$4 million that was spent on some other contaminated site deferral.

An offset amount of \$365 000 is categorised as “Fleet Savings”, which is not very much money in relation to the overall amount. I know this does not relate directly to the Department of Environment and Conservation, but I was somewhat perturbed when I went to replace my Prius, which I was told I have now had for just over two years so it needs to be replaced, and I was told I cannot have a Prius anymore because they do not fit within

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the guidelines. That seems quite extraordinary. When I did my own research and looked on the Toyota website, the cash price for a Prius was well within the range.

Hon Giz Watson interjected.

Hon SALLY TALBOT: Yes. The Prius fell well within that price range, but, after making further inquiries, I was told that the Prius was out of our price range now. I am concerned that the government may have done some deal—I am not imputing anything sinister or improper to this—because it seems odd to me that all of a sudden backbench members of Parliament cannot have a Prius. I live in Perth, opposite a DPI licensing centre, and clearly all the DPI work cars are Priuses. Can the parliamentary secretary give us an idea of what this saving is about? Are we taking hybrid cars out of the fleet?

Hon HELEN MORTON: That amount is the 10 per cent reduction in that agency's expenditure on fleet. I do not think it is related to a change in the type of cars that the agency is using. The car that I have been enjoying is about to be turned over too, and I was expecting to replace it with the same sort of vehicle that I have now; I have also been told that it is out of my price range. It seems that, generally, the range of vehicles we can use has been narrowed, and the member is experiencing the same thing as me.

Hon SALLY TALBOT: If the house will indulge me for half a minute, I do have some good news to report: they are allowing me to have a hybrid Camry, which, of course, is Australian made.

Hon Donna Faragher: They're good; I got one last week.

Hon SALLY TALBOT: I am not unhappy about the final outcome; I just wanted to know whether it had anything to do with that offset.

My next question links to my earlier questions in this debate about the low emissions energy development fund; I wish to ask about the grant savings. Can we just, hopefully, allay any suspicion that this is unexpended money because of a lack of applications? Can we have an explanation for that, please?

Hon HELEN MORTON: Unfortunately, as soon as I saw my adviser go for the midyear review, I knew that the answer that I was going to give the member was not what she was looking for. It is a reduction in low emissions energy development funding.

Hon SALLY TALBOT: Is the parliamentary secretary telling me that the \$145 000 in "Grants savings" under the Department of Environment and Conservation appropriation is actually related to the LEED fund?

Hon HELEN MORTON: Yes.

Hon SALLY TALBOT: That is clearly something we will have to pursue elsewhere. I now refer to the Ord native title re-cashflowing of \$1.382 million. In light of some of the rhetoric that has come from the government recently in relation to payments related to native title, I find this a little odd and certainly in need of some explanation.

Hon HELEN MORTON: The \$1.4 million has been re-cashflowed to 2010–11 and is due to the delays experienced in finalising the management plans for the Ord native title project.

Hon SALLY TALBOT: Can I ask the parliamentary secretary where this re-cashflowing has come to rest?

Hon HELEN MORTON: In the next financial year.

Hon SALLY TALBOT: 2010–11?

Hon HELEN MORTON: Yes; in 2010–11.

Hon SALLY TALBOT: I cannot let the opportunity pass to remark on the fact that the biggest figure of all in the DEC appropriation is \$30 million, which is the reinstatement of the appropriation related to the landfill levy. I want to put on record the fact that on this side of the house we think it is most extraordinary—I will not say it has rendered us speechless because that never happens to people on my side of the house—when a minister walks in to this place, under the umbrella of the budget, and announces a change, like the Minister for Environment announced on May 14 last year, that there will be a massive increase in something like the waste levy. Within days, as the whole thing starts to fall apart before our very eyes, she is telling us that it will be fixed up in the midyear review and the Treasurer's advance. Indeed that is what has come to pass. It is far from acceptable. We will be watching very closely.

Hon Donna Faragher: That is what I said would happen. The member did not believe me!

Hon SALLY TALBOT: The minister should be very careful about her interjections on this matter. We had that series of letters tabled here and in the other place that indicated that there was a degree of collaboration going on about the failure of that scheme; that perhaps the government could have been more open and transparent when

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it came to reporting to this house. I do not require a response from the parliamentary secretary. I wanted to place my misgivings on record.

Hon KEN TRAVERS: I want to note that members were making comments yesterday about whether the refurbishment of the Legislative Council was on time or on budget. If we move on to capital works, we can see that we might have been on time but we were not quite on budget. We might discuss that matter later.

I have been trying to go back through my notes. Has the parliamentary secretary previously provided us with information on what the \$67 million comprises in the asset investment program cashflow adjustments for health?

Hon HELEN MORTON: Yes, that information was provided to members in a table.

Hon Ken Travers: I thought so. I just cannot find it.

Hon HELEN MORTON: It was provided in question time by Hon Simon O'Brien in answer to a question without notice of the minister.

Hon KEN TRAVERS: That would explain it and I will take the parliamentary secretary's word for it.

There is one final matter I want to refer to. I would not mind if the parliamentary secretary could indicate how she intends to provide the information, if we were to complete the committee stage today —

Hon Helen Morton: I will table it.

Hon KEN TRAVERS: The parliamentary secretary will table the supplementary information tomorrow as part of the third reading?

Hon Helen Morton: Yes.

Hon KEN TRAVERS: That will be very helpful. My final question is in relationship to the contingency. I find it interesting that it is \$159 million, which actually equates to about one-third of the standing appropriation for the Treasurer's Advance Authorisation Bill. I am intrigued to know, when there was already an additional appropriation which would have been known about, why there is still a contingency which is the equivalent of one per cent of the state budget and one-third of the standing appropriation for the Treasurer's advance.

Hon HELEN MORTON: It is only slightly higher than last year. Last year's contingency was 12 per cent; this year it is 14 per cent. Last year's was actually all used up and it was considered prudent that this small increase be made available should it be required.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.