

PUBLIC SECTOR HUMAN RESOURCES MANAGEMENT — MCGOWAN GOVERNMENT

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.18 pm]: I move —

That this house condemns the McGowan government for its political interference in recruitment and other human resource management processes of the public service.

This is an issue that no doubt we have definitely discussed in various other debates in this house and we will discuss many times in the future. It relates to our public sector. Thirty to 40 years ago, when Western Australia sunk into what is now known as WA Inc, one of the key reasons for that outcome was in fact that there was a deterioration in the assessments and appointments of public servants to the Western Australian public sector. I had the dubious pleasure at that time to be a senior public servant and I saw at first hand political appointees from ministerial offices parachuting into the public sector all around me. It was an explicit planned move by the Burke government to put its people into the public sector. I also saw public servants at the most senior level—directors general and chief executive officers—being replaced over time either because they were perceived to be friendly with the long gone Court government or they were moved on and replaced by people whose key performance indicator was their friendliness to and contacts with the then Labor government. There were many reasons for WA Inc; one was that the public service at the time was not independent enough to give forceful and fearless advice to the government of the day. It was not politically independent of the party and many appointees who were parachuted in did not understand due process of government and, importantly, did not have the technical expertise necessary to advise the government of the day—also, to be honest, they were of lower quality—and history panned out.

During the 1990s, successive governments saw the problem of the politicisation and downgrading of the public service and put in place a raft of changes to various acts to try to avoid that. We had built up a rigorous system for the screening and selection of public servants, and we made sure that processes necessary in the realm of the public service were kept from political interference. It is my great concern that what has happened, although not to the extent of the 1980s, is that this is being unwound by the McGowan government. When the McGowan government came to power, and during the election campaign, it promised to significantly impact the senior executive service, and it had public support to do so. The Labor Party indicated that it would reduce the senior public service—the SES—by 20 per cent. It did not give any reason for that except that it would cut the number of fat cats. The Labor Party went on to state that it would reduce the number of government departments. Fair enough, this is exactly what the Gallop and then Carpenter governments did in the 2000s. Good on it, if it can achieve its claimed efficiencies. But, you know, this is a major change to staffing levels and to the administration of government, and we have not seen a single detailed planning document that details the rationale, reasons, processes and alternatives of how to go about this. All we have, essentially, is press releases—press releases that state that the government is going to get rid of 20 per cent of the SES—50-plus—and that it is going to reduce the number of departments from, I think, 41 departments to 25 departments. We should not go into a wholesale restructure of the public sector with a press release as a rationale.

The problem for the government in the future is that it is in its long-term interest to have a forceful, fearless high-quality public service. To the extent that the government is undermining the public service is on its watch and it will be held accountable for it. The problem we have is that we can see clear signs of political interference in some of the choices of the people who remain running the various departments and in this process. We can see history repeating. I went through this the other day, but let me go through some examples. No department is under greater pressure than the Department for Child Protection and Family Support. The number of children needing protection is growing, and the complexity of that task is growing. The previous government increased the department's budget significantly, to the tune of 80 per cent to 90 per cent, but more is needed. It is an undertaking to try to achieve meeting this rapid growth in demand and to drive efficiencies. We hear the Treasurer go on and on about having to do the tough yards, but a lot of it has been done, and it is in his budget. The Labor government delivering the reforms embedded in the existing budget in child protection is a formidable task. What has it done? The government got rid of the director general, Emma White. She is one of the best performing people. I do not know her very well.

Mr M. McGowan: Who is this?

Dr M.D. NAHAN: Emma White—she is gone.

Speaker; Dr Mike Nahan; Mrs Liza Harvey; Mr Sean L'Estrange; Mr Peter Katsambanis; Ms Mia Davies; Mrs Michelle Roberts; Mr Bill Johnston; Mr Mark McGowan

Another area of significant pressure is, of course, the Department of Corrective Services. We hear it from the minister. We saw the fiscal challenge in the release by Treasury in April of this year. The most challenging fiscal challenge was child protection, and the McGowan government got rid of the director general of that department. The second was corrective services, and the first thing the McGowan government did was to get rid of James McMahan, who is the former head of the Special Air Service.

Ms S.F. McGurk: What are you talking about? We had nothing to do with it!

Dr M.D. NAHAN: He exits. Now, government members pretend that they had nothing to do with this. They just had a discussion, even though he had a long time to go to his contract ending and was really committed to reforming this place. It was just a coincidence. The minister and he had a discussion and he decided to go towards other challenges. He will pursue other challenges. Make no bones about it, the government should have fought to keep that man in that position, but it did not.

Of course, we also saw the experience at the Perth Children's Hospital and Princess Margaret Hospital for Children the other day. As the director general of Health says, we are going through an inordinate period of change for all staff across the Western Australian health system. We are in the middle of massive changes because of the reconfiguration of the hospital, the building of new hospitals and the changing of personnel and their allocation across the board. Right at the apex is the preparation to move from the old children's hospital to the new Perth Children's Hospital. What has the government done? It threw the person in charge of the Child and Adolescent Health Service under a bus. The government blamed him—he goes.

Mr W.J. Johnston: No, we blame you.

Dr M.D. NAHAN: No, the government blamed him. The government threw him under a bus. This is really the crucial part of the reform of our Child and Adolescent Health Service, and the government got rid of the person who over a number of years has been guiding and leading that service. What was he doing? He was following longstanding government policy to implement the move to the new hospital and implement the Reid review. The government threw him under a bus. What does that say to every public servant? Do not do the reform, because the government will throw you under a bus and blame you. A talented man was thrown under a bus, and reform will stop. I might add that the government inherited a budget—the government talks a lot about the things it is doing, most of which I see as increasing charges and fees—that had embedded over four years \$4 million of efficiencies. The government had to follow our process to achieve those efficiencies, and it is throwing out its senior public servants.

Another area of major reform that we hear about is electricity. Again, Ray Challen was not fired; he just saw the writing on the wall, how it would operate, and is exiting, I think, this week. Ruth Shean was head of TAFE, and there have been a lot of reforms in TAFE. We initiated the reforms, but they had to be bedded down—they are gone. Ron Chalmers, head of the Disability Services Commission, has gone. Again, this is an area in which the government is trying to decide whether to go to the National Disability Insurance Scheme or what it is going to do: stay with and develop the state-based system or go to the federal system.

Dr A.D. Buti: He resigned.

Dr M.D. NAHAN: He resigned and it had nothing to do with the government; these are all coincidences. Mass resignations everywhere are just in the air. Yeah, right. Paul Andrew was at Lotterywest. Last week I asked the Premier whether the government tried to force or to induce him to allocate Lotterywest money for its political promises. The Premier's response was, "Well, you did it", which implies that it is doing it, and that is why he left. Jason Banks, head of the Department of Environment Regulation, has gone. Mr Sharp from the Department of Parks and Wildlife has gone. This is not coincidence; this is a process by which the government is not only threatening to fire 20 per cent of the SES but also to change the number of departments. The Premier said that these people are leaving because it is that time of the year and the government wants to do something different. These are clear signs of a government trying to gain inordinate control over the public sector, trying to influence and to get people in there who will not provide it with forceful and fearless advice, and who do not know due process. We are seeing it in the case of the Commissioner of Main Roads and the police, and we are going to see more and more of this. We are going to see the process of government grind to a halt or, worse, go off on a dangerous path.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [3.30 pm]: I rise to support this motion. To pick up on some of the comments that the Leader of the Opposition has made, I would also like to talk about the departure of Paul Andrew, CEO of Lotterywest, because I take great umbrage at the way this matter has been dealt with. Mr Andrew left a perfectly good job to take up a position with Lotterywest.

Several members interjected.

The SPEAKER: Members!

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Mrs L.M. HARVEY: He had a five-year contract. The rumour, and we have not been able to have this confirmed, in the media is that the state government —

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water, I call you to order for the first time.

Mrs L.M. HARVEY: I will read from an article written by Sean Smith published in *The West Australian* on 18 June. It states —

The State Government and the Public Sector Commission are playing secret squirrels over the sudden departure of Lotterywest boss Paul Andrew.

...

One line of speculation is that Andrew fell foul of the Government after refusing it Lotterywest cash to fund some small community election promises.

We will probably never know why Mr Andrew left. Paul Andrew is a very professional individual.

The SPEAKER: Through the Chair.

Mrs L.M. HARVEY: I expect he will not be commenting on this matter and perhaps he is being denied the opportunity to comment as part of the terms of his departure. However, I was particularly irritated by Mr Andrew being drawn as some kind of fat government bureaucrat who is getting an oversized payout. Mr Andrew had a contract; it was a five-year contract. He left a perfectly good job thinking that he had a job for the next five years, and because he would not kowtow to the demands of this government in respect of the integrity and independence of the Lotterywest fund —

Several members interjected.

Mrs L.M. HARVEY: That is what is being alluded to in the media for whatever reason.

Several members interjected.

The SPEAKER: Members.

Mrs L.M. HARVEY: As the media said at the time, in a vacuum of explanation, rumours abound, so that is all we can run with on this particular issue. Mr Andrew, like every other individual employed on a contract in this state, has a compensation requirement should the contract be finished early.

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water.

Mrs L.M. HARVEY: That is just like every individual in the private sector. If the contract gets terminated, compensation is paid, and that is the only thing that has happened here. This was not an excessive payout for a fat government bureaucrat or whatever terminology was used at the time; it was adequate and appropriate compensation for someone whose contract had been terminated. He thought he had a job for five years, but he did not; he has gone. The Premier tried to justify that departure, and interference in the decision-making of Lotterywest about grants, by saying that the Liberal Party did it when it was in government, and he was referring to the Vasse by-election. They are very, very different things. In the Vasse by-election —

Several members interjected.

Mrs L.M. HARVEY: Members might like to listen and learn something.

During the Vasse by-election Lotterywest had gone through an independent process of allocating funds to a project for the City of Busselton. It was a \$2.1 million grant that went to the City of Busselton, and the only thing that happened during the Vasse by-election was that the former Premier decided to make the announcement with the now member for Vasse. There was no influence on the decision of Lotterywest to make a grant to the City of Busselton.

Several members interjected.

The SPEAKER: Members, you have an opportunity to get up and talk on this. I do not want members on either side of the house interjecting while the Deputy Leader of the Opposition is on her feet.

Mrs L.M. HARVEY: There was no influence over the decision of Lotterywest to allocate that \$2.1 million towards the project of the City of Busselton.

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water!

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Mrs L.M. HARVEY: The only unusual decision was that the Premier decided to make the announcement about the \$2.1 million grant—that is it. The independence of the decision of the Lotterywest board to award that grant was not interfered with politically by the then Premier or any other member of the government at the time; it was only the decision around the announcement. They are two very different things and the now Premier has basically said, “You did it, so we’re going to do it”, but we did not do that. We did not influence the Lotterywest grants process. We made sure that the independence of those grants was able to be assessed by Lotterywest because that money belongs to the community of Western Australia. It is not a private slush fund for the Premier to fund election commitments that he did not have a plan to pay for. That is not what Lotterywest is about and that is why we believe Paul Andrew, the CEO of Lotterywest, had to part ways with the government.

Then we look at the case of Dr Ruth Shean. Dr Ruth Shean has been a career public servant working both flavours of government for many, many years. She has an impeccable record. She has a very strong personality and is a very intelligent person. She is a person of very high calibre—a career public servant. My belief, and my understanding of the scuttlebutt that has been put to me by people in the Department of Training, is that the director general left because the minister felt intimidated by her breadth and depth of knowledge—“Out you go, Dr Ruth Shean. We cannot have someone running the agency who knows more than the minister, so off you go; find another job.”

The conga line continues with Kim Papalia. Why has the Road Safety Commissioner left? We do not know; the Premier refused to answer questions. The rumour—we can only have rumour and innuendo in this vacuum of information from the government about the conga line of public servants marching out the door—was that he was refusing to release briefing notes of the former government.

The SPEAKER: Member, talk through the Chair. You do not talk to the back, you talk through the Chair. It is better for Hansard and better for us to hear what you are saying.

Mrs L.M. HARVEY: The government is silent about why Mr Papalia is being marched off along with the rest of the directors general, but the rumour is that he was refusing to release briefing notes of the former government to cabinet—this is only a rumour; we have not confirmed it, so I want Hansard to record that it is—and that he wanted to seek legal advice before releasing some documentation. That was unacceptable, so the Premier’s former chief of staff, Darren Foster, now the director of the Department of the Premier and Cabinet, asked Mr Papalia to leave. That is the rumour. The government is silent about why Mr Papalia has left. Apparently it was another mutually convenient arrangement, another mutually convenient set of circumstances, for a senior public servant to be marched out of the sector.

Then we have the debacle of the appointment process for the Commissioner of Police—unbelievable. Why has every single police officer who I have spoken to told me that there were six interviewees shortlisted out of this selection process? It then changed to 10, so now there are 10 people being interviewed. The story is that the member for Burns Beach takes credit for this.

Mr M.J. Folkard interjected.

Mrs L.M. HARVEY: I will take the interjection from the member for Burns Beach. Did the member’s lobbying succeed in allowing the number of interviewees to grow from six to 10?

The SPEAKER: Member, this is the last time I am going to warn you about talking through the Chair; I will sit you down.

Point of Order

Mr S.K. L’ESTRANGE: The member for Burns Beach interjected and the member on her feet accepted the point of interjection.

The SPEAKER: That is not a point of order, and I am very close to calling you to order. I made the decision. I have told the member twice now to talk through the Chair. When she has her back to the Chair, Hansard cannot hear, and we cannot hear when there is a point of order about it. I will ask the member for Scarborough again, and I think you should take note of that too.

Debate Resumed

Mrs L.M. HARVEY: We have heard through the media that the member for Burns Beach has been taking credit for the fact that he has managed to get his mate, a former colleague, an interview for the position of Commissioner of Police. Good heavens! All we know—the Premier and the Minister for Police have failed to answer questions about this—is that Mr Keelty suddenly had a diary conflict. Whenever I have been involved in selection processes for directors general, a panel has been convened and during that process a timetable is settled on. Individuals on the panel were advised we would be holding interviews over a couple of days. Mr Keelty apparently had a diary conflict; we do not know why. The rumour, which the government will not confirm, is

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that six of those candidates were short-listed for interview and, on the direction of somebody, it has now been expanded to 10 candidates. I cast no dispersions on the independence of the Public Sector Commissioner —

Mrs M.H. Roberts: Nasturtiums!

Mrs L.M. HARVEY: The minister cannot hear me, because I am speaking directly to the Chair.

The problem the opposition has is that the member for Burns Beach has said, “Yes, I interfered in this process because I wanted my mate with an impeccable CV to get an interview”, and all of a sudden someone steps down from the panel and senior officers and police are saying that now 10 people will be interviewed, when previously we were advised there would be six. The government is silent on this. Our questions were not answered today by either the Premier or the Minister for Police. That goes to the heart of accountability. This government is shamelessly politicising the public sector with the appointment process; it is removing people whom it perceives not to be willing to kowtow to its demands. That has serious ramifications for the future of the state. We are demanding the gold-standard transparency that the Premier promised. That is what we will demand. The Premier promised gold-standard transparency. That is not what is being delivered here. What is being delivered here is a bunch of senior, competent individuals with terrific reputations being marched out the door because it does not suit the government. God help any public servant wanting to provide frank and fearless advice to this mob! Frank and fearless advice will get them marched out the door; and if they get a compensation package, they will have their name dragged through the paper as some kind of bureaucrat who does not deserve to have the terms of their contract honoured. It is disgraceful.

The SPEAKER: Minister for Police—sorry, member for Hillarys!

MR P.A. KATSAMBANIS (Hillarys) [3.46 pm]: I did not know what was happening there, Mr Speaker.

The SPEAKER: It ain't going to happen!

Mr P.A. KATSAMBANIS: I rise to speak on this motion, which is a very important motion. The public of Western Australia demands and expects that its public servants will be independent and give frank and fearless advice to the government of the day. Unfortunately, in this state, we have had experiences in which that has not always been the case, and that is why the public takes extra interest when it sees senior public servants dropping like flies. That is what is happening in the early term of this government. When it comes to senior public servants, there can be no-one more senior than the Commissioner of Police, a person charged with running the police force and having the confidence of the entire community that that person is absolutely independent and making decisions that are in the best interests of Western Australians, not in the best interests of the government of the day. This Minister for Police and this government knew that they needed to appoint a police commissioner on the day that they were elected to government—on the day they were sworn in. In fact, this minister had mentioned as far back as February 2016 that if she came to power, she would sack the current police commissioner.

Mrs M.H. Roberts: That's not what I said.

Mr P.A. KATSAMBANIS: In WAtoday on 12 February 2016, the headline says that Labor will sack the top cop if it wins. That was the headline in WAtoday. The minister protested today, but on 11 March she knew that the Commissioner of Police's contract terminated on 11 August and that she would have to get a hurry on. She did not get a hurry on. Eventually, we will go through a process. The process has started. Senior people get appointed to a panel. They take on the job in good faith, and what happens? We woke up on Saturday morning to news from Gary Adshead, state political editor of *The West Australian*, with a headline “*Hunt for WA's new top cop comes to abrupt halt*”. We have the scenario that a member of the government, the member for Burns Beach, stated in the paper that he had concerns about the process and had spoken to the Premier—the Premier confirmed that today—and that he thought someone he considered to be an appropriate person to be a police commissioner had not got an interview. On the same day, we find out that one of Australia's leading law enforcement officials, Mick Keelty—former Australian federal police commissioner, the inaugural Australian Crime Commission chairman, a man with impeccable credentials, a man who led the country's response to the Bali bombings and many other things—has decided to step away from the panel, and the only glib explanation we get from the Premier is that there was a diary conflict. Today the Premier comes in and says that a person was overseas and a few people were here and it is really hard to coordinate four or five people to get together and get their diaries working to hold interviews—in 2017! People manage diary conflicts all the time; people manage them in many ways. I wonder how the Premier's cabinet gets to meet if they cannot get 17 people in a room, because it is all too hard! It is not too hard. It is just that this government has clouded the process. Do not take it from me. Do not take it from the opposition. The Western Australian Police Union of Workers' president, George Tilbury, has commented that there is a cloud over the whole process. The police union has called for the process to be

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stopped and to start it again. In fact, Mr Tilbury has gone further and suggested that the Corruption and Crime Commission take a significant interest in this. I am sure it will do so in due course.

I do not have enough time today to go through the other disasters this government has had with senior public servants in just a few months. Today we woke up to the Road Safety Commissioner walking away from his position, despite the Premier a couple of months ago guaranteeing that the commission was going to continue to run. This government has already set the bar extraordinarily low on standards in the public sector. The public of Western Australia is watching. It is watching with great interest. It is time the government lifted its game. It can start by restarting the police commissioner process from scratch.

MS M.J. DAVIES (Central Wheatbelt — Leader of the National Party) [3.47 pm]: I rise very briefly to speak in support of the motion. There has been more than enough material presented today to raise concerns and for the people of Western Australia to question this government's claim that it is going to bring a gold standard of transparency and open government. That is what this government promises, but its actions have been far from it in the first five sitting weeks of this Parliament and its first three months as a new government. Many senior, experienced members of the public service have been shown the door. That is exactly what has happened here. Let us not dress it up. In their place, clearly there are people who have been put there to make sure that this government is not accountable and there is no requirement for frank and fearless advice. I have had the pleasure of working with a number of those people —

Mr D.J. Kelly interjected.

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

Ms M.J. DAVIES: A number of those people are no longer with us and the public service is worse for having them walk out the door—Ruth Shean, in particular.

It is very disappointing to see this cloud that has been cast over one of the most important roles in government—the Commissioner of Police. The police commissioner provides leadership to the troops, administration of Western Australia Police and frank and fearless advice to government on resourcing and management, and is the spokesperson for the police, the person whom the community looks to for assurance that the police service provides it with the service it expects. It was incredibly surprising to me that, since coming to government, this government and ministers have not shied from fronting the media on the things they wish to get across, yet yesterday, when there were numerous articles over the weekend and the minister had made some comments—I presume to journalists through the government's media office—they were nowhere to be seen prior to cabinet meeting. We did not see them until after cabinet met, when they got their stories straight about what they were planning on doing. That is hardly open and accountable government.

MRS M.H. ROBERTS (Midland — Minister for Police) [3.49 pm]: Is it not interesting that those opposite, particularly the Leader and Deputy Leader of the Opposition, want to judge people, I think, by their own standards. The embarrassing speech given by the Deputy Premier —

Mr A. Krsticevic: Deputy Leader of the Opposition.

Mrs M.H. ROBERTS: Sorry; Deputy Leader of the Opposition.

— hardly warrants the position she holds in this house.

Several members interjected.

The SPEAKER: Members! We all make mistakes.

Mrs M.H. ROBERTS: There was innuendo, rumour and scuttlebutt. She did not even try to disguise it; she came in here with a whole bunch of half-baked scuttlebutt, which serves to undermine the public service of this state. She could not pronounce the word “aspersions”. She said “dispersions”. I thought she said “nasturtiums”, but she tried to say that she was not casting aspersions on the Public Sector Commissioner. However, I am afraid she has. What is telling here is that, with the exception of the member for Warren–Blackwood, no other members of the Barnett ministry, other than the former Premier, are left. Maybe they do not know the history of the Public Sector Commissioner and his role. Certainly, a lot of new people are sitting opposite—people who have not had that senior role. Someone like the member for Cottesloe knows exactly what he said in 2008. He was reported in the press on 30 September 2008 as follows —

Western Australia's new Liberal–Nationals government has held its first cabinet meeting, deciding to create a Public Sector Commissioner to restore “integrity” to the public service.

Premier Colin Barnett emerged from the meeting on Tuesday to announce the Department of Premier and Cabinet (DPC) would be split into two.

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Mr Barnett said there was a conflict of interest when the premier's department also had oversight for the public sector.

He said those responsibilities would be carved off into a new Public Sector Commission, headed by a Public Sector Commissioner.

"The reason for doing that is to do all that is possible to restore the independence, professionalism and integrity of WA's public service," Mr Barnett told reporters.

That is instructive. In doing so, the former Premier appointed Mr Mal Wauchope to the position of Public Sector Commissioner. I gather he must have been reappointed at least a couple of times. Hon Colin Barnett put out a statement on 10 November 2015, which states —

Mal Wauchope to head Public Sector Commission for a further five years

Premier Colin Barnett today announced the reappointment of Mal Wauchope as Public Sector Commissioner for a five-year term starting on December 1, 2015.

This year, of course, Mr Wauchope was recognised in the Queen's Birthday honours list with an Order of Australia in recognition of his 44 years of service in the public sector. I note that during that time he has worked for 11 Premiers. He said at the time he got the honour that he takes pride in having led major reforms for both sides of Parliament. I note that he is now the one overseeing the slimming down of government from 41 to just 25 departments. I have every confidence in Mr Wauchope. This Parliament should have every confidence in Mr Wauchope.

Several members interjected.

The SPEAKER: Member for South Perth!

Mrs M.H. ROBERTS: That is why I have consulted Mr Wauchope every step of the way. That is why, in March this year, I set up a meeting with Mr Wauchope to talk about getting on with the job of appointing a new police commissioner. That is not fast enough for the member for Hillarys, who thinks we could have or should have moved faster. We did not get a "hurry on" as he described it. The fact is I was more concerned about following proper process than getting a hurry on. Under the Police Act —

Several members interjected.

The SPEAKER: Members!

Mrs M.H. ROBERTS: Under the Police Act, it is up to the minister to recommend —

Mr P.A. Katsambanis interjected.

The SPEAKER: Member for Hillarys, I call you to order for the second time!

Mrs M.H. ROBERTS: It is up to the minister to recommend an appointment to cabinet and for cabinet in turn to recommend to the Governor.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the second time! I am getting used to you.

Mrs M.H. ROBERTS: Just as I did in 2004, I sought to set up an independent process. That was not the track record for the appointment of police commissioners before that time, but I thought it was appropriate there be a proper process. The process I have sought to undertake this time is exactly the process I utilised when Karl O'Callaghan was appointed in 2004.

Mr A. Krsticevic: Not everyone agrees with it.

The SPEAKER: Member for Carine, it is not a running commentary, but I call you to order for the first time!

Mrs M.H. ROBERTS: I note the member for Carine said that not everyone agrees with that process but I believe it to have been a proper process. In 2004 it delivered us an excellent outcome. In a very similar process, recommendations were made and I believe three final candidates were submitted and information about those three was submitted to me from which I made a recommendation to cabinet for the appointment of Karl O'Callaghan. That must not have been too bad a process or choice because not only did the former Labor government reappoint Karl O'Callaghan as commissioner, but also I believe those sitting opposite—the Liberal–National government—reappointed him a couple more times.

It is interesting that we heard nonsense from the Leader of the Opposition in his opening remarks that he is worried that history might repeat itself and he "could see these things happening". If history repeats itself in the

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appointment of the police commissioner, we may well appoint someone who is truly excellent, who will get reappointed by our government and in the future may be reappointed by a government of another colour. It is a complete nonsense for the opposition leader to say that history might repeat itself. The fact is that proper process was followed in 2004 and proper process has been followed this time. Interestingly enough, pursuant to section 90 of the Corruption, Crime and Misconduct Act, I advised Mr McKechnie in a meeting I had with him in March that I would certainly ensure that potential candidates for appointments be forwarded to him for assessment. I did that because I think it is appropriate that the community have confidence in the person chosen and that all probity matters are covered.

There is, of course, risk in the opposition trying to undermine the recruitment process. We have heard from the member for Hillarys that perhaps the process should be stopped or overseen by the CCC. The process has effectively been run by the independent Public Sector Commissioner. I have no issue with the CCC overseeing it but I think that would be a nonsense. The government would not normally outline how many applications have been received for a position, but because of the controversy, I have felt obliged to point out that there were 11 candidates and 10 met the criteria. People opposite might think that this should be some kind of media show—a bit like *Australia's Got Talent* or some beauty contest or reality TV show—in which everybody can have a little vote on who they think should be the next Commissioner of Police. I do not think that that is helpful. As the opposition seeks more and more detail, to my way of thinking, that undermines the whole process. I think the opposition should have some confidence in Mr Wauchope. Maybe next the opposition will want to know the exact dates of the interviews and who is being interviewed and maybe where they are being interviewed and so forth.

I will tell members about what happened in New South Wales with the interviews for the position of Commissioner of Police there. It was most unfortunate, and I do not think we want to see it repeated here in Western Australia. Media in New South Wales were tipped off about the date, the times and the venue for the interviews for Commissioner of Police in New South Wales. Media were lying in wait with cameras on, putting microphones in the faces of candidates applying for the position. As candidates exited the interviews, there was a running commentary on how they looked or whatever. Someone came out looking really happy, and someone else came out very stern-faced. The media did a running commentary on how the interviews for Commissioner of Police in New South Wales were going. I do not think that that best fits the position. I would not like to see that in Western Australia. We need to follow a proper and accepted process.

I urge members opposite not to participate in a media frenzy about who we think are the final 10, with little profiles on each of them. That is the kind of nonsense the opposition is getting into. This is not a popularity contest. We have heard from the Public Sector Commissioner that there has been no political interference. He has made his decisions without fear or favour. This is a proper process being overseen by the commissioner. In due course, I will expect to get a report from the Public Sector Commissioner on how the interviews have gone. From that, as is the right of any government, we will make a choice of the next Commissioner of Police in Western Australia. I say here that we have history. We did not make any kind of political choice last time, and I certainly will not be making a political choice this time. I will endeavour to recommend to cabinet the person I believe, based on the information provided to me by the Public Sector Commissioner, will best serve the community of Western Australia.

I urge members opposite not to deal in scuttlebutt or innuendo. Many people have an opinion on who they think should be appointed. They are on every side, and they are throughout the community. Everybody is entitled to an opinion.

Mr C.J. Barnett: Not in the selection process.

Mrs M.H. ROBERTS: I have certainly not sought to influence the Public Sector Commissioner in any way, if that is what the member for Cottesloe is suggesting. I have certainly not raised anything in connection with the member for Burns Beach, or anyone else in the community, with the Public Sector Commissioner. I have not promoted a candidate or suggested that someone is in favour or not. It is just a nonsense. The fact of the matter is that it is not me running the process; it is the Public Sector Commissioner, running a proper and independent process. I urge members to allow him to get on with the job without fear or favour. As I said in question time, many people have expressed a view to me. I have been around and I have witnessed what has gone on over the appointment of a number of Commissioners of Police over the years, and there is a period of instability in the lead-up to the appointment of a Commissioner of Police, as people within the police force push their favoured person and attempt to undermine others.

Mrs L.M. Harvey: That's to get rid of them, isn't it, like Barry Matthews?

Mrs M.H. ROBERTS: We have an interjection from the member for Scarborough about Barry Matthews. Does the member know what occurred with Barry Matthews? Does she know that the former member for Albany, Hon Kevin Prince, decided to fly to New Zealand and meet with Barry Matthews himself before he made

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a recommendation to cabinet? Does she know what process was followed then and what occurred? Perhaps she should educate herself about those matters before making ignorant comments and spurious allegations.

In the time left available to me, I want to refer to the matter of Mr Kim Papalia, Road Safety Commissioner. I am disgusted with the comments from members opposite suggesting that he has been “marched out”. That is so far from the truth.

Dr M.D. Nahan: He has been paid out.

Mrs M.H. ROBERTS: The Leader of the Opposition is saying that he has been paid out. He has misled Parliament yet again. As far as I am aware, there is no proposal to pay out Mr Kim Papalia. I say earnestly that I had anticipated that Mr Papalia would continue in that role, and continue to be Road Safety Commissioner, and that we would continue to have a Road Safety Commission. With the machinery of government changes, he has chosen—his choice, some time ago—not to continue in that role under the changed arrangements. I respect his choice. No pressure has been put on Mr Papalia. My belief was that we were working well together and that he would continue in the role. Indeed, I made the comment on radio some time ago that that is what I would anticipate. I have been advised by the Public Sector Commissioner that that is not the case, that Mr Papalia has gone on leave, and that when he returns from leave he will be taking up other duties with the Public Sector Commissioner’s office. I do not have further detail about that role, but I understand that there will be a role for him there, on his current salary arrangement, and he has made that choice. Given that he has made that choice, the Public Sector Commissioner has liaised with the acting Commissioner of Police on the secondment of someone with suitable expertise to the role of Road Safety Commissioner. It is very important that we continue to have someone to progress the Towards Zero strategy, and I am delighted to announce that Mr Iain Cameron, who is currently at the Department of Transport, has been identified for secondment. He is someone with a national and international reputation in road safety, and I welcome him taking up that position.

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [4.09 pm]: It is always a joy to respond to these debates, because, once again, no allegation of impropriety has been levelled against the incoming government by the opposition. It is very hard to respond to allegations when they are not made. Again, I make the point that, despite the content of the matter of public interest, never once did any member of the opposition, or any member of the National Party, outline any allegation of improper conduct by any member of the government. What are we supposed to respond to?

As we all know, Mr Wauchope, the Public Sector Commissioner, is the best man for the job. He was the best man for the job during the term of the former government. He holds that office now, and he is appointed until the date that the member for Midland spoke about. He is overseeing the procedures of appointing people such as directors general in the public service, just as he did during the time of the former government. I make the point that it is a bit rich for the Leader of the Opposition to move this motion. I draw attention to the appointment of Mike Goddard as a director of Synergy on 1 July 2013. That person was thanked by the Leader of the Opposition in his inaugural speech. He says —

Mike Goddard, for his friendship and time;

And then the Leader of the Opposition appointed him on 25 July 2015 to the board of Synergy.

Dr M.D. Nahan: Who recommended it? Synergy.

Mr W.J. JOHNSTON: So that was at that point of time. Let us understand what happened then. The board was reduced to two people. It was iniquitous. The then Treasurer changed the law and then ignored the law that he had changed to appoint one of his friends on the recommendation of Mark Chatfield.

Dr M.D. Nahan: He was already on the board.

Mr W.J. JOHNSTON: Yes, Mark Chatfield was already on the board with one friend and then it recommended the then Treasurer’s friend! What a shock!

Dr M.D. Nahan: He was already on the board. You are misleading Parliament and you know it.

Mr W.J. JOHNSTON: He was appointed on 1 July 2013. I just looked up your media release before I spoke.

I go on and make a point that there is a suggestion of some ministerial involvement in directors general position appointments. I will read from the transcript of evidence of Mr Wauchope regarding the appointment of Tim Marney as the Mental Health Commissioner. Mr Wauchope said —

As I said, it would probably be fair to say that that was initiated by the minister. Both the Minister for Mental Health and the Treasurer were consulted. The consultation with the Treasurer was a bit more complicated because he was overseas at the time. It was undertaken —

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Get a load of this —

through the Premier's office to the Treasurer's chief of staff and confirmed that the Treasurer was comfortable with the proposed arrangements.

Let us understand what Mr Wauchope explained about the appointment of Tim Marney as Mental Health Commissioner. He said that the suggestion to put him in the job came from the Liberal Minister for Mental Health, and the consultation was not done by the Public Sector Commissioner, but rather by the Premier's office. That is exactly what Mr Wauchope said on 12 March 2014.

Dr M.D. Nahan: Because he asked to leave and go to mental health and you know it. He asked to leave Treasury.

Mr W.J. JOHNSTON: Yes, but what was the selection process? This is what Mr Wauchope said about the selection process —

No, there was not a selection process in place.

That is what happened. There was a direct appointment by a minister to the job of the Mental Health Commissioner with the involvement of the Premier's office. There was not consultation through the Public Sector Commissioner.

Several members interjected.

The ACTING SPEAKER (Mr T.J. Healy): Members! Minister, I ask that you direct your comments through the Chair.

Mr W.J. JOHNSTON: There was no application by any person to fill the job. The minister decided it. I asked a question of Mr Wauchope. I said —

So, the minister formed the view that he was not the right person to take it further?

This is in respect of getting rid of the previous occupant of the job —

Mr Wauchope: Yes, that is correct.

Mr W.J. JOHNSTON: And she communicated that to you?

Mr Wauchope: Yes.

Let us understand that there was no vacancy in the office of the Mental Health Commissioner. The minister decided and told the Public Sector Commissioner to get rid of the occupant of the job, and then the minister told the Public Sector Commissioner to give the job, without a selection procedure, to Tim Marney. Part of the consultation process was not done by the Public Sector Commissioner; it was done by the office of the Premier. And members opposite want to come in here and lecture us about political interference—what a joke! The best man for the job is running the public sector selection procedures in Western Australia, and that is Mr Wauchope. As the former Premier says, he is the best man for the job.

Several members interjected.

Mr W.J. JOHNSTON: Is that right, member for Cottesloe? He is the best man for the job.

Mr C.J. Barnett: There was no occupant in that position. It was a transfer to a new position. There was no occupant as you accuse us of. No-one was got rid of because there was no occupant.

Mr W.J. JOHNSTON: No, you are fabricating this. The evidence is that the minister went to the Public Sector Commissioner and said, "Get rid of this guy and then appoint Mr Marney." That is exactly what happened. Of course there was no occupant because the minister told him to give him the flick—and who coordinated it?

Several members interjected.

The ACTING SPEAKER: Members! Member for Cottesloe!

Mr W.J. JOHNSTON: Guess what? The person who is overseeing and controlling the appointments of directors general for this government is the best man for the job—Mr Wauchope.

MR M. MCGOWAN (Rockingham — Premier) [4.16 pm]: The opposition's performance then was just a bunch of slur and innuendo, exemplified by the Deputy Leader of the Opposition, who stood and half-quoted newspaper articles and used suppositions by some journalists around the place as evidence for her allegations. As I indicated during question time in the substantive matter I think the opposition is raising, which is about the Commissioner of Police, we took the advice and I spoke to the Public Sector Commissioner personally on Saturday about that matter. As people know, the process is under the Police Act and is run by the Minister for Police. She has sought the assistance of the Public Sector Commissioner to run the process, and the Public Sector

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Commissioner, Mr Wauchope, a person of some 30 or 40 years standing in the public sector, has advised me that the process is completely above board. In raising the arguments that the opposition is raising, all it is seeking to do is to impugn the reputation of Mr Wauchope.

Mr C.J. Barnett: It's pronounced Wauchope. Get his name right.

Several members interjected.

Mr M. McGOWAN: All right. It is pronounced Mr Wauchope.

Mr C.J. Barnett: That's correct.

Mr M. McGOWAN: I thank the member for his advice. If I can hand some back to you; it is Mr Papalia.

I sought the advice from Mr Wauchope, who is running the process, and I have every confidence in his capacity to do so, and the advice that he has given me is that the process is entirely above board.

In relation to some of the other issues raised, people leave the public sector. A new government has come in and the new government has a plan to reform the public sector to create larger and more robust agencies, rather than smaller and more fragile agencies. We have a plan to have stronger, more robust departments that fit together more sensibly than they did before.

Dr M.D. Nahan: Where's your study? How was it put together?

Mr M. McGOWAN: Leader of the Opposition, we are people of action and make decisions. Did you hear the interjection, Mr Acting Speaker? "Where's your study?" Does that not say it all about the Leader of the Opposition? We are people of action and we make decisions. That happens every day of the week. I think members can see where this one is going. We were elected to make decisions, not delays, and we are determined to keep doing that. We have made decisions about the structure of government. That means that at times some people are not happy. Some people are promoted over other people. That is what occurs in the public sector. That occurs in every field of endeavour; in business, in politics, in government, that occurs. Some people get promoted over others and therefore some people feel aggrieved. Perhaps they want to go off and do further study; perhaps they want to look for other opportunities; perhaps they want to take a break before they come back. That is individual choice.

Dr M.D. Nahan interjected.

Mr M. McGOWAN: That is individual choice, my friend.

I think individual choice is a good thing. People can make these individual choices. In reforming government, obviously sometimes people are bruised and unhappy. But the thing about our government is we are going to make decisions. We will continue to make Western Australia a stronger place. We will continue to make our state fairer. We will continue to make government robust. We are not afraid to do what is right on behalf of the people of this state.

Division

Question put and a division taken, the Acting Speaker (Mr T.J. Healy) casting his vote with the noes, with the following result —

Ayes (16)

Mr C.J. Barnett
Ms M.J. Davies
Mrs L.M. Harvey
Mr P. Katsambanis

Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love

Mr W.R. Marmion
Mr J.E. McGrath
Dr M.D. Nahan
Mr D.C. Nalder

Mr K. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Extract from Hansard
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Noes (38)

Ms L.L. Baker	Mr W.J. Johnston	Mr S.J. Price	Mr C.J. Tallentire
Dr A.D. Buti	Mr D.J. Kelly	Mr D.T. Punch	Mr D.A. Templeman
Mr J.N. Carey	Mr F.M. Logan	Mr J.R. Quigley	Mr P.C. Tinley
Mr R.H. Cook	Mr M. McGowan	Ms M.M. Quirk	Mr B. Urban
Ms J. Farrer	Ms S.F. McGurk	Mrs M.H. Roberts	Mr R.R. Whitby
Mr M.J. Folkard	Mr K.J.J. Michel	Ms C.M. Rowe	Ms S.E. Winton
Ms J.M. Freeman	Mr S.A. Millman	Ms R. Saffioti	Mr B.S. Wyatt
Ms E. Hamilton	Mr Y. Mubarakai	Ms A. Sanderson	Mr D.R. Michael (<i>Teller</i>)
Mr T.J. Healy	Mrs L.M. O'Malley	Ms J.J. Shaw	
Mr M. Hughes	Mr P. Papalia	Mrs J.M.C. Stojkovski	

Pairs

Mr I.C. Blayney	Mr M.P. Murray
Mr V.A. Catania	Mrs R.M.J. Clarke

Question thus negatived.