

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

QUESTIONS ON NOTICE

No. 101

THURSDAY, 14 SEPTEMBER 2006

Memo: The electronic publication of Questions on Notice as part of the Notice Paper is available on the Parliament's Internet site at www.parliament.wa.gov.au.

Questions postponed from previous sittings: -

Tuesday, 15 August 2006

- 1271. Mr T.K. Waldron to the Minister for Community Development
- 1273. Mr T.R. Buswell to the Premier; Minister for Public Sector Management; State Development; Federal Affairs
- 1274. Mr P.D. Omodei to the Minister for Planning and Infrastructure
- 1275. Mr D.F. Barron-Sullivan to the Minister for Planning and Infrastructure
- 1285. Ms K. Hodson-Thomas to the Minister for Tourism
- 1289. Ms K. Hodson-Thomas to the Minister for Tourism
- 1290. Ms K. Hodson-Thomas to the Minister for Tourism
- 1291. Ms K. Hodson-Thomas to the Minister for the Environment
- 1292. Ms K. Hodson-Thomas to the Minister for Tourism
- 1293. Ms K. Hodson-Thomas to the Minister for Tourism
- 1299. Mr P.D. Omodei to the Parliamentary Secretary representing the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt
- 1300. Mr P.D. Omodei to the Minister representing the Minister for Education and Training
- 1301. Mr P.D. Omodei to the Minister for Police and Emergency Services; Community Safety; Water Resources; Sport and Recreation
- 1303. Mr P.D. Omodei to the Minister for Housing and Works; Consumer Protection; Heritage; Land Information
- 1304. Mr P.D. Omodei to the Minister for Planning and Infrastructure

1306. Mr P.D. Omodei to the Minister for the Environment; Racing and Gaming
1307. Mr P.D. Omodei to the Minister for Energy; Science and Innovation
1310. Mr P.D. Omodei to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
1316. Mr P.D. Omodei to the Deputy Premier; Treasurer; Minister for Government Enterprises; Minister Assisting the Minister for Public Sector Management
1317. Mr P.D. Omodei to the Parliamentary Secretary representing the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt
1318. Mr P.D. Omodei to the Minister representing the Minister for Education and Training
1321. Mr P.D. Omodei to the Minister for Housing and Works; Consumer Protection; Heritage; Land Information
1322. Mr P.D. Omodei to the Minister for Planning and Infrastructure
1323. Mr P.D. Omodei to the Minister for Indigenous Affairs; Tourism; Culture and the Arts
1324. Mr P.D. Omodei to the Minister for the Environment; Racing and Gaming
1325. Mr P.D. Omodei to the Minister for Energy; Science and Innovation
1328. Mr P.D. Omodei to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
1337. Ms K. Hodson-Thomas to the Minister for Resources and Assisting the Minister for State Development; Employment Protection; Goldfields-Esperance and Great Southern
1338. Ms K. Hodson-Thomas to the Parliamentary Secretary representing the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt
1339. Ms K. Hodson-Thomas to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
1341. Ms K. Hodson-Thomas to the Minister for Energy; Science and Innovation
1342. Ms K. Hodson-Thomas to the Minister for Small Business; Peel and the South West; Minister Assisting the Minister for Education and Training
1343. Ms K. Hodson-Thomas to the Attorney General; Health; Electoral Affairs
1344. Ms K. Hodson-Thomas to the Minister for the Environment; Racing and Gaming
1345. Ms K. Hodson-Thomas to the Minister for Indigenous Affairs; Tourism; Culture and the Arts
1346. Ms K. Hodson-Thomas to the Minister for Planning and Infrastructure
1349. Ms K. Hodson-Thomas to the Minister representing the Minister for Education and Training
1351. Ms K. Hodson-Thomas to the Minister for Housing and Works; Consumer Protection; Heritage; Land Information
1352. Ms K. Hodson-Thomas to the Minister for Community Development; Seniors and Volunteering; Youth
1353. Ms K. Hodson-Thomas to the Minister for Disability Services; Citizenship and Multicultural Interests; Minister Assisting the Minister for Planning and Infrastructure
1356. Mr T.R. Buswell to the Parliamentary Secretary representing the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt
1357. Mr T.R. Buswell to the Minister representing the Minister for Education and Training
1359. Mr T.R. Buswell to the Attorney General; Health; Electoral Affairs
1361. Mr T.R. Buswell to the Minister for Planning and Infrastructure

- 1363. Mr T.R. Buswell to the Minister for the Environment; Racing and Gaming
- 1364. Mr T.R. Buswell to the Minister for Energy; Science and Innovation
- 1366. Mr T.R. Buswell to the Minister for Corrective Services; Women's Interests; Minister Assisting the Minister for Federal Affairs
- 1367. Mr T.R. Buswell to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
- 1370. Mr T.R. Buswell to the Minister for Community Development; Seniors and Volunteering; Youth
- 1378. Ms K. Hodson-Thomas to the Minister representing the Minister for Education and Training
- 1379. Dr E. Constable to the Minister for Housing and Works
- 1380. Dr E. Constable to the Minister for Housing and Works
- 1381. Dr E. Constable to the Minister for Housing and Works
- 1382. Dr E. Constable to the Minister for Housing and Works
- 1383. Dr E. Constable to the Minister for Housing and Works
- 1385. Dr E. Constable to the Minister representing the Minister for Education and Training
- 1386. Dr S.C. Thomas to the Minister for Planning and Infrastructure

Wednesday, 16 August 2006

- 1399. Mr T.R. Buswell to the Minister for the Environment

Wednesday, 23 August 2006

- 1408. Mr M.J. Birney to the Minister for Community Development
- 1409. Mr G. Snook to the Parliamentary Secretary representing the Minister for Agriculture and Food
- 1410. Mr G. Snook to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
- 1411. Mr G. Snook to the Parliamentary Secretary representing the Minister for Agriculture and Food
- 1412. Mr G. Snook to the Parliamentary Secretary representing the Minister for Agriculture and Food
- 1413. Mr G. Snook to the Parliamentary Secretary representing the Minister for Agriculture and Food
- 1414. Mr G. Snook to the Education and Training
- 1416. Mr G. Snook to the Minister for Housing and Works
- 1417. Mr G. Snook to the Minister for Housing and Works
- 1418. Mr G. Snook to the Minister for Planning and Infrastructure
- 1419. Mr G. Snook to the Minister for Planning and Infrastructure
- 1420. Mr G. Snook to the Minister for Planning and Infrastructure
- 1421. Mr G. Snook to the Minister for Planning and Infrastructure
- 1422. Mr G. Snook to the Minister for Planning and Infrastructure

- 1423. Mr G. Snook to the Minister for Planning and Infrastructure
- 1424. Mr G. Snook to the Minister for Planning and Infrastructure
- 1426. Mr G. Snook to the Parliamentary Secretary representing the Minister for Agriculture and Food
- 1427. Mr P.D. Omodei to the Minister for the Environment
- 1428. Mr P.D. Omodei to the Minister representing the Minister for Fisheries
- 1429. Mr P.D. Omodei to the Minister for Planning and Infrastructure
- 1432. Mr J.N. Hyde to the Minister for the Environment

Thursday, 24 August 2006

- 1434. Mr A.J. Simpson to the Minister representing the Minister for Education and Training
- 1435. Dr E. Constable to the Minister for Community Development

Tuesday, 29 August 2006

- 1436. Dr E. Constable to the Minister for Planning and Infrastructure
- 1437. Dr E. Constable to the Minister for Community Development
- 1438. Dr E. Constable to the Minister for Community Development
- 1439. Dr E. Constable to the Minister for Community Development
- 1440. Mr C.J. Barnett to the Minister for Planning and Infrastructure
- 1441. Mr G.M. Castrilli to the Minister for Planning and Infrastructure
- 1442. Mr G.M. Castrilli to the Minister for Planning and Infrastructure

Wednesday, 30 August 2006

- 1443. Mr P.D. Omodei to the Parliamentary Secretary to the Minister for Forestry
- 1445. Mr A.J. Simpson to the Treasurer

Thursday, 31 August 2006

- 1447. Dr E. Constable to the Minister for Community Development
- 1448. Dr E. Constable to the Minister for Community Development
- 1449. Dr E. Constable to the Minister for Public Sector Management
- 1450. Dr E. Constable to the Minister for Public Sector Management
- 1451. Mr D.F. Barron-Sullivan to the Premier; Minister for Public Sector Management; State Development; Federal Affairs
- 1452. Mr D.F. Barron-Sullivan to the Deputy Premier; Treasurer; Minister for Government Enterprises; Minister Assisting the Minister for Public Sector Management
- 1453. Mr D.F. Barron-Sullivan to the Parliamentary Secretary representing the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt
- 1454. Mr D.F. Barron-Sullivan to the Minister representing the Minister for Education and Training
- 1455. Mr D.F. Barron-Sullivan to the Minister for Police and Emergency Services; Community Safety; Water Resources; Sport and Recreation

1456. Mr D.F. Barron-Sullivan to the Attorney General; Health; Electoral Affairs
1457. Mr D.F. Barron-Sullivan to the Minister for Housing and Works; Consumer Protection; Heritage; Land Information
1458. Mr D.F. Barron-Sullivan to the Minister for Planning and Infrastructure
1459. Mr D.F. Barron-Sullivan to the Minister for Indigenous Affairs; Tourism; Culture and the Arts
1460. Mr D.F. Barron-Sullivan to the Minister for the Environment; Racing and Gaming
1461. Mr D.F. Barron-Sullivan to the Minister for Energy; Science and Innovation
1462. Mr D.F. Barron-Sullivan to the Minister for Resources and Assisting the Minister for State Development; Employment Protection; Goldfields-Esperance and Great Southern
1463. Mr D.F. Barron-Sullivan to the Minister representing the Minister for Local Government and Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne
1464. Mr D.F. Barron-Sullivan to the Minister for Corrective Services; Women's Interests; Minister Assisting the Minister for Federal Affairs
1465. Mr D.F. Barron-Sullivan to the Minister for Small Business; Peel and the South West; Minister Assisting the Minister for Education and Training
1466. Mr D.F. Barron-Sullivan to the Minister for Community Development; Seniors and Volunteering; Youth
1467. Mr D.F. Barron-Sullivan to the Minister for Disability Services; Citizenship and Multicultural Interests; Minister Assisting the Minister for Planning and Infrastructure
1468. Mr D.F. Barron-Sullivan to the Minister for State Development
1471. Mr J.H.D. Day to the Minister for Energy
1472. Mr J.H.D. Day to the Minister for Energy

Tuesday, 12 September 2006

1473. Mr D.T. Redman to the Minister representing the Minister for Education and Training
1474. Mr T.R. Buswell to the Minister for Police and Emergency Services
1475. Mr T.R. Buswell to the Minister for Health
1476. Mr T.R. Buswell to the Minister representing the Minister for Education and Training
1477. Mr T.R. Buswell to the Minister for Housing and Works
1478. Mr T.R. Buswell to the Minister for Housing and Works
1479. Mr A.J. Simpson to the Minister for the Environment
1480. Dr K.D. Hames to the Minister for Indigenous Affairs
1481. Dr K.D. Hames to the Minister for Community Development
1482. Mr T.R. Buswell to the Treasurer

Wednesday, 13 September 2006

1483. Mr J.E. McGrath to the Minister representing the Minister for Education and Training
1484. Dr S.C. Thomas to the Minister for Racing and Gaming
1485. Dr S.C. Thomas to the Minister for Corrective Services
1486. Mr G.M. Castrilli to the Minister for Health

1487. Mr G.M. Castrilli to the Attorney General

1488. Mr G.M. Castrilli to the Minister for Planning and Infrastructure

Questions listed for this sitting: -

1489. Mr M.J. Birney to the Minister for Corrective Services

- (1) Can the Minister advise if any prison officers were alleged to have been engaging in a sexual relationship with inmates at the Kalgoorlie Boulder Regional Prison over the last 12 months?
- (2) If yes, please advise if an investigation was carried out, and if so, what were the results of that investigation?
- (3) Have any Prison Officers been dismissed as a result of these allegations?
- (4) If yes, when and how many?
- (5) Have any Prison Officers resigned as a result of these allegations?
- (6) If yes, when and how many?
- (7) If Prison Officers did resign as a result of these allegations, why were they not sacked?
- (8) Is it illegal for a Prison Officer to have sex with an inmate, and if so, which section of which act of Parliament prohibits this kind of behaviour?
- (9) What actions, if any, have been taken by the prison to determine if any other Prison Officers are having a sexual relationship with inmates?

1490. Dr E. Constable to the Minister for Indigenous Affairs

- (1) How much funding did the Commonwealth Government allocate to the State Government over each of the past ten financial years for the provision of housing to indigenous Western Australians?
- (2) Did the State Government distribute the Commonwealth funding in each financial year in (1) to indigenous community housing organisations?
- (3) If yes to (2), how was the Commonwealth Government's funding allocation to the State Government in each of the past ten financial years distributed among indigenous community housing organisations?
- (4) How many homes for indigenous people were provided by each indigenous community housing organisation in (3) in each of the past ten financial years?

1491. Dr E. Constable to the Minister for Indigenous Affairs

- (1) Which indigenous community housing organisations have sold taxpayer-funded dwellings over the past 12 months so that they could pay debts?
- (2) How many dwellings were sold by the organisations in (1) and what was the sale price of each dwelling?
- (3) Have the dwellings in (2) been replaced with new housing stock?

1492. Mr T.G. Stephens to the Attorney General

- (1) Is the Attorney General aware that the ABC *Media Watch* web site is carrying an item lodged by a Mr Seamus Rafferty - State Prosecutor from the Office of the Director of Public

Prosecutions - that purports to provide a summary of "evidence that was not disclosed by *Australian Story*" in 'Beyond Reasonable Doubt' that concluded on 31 July 2006?

- (2) Is it consistent with good public policy for a State Prosecutor to generate, promote and engage in this public debate over a matter of which he has had carriage over two trials and which is the subject of appeal to the Court of Appeal?
- (3) Was this letter to Ms Sarah Curnow of *Media Watch* from Mr Seamus Rafferty of the Director of Public Prosecutions lodged with the approval of the Director of Public Prosecutions? If yes, what public policy was served by that approval?
- (4) Has Mr Seamus Rafferty played any role in relation to the letter posted on the same web site that is signed by the eyewitness in the matter, Ms Clare Pigliardo?
- (5) Did Mr Seamus Rafferty play any role in relation to the letter sent by Jon Tuttle, Inspector of the Police Media Unit, to the ABC's managing director, Mark Scott, (which also appears on the *Media Watch* web site), about these same issues?
- (6) It would appear from the close similarity of language and content between the letters from Messrs Rafferty and Tuttle that they were largely drafted by the same person. If this is the case, is it within the guidelines for a state prosecutor to act in such a manner with police for the purpose of generating media controversy about a matter that is subject to appeal?
- (7) Did Mr Seamus Rafferty provide *Media Watch* with a list of questions that were in turn used as the basis of questions by *Media Watch* and put to *Australian Story* (posted on the *Media Watch* web site) about this matter? And if so, was the Director of Public Prosecutions aware that Mr Rafferty was providing this material to *Media Watch*?

1493. Mr T.G. Stephens to the Minister for Police and Emergency Services

- (1) Is the Police Minister and the Police Commissioner aware that Jon Tuttle, Inspector Police Media Unit of the WA Police, despatched a letter dated 10 August 2006 to the ABC's managing director, Mark Scott (which appears on the *Media Watch* web site) complaining about the three-part series of *Australian Story* titled "Beyond Reasonable Doubt"?
- (2) Was this letter sent with the approval and support of the Police Commissioner? If yes, what public purpose was served by this approval?
- (3) Is it consistent with good public policy for a letter from the Media and Public Affairs Directorate to be sent out to a media outlet that contains material that makes claims that are clearly inconsistent with the facts?
- (4) Is it consistent with good public policy for the WA Police to engage in or promote a public debate over an issue that is the subject of an appeal to the Court of Appeal?
- (5) What public purpose is served by having on record a letter from the Police Media and Public Affairs Directorate that -
 - (a) is inconsistent with sworn evidence given in court by police officers in reference to these matters (for example: the claim that "no time trials took place in 1998"); and
 - (b) falsely asserts that Bret Christian - Editor of *The Subiaco Post* - is a member of the WA Innocence Project?
- (6) What role did Mr Seamus Rafferty or the office of the Director of Public Prosecutions have in preparing this letter to the ABC by the Media and Public Affairs Directorate?
- (7) Is it within the guidelines for the police and the state prosecutor who has carriage of a matter which is subject to appeal in the Court of Appeal to act and/or collaborate in the drafting of letters for *Media Watch*, as would appear to be the case from the remarkable similarity of the language and the structure of the material that appears on the *Media Watch* website?

PETER J. McHUGH

Clerk of the Legislative Assembly