

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 8

Tuesday, 13 June 2017

Questions appear according to the date on which notice was delivered.
When a question has been answered it is removed from the postponed list.

POSTPONED QUESTIONS

Notice Given *Thursday, 11 May 2017*

1. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
2. Hon Nick Goiran to the Leader of the House representing the Premier
3. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport
4. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
5. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

Notice Given *Tuesday, 16 May 2017*

6. Hon Martin Aldridge to the Minister for Agriculture and Food
7. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
8. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
9. Hon Martin Aldridge to the Leader of the House representing the Premier
10. Hon Martin Aldridge to the Leader of the House representing the Premier
11. Hon Martin Aldridge to the Leader of the House representing the Premier
12. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
13. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum
14. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum
15. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum

Notice Given *Wednesday, 17 May 2017*

16. Hon Lynn MacLaren to the Minister for Environment representing the Minister for Planning
17. Hon Simon O'Brien to the Minister for Environment
18. Hon Martin Aldridge to the Leader of the House representing the Premier

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Postponed Questions

Notice Given *Tuesday, 23 May 2017*

19. Hon Peter Collier to the Leader of the House representing the Premier

Notice Given *Wednesday, 24 May 2017*

20. Hon Martin Aldridge to the Minister for Environment representing the Treasurer
21. Hon Dr Steve Thomas to the Minister for Environment
22. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
23. Hon Nick Goiran to the Minister for Education and Training
24. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
25. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
26. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection

Notice Given *Thursday, 25 May 2017*

27. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
28. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
29. Hon Robin Chapple to the Minister for Regional Development
30. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
31. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
32. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
33. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
34. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
35. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
36. Hon Martin Aldridge to the Minister for Environment representing the Minister for Aboriginal Affairs
37. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
38. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Mental Health
39. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

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40. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services:

I refer to young people accommodated in the Harding Unit at Banksia Hill Detention Centre, and I ask:

- (a) for each week during the period from 1 December 2016 to 31 May 2017, will the Minister please provide the average daily number of hours young people spent out of their cell in the:
 - (i) 'A' Wing;
 - (ii) 'B' Wing;
 - (iii) 'C' Wing; and
 - (iv) 'D' Wing of the Harding Unit?

41. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations:

(1) I refer to the financial situation of WorkSafe's operations in the 2016-17 reporting period, and ask:

- (a) what was the actual budget for WorkSafe for the 2016-17 financial year;
- (b) how much of that budget was allocated to each of the following directorates:
 - (i) construction, regional, and primary industries;
 - (ii) health, hazards and plant safety;
 - (iii) manufacturing, transport and service industries;
 - (iv) legal and special investigations;
 - (v) business services; and
 - (vi) policy and education; and
- (c) for each of the directorates outlined in (b), how was this money allocated, as a percentage of the total directorate budget, in terms of:
 - (i) employee benefit expenses;
 - (ii) supplies and services;
 - (iii) accommodation expenses; and
 - (iv) grants and subsidies?

(2) I refer to the WorkSafe Information System Environment (WISE), and ask:

- (a) has this system received any significant upgrades in between the 2012-13 and 2016-17 reporting periods;
- (b) if yes to (2)(a), did any of these include the ability to extract and report on accident and incident statistics;

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- (c) if no to (2)(a), will WISE be upgraded to be able to extract and report on accident and incident statistics;
- (d) if no to (2)(c), what has been put into place to report these important measures; and
- (e) if no to (2)(c), how are decisions on focus areas being made without this analysis being available?

42. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations:

- (1) I refer to WorkSafe's investigation and prosecution activities in the 2016-17 reporting period, and ask:
 - (a) how many work related fatalities have occurred on Western Australian work sites, by industry group;
 - (b) how many workplace fatalities are currently under investigation by WorkSafe;
 - (c) how many FTE inspectors does WorkSafe have allocated to the investigations outlined in (b);
 - (d) how many prosecutions have been undertaken by WorkSafe under the *Occupational Safety and Health Act 1984* and the *Occupational Safety and Health Regulations 1996* for the 2016-17 reporting period;
 - (e) of those prosecutions outlined under (d), how many were successful and how many unsuccessful; and
 - (f) how many prosecutions are pending, and what are the offence dates for those?
- (2) I refer to WorkSafe's 2016-17 reporting activities in relation to the Coroner's Court, and ask:
 - (a) what was the average report time for reports to the Coroner's Court;
 - (b) how many reports to the Coroner's Court took longer than the average report time;
 - (c) on a case-by-case basis, what were the reasons for the extended duration of the cases outlined in (b);
 - (d) what was the longest report time for a report to the Coroner's Court;
 - (e) how many reports from WorkSafe is the coroner waiting for and what are they; and
 - (f) what steps have been put in place to expedite the finalisation of the reports and provision to the coroner?
- (3) I refer to WorkSafe for the reporting period 2016-17, and ask:
 - (a) how many notices of work injuries were made to WorkSafe, and what was the injury type;
 - (b) were any failures to report discovered by WorkSafe;
 - (c) if yes to (b), did any of the failures lead to prosecution; and
 - (d) if yes to (c), what were the outcomes of the prosecutions?

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43. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations:

I refer to WorkSafe's inspection programs for 2016-17, and ask:

- (a) how many inspections did WorkSafe undertake;
- (b) of those outlined in (a), how many were:
 - (i) proactive, spontaneous, with limited or without notice;
 - (ii) routine; and
 - (iii) initiated in response to a complaint;
- (c) what are the priority areas for WorkSafe's inspection programs;
- (d) for those cases outlined in (b), how many have been completed; and
- (e) for each proactive inspection program:
 - (i) what was the program looking at and what prompted the program;
 - (ii) did it include both metropolitan and regional areas of the State;
 - (iii) how many inspections took place and how many were scheduled;
 - (iv) will the findings of the inspection program be made public; and
 - (v) have any notices been issued or enforcement action taken?

44. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations:

I refer to the ongoing staffing and resourcing concerns surrounding WorkSafe across the 2016-17 reporting period, and ask:

- (a) how many FTE are currently employed by WorkSafe;
- (b) how many FTE are allocated to inspections and investigations of workplaces and/or accidents;
- (c) how many of those outlined in (b) are allocated to each industry group;
- (d) of the FTE in (c), and inclusive of their industry group allocation, how many were:
 - (i) ongoing public sector employees; and
 - (ii) employed under fixed-term contracts;
- (e) for each of those employed under (d)(ii), what is the term of their contract;
- (f) where were each of the FTE in (a) located;
- (g) which, if any, of the positions outlined in (b) became vacant in 2016-17;
- (h) how many of these positions outlined in (g) were redundancies;
- (i) what are the job titles and classifications for those positions listed in (b);
- (j) what are the job titles and classification for those positions listed in (g);
- (k) where were the positions outlined in (g) located;
- (l) how many of the FTE positions in (a) are specialist positions in which the inspector/investigator is required to have the expertise to investigate specific types of worksites;

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- (m) for each of the FTE in (k):
 - (i) what is their specialist area;
 - (ii) where was the position located; and
 - (iii) which, if any, were vacant;
- (n) what efforts are being made to fill/recruit vacant positions;
- (o) what is being done to maintain the Inspectorate at the optimum staffing level;
- (p) will ongoing WorkSafe vacancies mean that the directorates will not be able to:
 - (i) complete their anticipated project work;
 - (ii) progress identified industry sectors and hazards for attention; and
 - (iii) conduct proposed intervention programs; and
- (q) what impact will the current level of vacancies have on the capacity of WorkSafe directorates to:
 - (i) carry out proactive projects;
 - (ii) respond to employee and public notification of workplace occupational health and safety issues; and
 - (iii) monitor workplace compliance with issued enforcement actions?

45. Hon Robin Chapple to the Minister for Environment representing the Minister for Corrective Services:

- (1) Will the Minister please table all available data on rates of aggravated robberies for every year from June 2012 through to June 2017 for:
 - (a) Broome;
 - (b) Derby;
 - (c) Fitzroy Crossing;
 - (d) Halls Creek;
 - (e) Kununurra; and
 - (f) Wyndham?
- (2) Will the Minister please table all available data on rates of non-aggravated robberies for every year from June 2012 through to June 2017 for:
 - (a) Broome;
 - (b) Derby;
 - (c) Fitzroy Crossing;
 - (d) Halls Creek;
 - (e) Kununurra; and
 - (f) Wyndham?

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- (3) Will the Minister please table all other available data on rates of theft-related crimes for every year from June 2012 through to June 2017 for:
- (a) Broome;
 - (b) Derby;
 - (c) Fitzroy Crossing;
 - (d) Halls Creek;
 - (e) Kununurra; and
 - (f) Wyndham?
- (4) Will the Minister please table all available data on rates of offences against property for every year from June 2012 through to June 2017 for:
- (a) Broome;
 - (b) Derby;
 - (c) Fitzroy Crossing;
 - (d) Halls Creek;
 - (e) Kununurra; and
 - (f) Wyndham?
- (5) Will the Minister please table all available data on rates of threatening behaviour towards others for every year from June 2012 through to June 2017 for:
- (a) Broome;
 - (b) Derby;
 - (c) Fitzroy Crossing;
 - (d) Halls Creek;
 - (e) Kununurra; and
 - (f) Wyndham?

46. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:

I refer to the Minister's answer to my question without notice on 18 May 2017 regarding the Department for Child Protection and Family Support's policy, practice and procedure for the handling of potential claims for children in care, and I ask:

- (a) how many matters are currently with the department's general law unit;
- (b) further to (a), how many of these matters are for claims, whether they be potential or actual:
 - (i) for children currently in care; and
 - (ii) for people formerly in care;
- (c) further to (a), how many of these matters are for claims, whether they be potential or actual against the department;
- (d) how many matters are currently with independent lawyers;

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- (e) further to (d), how many of these matters are for claims, whether they be potential or actual:
 - (i) for children currently in care; and
 - (ii) for people formerly in care; and
- (f) further to (d), how many of these matters are for claims, whether they be potential or actual against the department?

47. Hon Nick Goiran to the Minister for Environment representing the Minister for Planning:

I refer to the variation of the Roe 8 Alliance contract, and I ask:

- (a) have any of the employees been unable to keep their jobs; and
- (b) if yes to (a), how many?

48. Hon Charles Smith to the Leader of the House representing the Attorney General:

There is concern among the public in Western Australia that the current sentencing by judges and magistrates in Western Australia are the lightest sentences in Australia, and I ask:

- (a) can the Minister provide to the House the current comparative trends of sentencing in Australia;
- (b) if yes to (a), how does Western Australia compare to other states;
- (c) if sentences in Western Australia are the lightest in Australia, does the Government find this of concern; and
- (d) what does the Government propose to do about light sentences for illicit drug offences which are becoming increasingly common?

49. Hon Charles Smith to the Leader of the House representing the Attorney General:

Can the Minister please advise the House what the average custodial sentence is for a wilful murder conviction over the last 10 years?

50. Hon Charles Smith to the Leader of the House representing the Attorney General:

Can the Minister please advise the House:

- (a) on the number of convicted drug traffickers over the last 10 years who have been given the available maximum custodial term; and
- (b) what the average custodial sentence has been over the last 10 years for a drug trafficking conviction?

51. Hon Robin Chapple to the Minister for Environment representing the Minister for Energy:

I refer to a Horizon Power focus group meeting in Broome last year on renewable energy, and I ask:

- (a) what was the purpose of the focus group;
- (b) was there a report on the outcomes of the focus group attitudes;
- (c) if no to (b), why not;
- (d) will the Minister table the report; and
- (e) if no to (d), why not?

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52. Hon Robin Chapple to the Minister for Environment representing the Treasurer:

I refer to the *Report on consultants engaged by Government for the six months ended 30 June 2016*, and ask:

- (a) will the Minister please provide an itemisation of expenditure on financial advice provided by Deloitte Touche Tohmatsu on the sale of Utah Point;
- (b) will the Minister please provide an itemisation of expenditure on financial advice provided by Rothschild/Deloitte on the sale of Fremantle Port and Utah Point;
- (c) will the Minister please provide information and itemisation of expenditure on any financial advice provided on the sale of Fremantle Port and Utah Point not included in this document;
- (d) will the Minister please table any reports produced by the consultants; and
- (e) if no to (d), why not?

53. Hon Robin Chapple to the Minister for Environment representing the Minister for Lands:

I refer to the alleged theft of cattle that occurred in December 2016 on the Youno Downs Pastoral Station and the eight photographs found at: <http://www.robinchapple.com/qdata>, dated 24/05/2017, and ask:

- (a) is the Minister aware of the alleged theft;
- (b) if no to (a), why not;
- (c) does the Minister know if there has been an investigation of the alleged theft;
- (d) if no to (c), why not;
- (e) does the Minister know if there is a prosecution underway;
- (f) if no to (e), why not;
- (g) does the Minister know if the person/persons under investigation have made any applications for a pastoral lease/leases;
- (h) if no to (g), why not;
- (i) if a person is under investigation are they still eligible to apply for a pastoral lease;
- (j) if yes to (i), why;
- (k) if a person is prosecuted are they still eligible to apply for a pastoral lease;
- (l) if yes to (k), why;
- (m) if a pastoral lease is granted whilst a person is under investigation and is then prosecuted is the pastoral lease revoked; and
- (n) if no to (m), why not?

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54. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum:

I refer to the alleged theft of cattle that occurred in December 2016 on the Youno Downs Pastoral Station and the eight photographs found at: <http://www.robinchapple.com/qdata>, dated 24/05/2017, and ask:

- (a) is the Minister aware that during this alleged theft the bund walls were damaged in order to set up cattle yards in the mine pits;
- (b) if no to (a), why not;
- (c) does the Minister know if there has been an investigation into the damage to the bund walls;
- (d) if no to (c), why not;
- (e) does the Minister know if there is a prosecution underway for the damage to the bund walls;
- (f) if no to (e), why not;
- (g) will the Minister investigate the damage to the bund walls; and
- (h) if no to (g), why not?

55. Hon Robin Chapple to the Minister for Environment representing the Minister for Police:

I refer to the alleged theft of cattle that occurred in December 2016 on the Youno Downs Pastoral Station and the eight photographs found at: <http://www.robinchapple.com/qdata>, dated 24/05/2017, and ask:

- (a) is the Minister aware of the alleged theft;
- (b) if no to (a), why not;
- (c) does the Minister know if there has been an investigation of the alleged theft;
- (d) if no to (c), why not;
- (e) does the Minister know if there is a prosecution underway;
- (f) if no to (e), why not;
- (g) will the Minister investigate the alleged theft of cattle; and
- (h) if no to (g), why not?

NIGEL PRATT

Clerk of the Legislative Council