

**STANDING COMMITTEE ON
ESTIMATES AND FINANCIAL OPERATIONS**

**INQUIRY INTO THE MEMORANDUM OF UNDERSTANDING BETWEEN
BALGA SENIOR HIGH SCHOOL AND MANUFACTURING INDUSTRY TRAINING
SERVICES PTY LTD**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
THURSDAY, 4 OCTOBER 2007**

CLOSED SESSION – SESSION FIVE

Members

**Hon Giz Watson (Chairperson)
Hon Ken Travers (Deputy Chairman)
Hon Sheila Mills
Hon Helen Morton**

**Hon Peter Collier
(Substitute member for Hon Anthony Fels)**

[2.24 pm]

[The committee took evidence in closed session]

COOK, Mr JONATHAN

Principal, Meta Ink.

The CHAIRPERSON: Apologies for keeping you waiting.

Mr Cook: That is quite all right; I understand.

The CHAIRPERSON: It is hard to exactly predict how much time we are going to need.

Mr Cook: Sorry?

The CHAIRPERSON: It is hard to predict exactly how much time we need for each -

Mr Cook: Yes, of course it is.

The CHAIRPERSON: Mr Cook, I might just start, if that is okay with you. On behalf of the committee, I welcome you to the meeting. Please state the capacity in which you appear before the committee.

Mr Cook: The capacity, I guess, from your perspective is, as I think I am referred to, as chairman of the Balga Works Management Committee.

The CHAIRPERSON: Thank you. You will have signed a document entitled “Information for Witnesses.” Have you read and understood that document?

Mr Cook: I believe so.

The CHAIRPERSON: These proceedings are being reported by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you might refer to during the course of this hearing for the record, and also please be aware of the microphone and try to talk directly into it. Even though this is a private hearing, you should note that the committee retains the power to publish any private evidence. The Legislative Council may also authorise publication. This means that your private evidence may become public. Please note that you should not publish or disclose any private evidence to any other person at any time unless the committee or the Legislative Council has already publicly released the evidence. I advise you that premature publication of private evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

Mr Cook, would you like to make an opening statement or would you prefer us to start with questions?

Mr Cook: I think I would prefer just to start with questions.

The CHAIRPERSON: Okay, I might make a start. Could you start by outlining your involvement in the Balga Works program?

Mr Cook: Yes, certainly. I do not mean this facetiously, but do you want a kind of a full answer to that?

The CHAIRPERSON: The short answer or the long answer.

Mr Cook: The long answer, I think, is the proper answer to help you understand the whole scenario, you know?

The CHAIRPERSON: Certainly; thank you.

Mr Cook: Okay, so this is about my involvement, but it leads into kind of explaining a bit about the program, although I am quite sure you have heard lots of explanations. In the late 1990s Merv Hammond had had enough of running Balga Senior High School as a standard government senior high school. It was a TEE school that, as I recall, had not had a single TEE successful graduate in 10 years. I was not directly involved at this time. He introduced some sweeping, quite revolutionary changes to the nature and operation of the school. He removed the TEE, persuaded quite remarkably the senior staff of the school to give up their pre-existing positions and to kind of start again as a vocational school on what I described - I do not think this is Mervyn Hammond's description but it is certainly mine - on a single precept that the school should turn on its head the traditional approach to government schooling, which is my own background, from that of the job of the student is to fit to the school - of course always on the understanding that schools are essentially designed for the mainstream of students - and instead adapt the school and its programs to meet the needs of its own students. Its own students are severely disadvantaged. You know about the Balga district. I then became involved, I think in 2000, when Merv contacted me - we were previous friends and colleagues - and asked me as an independent consultant to conduct a review of the school, a fairly thorough and lengthy review of the school and its new programs, its new structures, its new deal. I am an independent education consultant, I am a sole trader, I trade under the name Meta Ink, and I had, three years prior to 2000, severed my employment with the Department of Education. I was at the time a district director of schools in the Scarborough area and had previously been a director of, as you would call it today, curriculum in the system. So I was well entrenched in government schooling in particular, and had set myself up in 1997, late, as an independent education consultant, very much involved in curriculum, leadership, not necessarily much in management since I am not particularly good at it in my own life, let alone in that of schools. So in I came and I conducted this external review. I was pleased to do it; I was paid for doing it; it was my work. That led to a suite of conclusions which Merv Hammond acted upon; some improvements and a very strong recommendation that the school continue its practice of constructing a suite of special, specific-purpose programs to suit the needs of specific groups of kids, of young people in the school. From that time commenced, for example: the Swan Nyoongah sports education program, which is still operating today; within a year or two the first child centre for young teenage mums in the area; the intensive English centre began to build apace and over the last several years has attracted most of the secondary-age humanitarian refugees from east Africa, and had built that; and so on and so on. By 2004, we recognised that we had pretty much embedded a pragmatic approach built on an understanding that a suite of programs were required and that there was no such thing in truth as a mainstream. This, you should understand, is remarkably inconsistent with the broad sweep of the approach of government school education in this state. The government school system in this state is a very fine system, but it is based in a kind of cemented mediocrity. That is an observation, obviously.

However, equally, by 2004 we recognised - and I beg your pardon, I should go back to make the point that I had kind of become a critical friend of the school. When Merv, who is not the best talker or writer in the world at a formal level, needed words, he tended to call on me to write them for him in consultation with him; and I did a lot of work with the school periodically. So I was constantly part of the thinking base for how things developed. The recognition we came to was that there was one very, very significant group of young people in the area who were not being served by education in the area or anywhere else; and they were what we would call alienated youth, particularly at what was then the post-compulsory age. So he had come into contact with Michael Carton, who was at that time working with MITS in Victoria. I was going over to Melbourne on other business in August of 2004, and Merv asked me to spend a day having a look at the MITS program, meeting Michael Carton - I had never heard of him until then - and forming my own professional expert judgement as to whether or not the kind of program Michael and team were engaged in might fit the context of Balga Senior High School. I was pleased to do that. I spent the day there, was very impressed with what I saw. When I returned, I advised Mervyn Hammond that

I thought there were distinct possibilities; and then things kind of started. I had no formal role, of course, in any sense in any of this. But the next thing I knew Michael was over and he and Merv were negotiating and Michael Carton kind of - took over is not the right term - but made his presence felt in terms of hopping into it. Michael Carton is a commitment man with a remarkable driving energy and sense of the importance of supporting alienated youth. He had been something of an alienated youth himself and was an ex-Balga boy. I did not know much about what was actually happening with MITS, but I had a sense that there were some issues in the whole deal and Michael seemed keen on establishing something in Perth anyway.

By the end of 2004, in my capacity as a critical friend and adviser to the principal, I had recognised, at least in my own view, that this program which was entirely amorphous - it was growing like Topsy, very quickly - and suddenly there were young people there, and when there were young people there, there needed to be some people to supervise them and a teaching role was entirely inappropriate. These were the most severely alienated young people I had ever met, and I believe the most severely alienated this state possesses.

[2.35 pm]

Michael, I think, was paying for most of the employment costs out of his own pocket and the school was contributing bits and pieces. I made recommendations to Mervyn, largely informally but professionally, that this was one deal which was likely to become bigger than *Ben-Hur*. It was extraordinarily complex. The signs of its complexity were already very evident, that it was going to have to be cross-government, that it was going to have to involve money in different ways from that in which it usually arrives in schools, and that going it alone in Mervyn's classic style was not the way this time. Mervyn had always been something of a - in the most affectionate sense I use the word "cowboy". He tended to act first and ask later because he had worked out - I entirely agreed with him in this observation - that if you want to make changes and be innovative in a massive bureaucracy such as the WA education department, if you asked first, you never, ever got it to act. I absolutely agree with that. I still hold very strongly to that view. I do believe that Balga Works is a classic illustration of that sad truth. A large bureaucratic system serves the mainstream very well. In fact, it serves those students who can and do adapt to standardised schooling; it does not serve those students who cannot.

As an added point, we were moving into a time of the new legislation to up the compulsory age of schooling to 16, and then next year, as you all know, of course, to 17. That was looming very large as a very significant issue because there was an entire body of students who simply disappeared from schooling. There was another body of students - there was some crossover between them - who had never been involved in schooling. Very typically, the young people that I came to witness joining in this program were both alienated completely from schooling, and had been, there were the lowest literacy levels you could imagine, and, secondly, they were turning 16. So they were going to have to go to schooling and there were no models. I am sorry if I am a bit garbled in this, but this was very complex. My advice to Mervyn was to do this through channels. I have often reflected on whether that was sound advice or foolish advice but it was going to be too big for Balga Senior High School to go it on its own. It was going to involve cross-government and it was going to demand the infusion of sums of money that the school could not possibly attract of its own accord, in my judgement. So off we went - I do not know whether I was party to the first informal meetings - to the district office. Mr John Garnaut, was then and is now the district director of schools, which is the equivalent position to the one I had previously held, and a longstanding colleague and friend of mine. We discussed this program and the kind of shape we saw it taking, which would involve vocational education, links with industry and at least some minimum attempt at formal education based on literacy and numeracy on a very different basis from standard schooling. The young people would need to be separated from the so-called "mainstream" of the school. They were dangerous. It could only have a negative impact on the other students in the school, and so on and so on. That led to a prospective name - Swan Works. The district office

became actively involved and the negotiation basis was essentially about whether TAFE would take on the role. Now, it was Michael Carton's view, for good reason, it came quickly to be my view for good reason and certainly Mervyn Hammond's view, that TAFE was the inappropriate instrumentality to provide the educational program to these young people. It needed a different kind of person, and Michael could find such people. What we really wanted was to go ahead without TAFE although, in principle, one would have to completely support the notion of TAFE being involved. After all, it was not so long since the education department had become the Department of Education and Training. I smile - for the microphone - as I say that because it is an appalling misnomer to this day. I am not aware of a single model of excellence that relates education and training. We were trying to. It was a mismatch and it remains a mismatch.

For all these reasons, this was quite complex. I came in and out of it. Mervyn would always talk with me. I was starting to get to know Michael Carton a bit. I knew John Garnaut well. If I was useful, I would attend a meeting or two. Things fell apart. Fundamentally, central office advised John - who is an excellent bureaucrat with the strengths and weaknesses that accompany being an excellent bureaucrat - that this could not go ahead as it was at that time shaped. I well remember a seminal informal meeting involving Mervyn Hammond, Michael Carton and myself in Mervyn Hammond's office late in the school holidays in January 2005 when - again, I take some responsibility - I twigged to what, in retrospect may have been obvious: that, essentially, the education department funds and staffs its schools on the basis of bums on seats. If the students were enrolled, the system provided teachers. So I said, and the three of us rapidly came to a kind of perhaps a cowboyish agreement on that, why would we not go ahead and enrol the students, attract the staff and then negotiate as quickly as we could to cash in the staff so that we could hire our own people who would not be teachers. Teachers were not trained to deal with these kinds of young people. It is beyond their province, beyond their training, beyond their capacity for those sorts of reasons. Therefore, to negotiate with the system to cash staff in - there are lots of precedents for that; that happens all over the place - and employ our own people and build the program. I was kind of its educational adviser. A team of people became involved in that sense, and away things went. The rest, to some extent, is history. Would you like me to follow on a little?

The CHAIRPERSON: Sure.

Mr Cook: Please do not let me bore you.

The CHAIRPERSON: No, it's good.

Hon KEN TRAVERS: I am fascinated.

Mr Cook: Throughout 2004, enrolments grew and I continued, perhaps increasingly, to play a kind of critical friend role, a role for which I was not exactly well paid. I also have to eat. This was a remarkably committed group of people. I loved them. I just thought this was wonderful. At the same time, I thought, "Heck, it is remarkably messy." My roles came to grow into being a writer for the program, an adviser in terms of decisions they needed to make, and perhaps I should also say a kind of mediator. Michael Carton would come to me and say - because we were becoming friends as well as colleagues - "Jon Cook, you've got to help me work this strange bureaucracy out and this school out and you've got to manage Mervyn Hammond for me." Mervyn Hammond would come to me separately and say, "Michael Carton's a man out of control. He's wonderful and innovative and inspirational but he doesn't stop and he just keeps building and growing it like a business," because Michael Carton is essentially a businessman. I was bemused by this role because neither Mervyn Hammond nor Michael Carton is the easiest person to manage. I regard Mervyn Hammond as the most important principal I have encountered in my career, which covers three states and systems. I do not regard him as the best because he has one remarkable weakness, which is an inability to manage his way either into or out of a paper bag. He's an ideas man, an entrepreneur, totally based in supporting his young people. Michael Carton could manage things but certainly did not understand the bureaucracy. Secondly, he had a remarkable capacity, to this day, to want to tell

people what they wanted to hear and to promise what he absolutely believed he could deliver but which all too often did not get delivered. This was messy. I was kind of the only involved yet independent person. I had no formal role. I had no responsibility. In the best sense of the word I was all care and no responsibility, but equally committed. I was committed essentially to supporting the team who were supporting the young people. I met the young people. The accommodation program began and then it grew and then it got negotiated. I went out and had a meal with them and had a look-see and I'd meet some people.

[2.45 pm]

I found the experience extremely uncomfortable. These are very tricky young people. Every one of them, particularly those in accommodation, were abused and abusing; drugs were involved always; the detritus - I do not use that word offensively - of the Nyoongah community, most of them alienated from the Nyoongah community themselves and, increasingly, offered to the program by the Children's Court from Perth - Judge Denis Reynolds and Magistrate Sue Gordon who were obviously friends of the program and in constant pursuit of placements for young people other than Rangeview or the other juvenile detention centre. That was also growing. As I say, I became increasingly committed to supporting them. That was about 2005.

I am sure you are concerned for me to tell you this next bit because it is kind of about the formalisation as such of my own role. By February-March 2006, in truth, I had just about had enough. Not that it need be any concern of yours, but I was going broke because I was not out earning myself a living. I was paid for some services to the school, not to Balga Works ever, but to the school. I was not making a living. It was kind of becoming full-time, and I was getting heartily fed up with Mervyn coming to me about Michael and Michael coming to me about Mervyn, and real problems in caring for these young people on the school site; a lack of, I believed, an appropriate in-school structure to supervise these young people. I pushed at one point very hard to have a senior officer of the school appointed to be in charge rather than leaving it almost exclusively to Michael and his outsider team, none of whom were teachers and none of whom understood a school setting very well. There were growing problems between other students in the school and these young people, particularly on the Nyoongah side of things and so on. I concluded that the problem was partly funding. I was caught up by this stage in writing applications to the commonwealth, to various state departments; by this stage, the Department of Corrective Services, the Department of Justice, DCD, DET, Swan Valley Nyoongah Community, several commonwealth government departments from the Attorney General's department down, the Indigenous community council. I do not think that is the correct description but that group, which brings together the commonwealth departments. I was writing submissions and appearing and getting nowhere. At that point, I said two things: one, if the group wished me to go on supporting it I needed a role that gave me some credentials. At that point, I think February 2006, I was appointed as, without election, vice-president of the Balga Senior High School Parents and Citizens Association. The sole reason was to enable me to speak with some authority when I was appearing in front of prospective funding bodies, particularly commonwealth. I will come back to the P&C in a moment. Second, I said there needed to be a management committee. Someone had to more formally bring all these players together and make some sense out of it, because it was a shambles and by this stage people were not being paid. It was appalling. There was all sorts of what I would call slovenly management. In the defence of these people, they were under ridiculous stress. Michael was working approximately 37 hours a day, including somehow driving boom buses into Perth to pick up errant young people from the streets during the night, and working all day having worked all day prior to that. As I say, people were not being paid but more people were being employed. That was ridiculous and it was not serving anyone's purposes. As an act of will, I guess, I declared to them that a management committee was required and that, frankly, if they wanted me involved I was going to chair it because I was the nearest thing to an independent person and none of them, individually, was capable of chairing it in a balanced and professional way. I called them together; that is to say, the president of the P&C, Keith Mynard, Michael Carton - some discussion was held

about whether Kate Day should be on it, his by then wife; I think they were married in 2005 but were longstanding partners - a gentleman named Brian Woodcock who was kind of an adviser to Michael in much the same way as I was adviser to Mervyn Hammond; Mervyn himself, Gary Taylor, the then special deputy principal of the high school; me and, at one stage, a gentleman named Adrian Brand. You may have heard of Adrian. He was senior officer level 3 - that is, head of department level - who had been finally appointed by the school to live and work with this program from an educational perspective. They, of course, agreed. They had been waiting for someone to do it; no-one else was going to do it, so I said I would take it on. It did not involve anyone outside the program itself. It did not involve the district office; it did not involve central office. It was not in my capacity or my responsibility. It was an in-house committee which, nonetheless, I said needed to be minuted, needed to put together a proper file of all the documents, needed to become businesslike, professional, and planned carefully and assiduously for the survival and growth of this, I say, wonderful program - wonderful, ghastly, horrible, messy, brilliant, ugly, beautiful program. I could document for you each of those strong adjectives. It was very much a people program. However, it always had a singular and single intent: to support the alienated youth of Perth who could legitimately become its clients. We set that up. I think it was in March that we first met. We only ever met I think three times. The last meeting was in, I think, August 2006, two or three weeks prior to the formal closing of the school component. I am one of those who would stress that this program always consisted of two components: one was the in-school and the other the residential program. What tied them together of course was young people in common and the entirely pertinent fact that care for these young people was a 24/7/365 business. It was not a program in which you could say to the young people at the end of the day, "Off you go. We hope to see you tomorrow." By then, Michael in particular, had developed a health component - a detoxification clinic. By then, the referrals from the Children's Court had become personal and particular, and from DCD had become very strong - they were the two major sources - and from the streets, although the street kids always turned out to be a DCD or DCS issue. They had to be an issue for someone and an issue for the school because the school cared. There were two components.

Then Keith Newton as acting executive director schools and John Garnaut district director of schools, Swan District, called a meeting with Mervyn Hammond in his office, I think it was the Thursday or Friday of the second last week of term 3, 2006. I can refer to specific dates but I am sure you have them. Clearly, they must have suggested to Mervyn that I be called in. I think I was called in to attend this meeting. Keith Newton, John Garnaut and Mervyn sat there while I got dressed and drove out. I think I was called, although it was never made explicit, to the meeting in a dual capacity. One was as vice-president of the P&C and therefore I had kind of a formal role and the other was as, I guess, chair of the management committee and a critical friend of the school. The announcement was made once I got there that the in-school component was closing as of the end of the school holidays that were about to start. It was announced that there would be no more money but, more to the point, whether there was any more money or not was irrelevant because the program was to close. By that stage, I think we had all had enough. Also, we had recognised that it was a brave and wonderful experiment destined never to succeed. The error of judgement we all made - we had no basis to make a better judgement, frankly, because there were no models preceding us - was to believe that we could conduct a program of this kind on school grounds. I had formed very firmly and had already started writing to that effect; that is, if there was to be a future, it needed to be separated from the school environment even if it did involve young people of compulsory school age etc. So we did not fight it particularly.

The residue was the need for some care for these young people during the day, particularly the young people bestowed on Michael's guardianship. They had to be looked after and Michael and I negotiated a short-term program with DCD to look after the kids during the day until the kids moved on. That involved negotiations in which I was involved with the district office for access to what is referred to as "the shed" at the high school - very separate. This was all pretty standard,

bureaucratic negotiation. By that time, it had become very apparent that the residential program would become what I would describe as a political football. The Mayor of Joondalup was very unhappy that he was being petitioned, sometimes correctly and sometimes very incorrectly. This group of young people was a sitting duck for every criticism that came up. It was a public group, and anyone who had any problems with young people at night in Joondalup - if we were to go as a committee to Joondalup at midnight tonight, we would find between 300 and 400 young people, most of them on ice, misbehaving in the streets of Joondalup. If Northbridge is a problem, I think Joondalup has become a larger one - all sorts of mischief would be occurring and the easy group to blame and label was the Balga Works team in - I have forgotten the name of the street. I can absolutely promise you that I have been doing my best to forget the name of the street.

Hon KEN TRAVERS: Nottingham.

Mr Cook: Nottingham, thank you. It was a political football and there was a good deal of political pressure and a great deal of *The West Australian* pressure on that program and, reluctantly, by - was it late November - the DCD people visited. I made a point of being there for this visit. DCD announced to us that the residential program was being closed, that DCD would no longer support it. There were a lot of tears shed that day. The chief criers were the DCD people, who said point blank - I have no idea what they have said to you, if anything - and made it very clear indeed to us that they were closing it because of political and media pressure, not because they wished to.

Hon KEN TRAVERS: What date was that?

Mr Cook: I could not even refer to my notes, Mr Travers.

Hon KEN TRAVERS: Approximately.

Mr Cook: It must have been in November, because several weeks were allowed to work out programs for the remaining young people, who were down by that time to six or eight. There were some weeks, and DCD agreed it would pay for the board of those young people until final closure, which had to be prior to Christmas, so I think the last day of a resident at Nottingham Street was the day before Christmas, when the last one or two left. Along the way, the young man had taken an axe to one of the units. That must have been fairly grim because the instruction is that you cannot touch a kid. I well recall seeing the photograph in *The West Australian*. I need to make it patently clear that I despise *The West Australian*. I think its role is shameful in the extreme. It is destructive, negative, harmful, selective and always picking at any holes, rather than building up strengths in its role and in its publications over a two-year period. It also, whether deliberately or not, told lies, including about me. I took great personal offence to that but did not have the money to take it to court.

[3.00 pm]

As the committee may know, I appeared as a character witness for Michael Carton concerning his business dealings or misdealings in Victoria. I was quoted as declaring that Ljiljanna Ravlich was fired over Balga Works. That bemused me considerably, because the fact is - it is in the transcript of the court hearing in Victoria - the prosecution lawyer put it to me that Ljiljanna Ravlich had been fired over Balga Works, and I was rebuked by the judge for saying, "Don't be so bloody silly!" That is a quote. Of course she was not; of course there were a whole series of issues involved - Balga may have been one of them - but, of course, she was not fired over that at all, and so on. My relationship with *The West Australian* had disintegrated; it was constantly onto me to get me to offer quotes. Why? Because the management committee, as its last act - I said to it, "This is a case of retiring with dignity; this is a case of preserving these young people as best as possible; I have had some media training, and fundamentally, I will take a deep breath and I will be the sole spokesman for this group of people" - the Merv Hammonds and the Michael Cartons. I simply took that on myself. I am neither proud nor regretful of that. The specific reporter from *The West Australian* who was chasing this - I got to the point where I said that under no circumstance would I

talk to her. That, of course, was the end of *The West Australian* getting the quotes it wanted. It made a point of interviewing some very tricky people who were employees. I do not know whether the committee wants to ask me questions about those people; I am quite happy to raise them and discuss them with the committee.

What have I left out? Forgive me; this is clearly not all written down.

DCD had to close the program. Michael eventually returned to Victoria. I had persuaded Mervyn Hammond that retirement was the dignified and honourable option and not the cowardly option. Around the same time, the end of term 3, he had had enough too. There was then an internal investigation going on into some of the financial arrangements. I should probably make clear to the committee my relationship to the financial business. At no time - again, I am neither proud nor ashamed of this; it is just a fact - have I ever been in a position in which I have had any financial responsibility for anything to do with the program. I was never an employee of any agency; I was always an independent outsider. As vice president of the P&C, I was never given access - or particularly sought it - to being a signatory, and furthermore, by the time I became involved in the P&C, the money problems were already a past case, and it was a case of attempting to sort things out rather than spend more money. I do not know whether the committee has questions to ask me about money; I will not be a lot of help, because everything I know about the financial side of it - I understand what kind of committee this is - was as an observer or second-hand participant, never with direct responsibility. Perhaps if the management committee had been set up properly very much earlier - it was not my responsibility to do that - the financial management might have been handled rather better than it was, because clearly it became a disgraceful mess. Appalling.

The CHAIRPERSON: Thank you, Mr Cook. We might move to some questions, if that is okay.

Mr Cook: Please.

The CHAIRPERSON: That was a fairly comprehensive overview. Thank you.

Mr Cook: I hope so, and I hope it was not too garbled for the committee.

The CHAIRPERSON: No, that is fine; thank you. You mentioned that you became the vice president of the P&C. Could you give the committee any more information about what the role of the P&C was in relation to the program?

Mr Cook: I - and, I am sure, everyone else - regard that as being crucial. A P&C in our system has no decision-making mandate in the life of the school. It is an association. It is, by definition, independent and involves government statutes. Its role is to support a school. Any P&C is free to raise moneys to support a school - lamington drives or whatever - but in the case of Balga Works, my view is that it was less that kind of capacity than an intermediary capacity. We take the example of both DCD and the commonwealth government; I do not know that the commonwealth government ever did - I think it paid one sum of money to contribute to work on the shed earlier on, and I am very vague about that because I was not connected to it. However, there was a lot of negotiating between the commonwealth government and the Perth ICC to raise sums of money to support the program, or specifically Nyoongah young people who were in the program, and that was something like 90-plus per cent of the young people who, over the two years, might have amounted to, I think, about 150 to 160 enrolments. In truth, I do not think it ever amounted to more than 30 or 40 regular participants. The young people from the streets came in and would disappear, and really, by 2006, the program's essence was the residential component. The residential component was never more than 20-something, as I recall. DCD could not pay money directly to a government high school for the operation of a government high school program. The commonwealth government cannot pay money directly to a school. No other government department can pay money directly to a school, but because of the involvement of a range of these agencies, there had to be an intermediary through whom the money could be channelled in order for those components of the program external to the school - and perhaps some parts within the school -

to be funded and operative. The P&C took this on as a contribution - how well, I am not so sure - led essentially by Keith Mynard. I should make clear that I regard Keith as one of the greatest men I have ever met; an honest man, a wonderful man and now a very long-suffering and wounded man, because he simply gave and said, "I'm going to do whatever's best for this school and these kids, so if the P&C needs to act as a conduit for DCD money or commonwealth government money to get to the accommodation," - accommodation was always an issue - "or to support a detox clinic, or to provide funds for transport or whatever, we're pleased to do that." I should add, as a pertinent aside, that most of the major players were very careful in talking about money to me. I am sure one reason is that I am not much good with it, but another reason - I am sorry if this sounds wrong; I certainly do not mean it - is that I am actually very straight. I am always prepared to bend the rules for the sake of a good outcome, but I am not prepared to be improper. Were improper things happening financially, I think that if I had been asked to put on my hat as a district director and look up the rules and regulations, there were probably several points where, in retrospect, if I had been asked I would have said to whichever one of them was asking me at the time, "I don't actually think you can do that; or I would have to advise you not to do that. The intentions I applaud; the necessity for doing it, I totally understand." That is the point that led to that aside. There were points of necessity where the P&C - prior to my formal role in the P&C, so I was never in attendance where these matters came up or these decisions were made, unfortunately - the pressure points came where the accommodation program or this or that part of it were going to go under if the money was not paid. Merv would say, "If I can get hold of the money, it's yours; we're not going to sacrifice these kids." Michael was a businessman; he was not employed by the government. He would say, "That's what you've got to do in business; sometimes you've got to cut some corners and you've got to scratch to survive." That seemed to him to be a perfectly reasonable attitude. Unfortunately, it is not a reasonable bureaucratic attitude. We had this ridiculous mix of outsiders, business, bureaucracy, education, politics and state government and federal government; that is an unholy alliance at the best of times, as I suspect some members of the committee know. It was extremely messy, but in the middle of it all, there was only one conduit through which external moneys or moneys from other government departments could be contributed to the residential or in-school programs, and that was - I always understood and still understand now - the role of the P&C.

The CHAIRPERSON: The P&C would receive grant money and then disburse it to Michael Carton?

Mr Cook: In the main, I think most of cheques - I have never seen them - written by the P&C would have been to Hurson Pty Ltd. There may have been some cheques to the school. Sums of money went both from the school and through the P&C to support the residential program. The residential program was always broke. The rents placed by the owners on that residence were extortionate; not exorbitant; criminal, in my view. The owners of the accommodation do not look particularly good in this, at least as someone such as myself sees it. The pressures were absolutely intense, and I think the P&C, in combination with the school - "the school" means Mervyn Hammond, as principal; this program was very much his baby and other staff went along with it or did not like it - reacted kind of on a commonsense level rather than a level of bureaucratic rectitude at times. I repeat: on no occasion did I sense anything about which I would disapprove on a moral, ethical or principled basis. Certainly, no-one was making money out of this program.

The CHAIRPERSON: Were you aware of any complaints, or did people bring complaints to you; and, if so, what did you do with them?

Mr Cook: Complaints did not come to me because I was not responsible. I do not believe I have ever had any employee, for example - whether in the in-school program or the residential program - ever approach me. I was never asked to arbitrate or mediate in any disputes. I heard about them. I was constantly hearing about them. I read various reports and statements, but at no point did I have any connection. There was no basis on which I would. The connection with employment and

myself only came up as an agenda item in the two or three meetings that the board of management committee had, in which I would raise questions and say, “The P&C is owed \$30 000; is anything happening to see that they get paid? How many unpaid staff are there? What procedures are in place to see that people get paid?”

Hon PETER COLLIER: Do you have minutes of those three meetings?

Mr Cook: I do, and I have them here. The committee is welcome to them. I am sorry; I did not ask for them to be copied because I did not at any point think that I was going to be other than referring to them, but the committee is entirely welcome to them.

Hon PETER COLLIER: We do not need them now, but if we could get a copy -

The CHAIRPERSON: Perhaps before you leave?

Mr Cook: Sure.

Hon KEN TRAVERS: When you asked those sorts of questions, what answers were given?

Mr Cook: You have to kind of ask the question that can pin down the kind of amorphous mess of this in my mind, because I was always, as I say, attendant upon it but not a participant in it. The sorts of answers I would get would be that Mervyn or Michael might well say, “We’re totally confident that this sum of money will be coming in from the ICC next week.” “Oh,” I would say. “How confident are you?” Over the year of 2006, my own confidence slipped dramatically because I saw such little evidence of moneys coming in. I have no doubt there were lots of promises made. Then there were some people who clearly turned nasty. I think there are two kinds of nastiness from a range of employees. One kind is perfectly legitimate; they had not been paid, and heck - how does one eat? These were people who were being paid the barest pittance because there was no money there to pay any more. There was a second category of employees who were mischievous people.

There was one now infamous case; *The West Australian* capitalised on it. A woman employed - I am quite happy to name her if that is appropriate. Do you want me to?

[3.15 pm]

The CHAIRPERSON: Okay.

Mr Cook: A woman named **BLANK** who was employed through someone or other recommending her and lasted two weeks before she was fired because she had hepatitis C, she was spitting on the kids. She was an entirely inappropriate person and when DCD heard that she had been employed for a short period of time reacted in horror and said, “We would have closed you down on the day we heard it, because she is on the banned list for DCD employment and is not allowed to be anywhere near young people in her care.” There was that kind of mischievous. A woman named **BLANK** is still making abusive - and totally illegal - abusive phone calls. She has clearly a mental condition and a sense of being wronged, which the courts certainly did not uphold. I am not aware of any employee, of course, who remains unpaid whether through legal process or through proper process. But, of course, my understanding is that the entirety of the ATO’s moneys - taxation connected with payments and superannuation and so on - in its entirety remains unpaid. And I believe Michael Carton has an arrangement with the ATO. Of course, there is also a sum which I have no doubt personally - I have examined the papers in this specific instance that I am about to relate - the sum of something like \$650 000, which the Department of Education and Training, I repeat, in my view, certainly owes the program.

Hon PETER COLLIER: What is that for?

Mr Cook: That is for - there was a period of about four months between; I am remembering here, Mr Collier - between about October 2005 and February 2006. I may be a little off, but that is about it, where DET simply did not pay its invoices. That is to say, it paid the invoices for staffing and

whatever other financial responsibilities it had up to October 2006 and again from February, but simply has not paid -

Hon PETER COLLIER: 2005, was it?

Mr Cook: I beg your pardon. Up to October 2005 and from February 2006.

Hon PETER COLLIER: And it stopped?

Mr Cook: And for that one period in between - no change in provision, no changing the kind of invoice - that sum of money remains unpaid today.

Hon PETER COLLIER: With your experience with the department, did you discuss this with anyone within the department - with John Garnaut, for example?

Mr Cook: No. I would advise Mervyn and Michael in the negotiations because I know the way the system works and I know all the players. But I never had any involvement. I did not have any role. I did not have the position -

Hon KEN TRAVERS: How do you know that was not paid?

Mr Cook: How do I know?

Hon KEN TRAVERS: Yes.

Mr Cook: Well, I assisted, including over the last - what is it, October now? Over the last 12 months I have assisted Michael in writing the letters, because I remain with an abiding commitment to Michael Carton as a friend and as a person of remarkable intentions for the sake of alienated youth. He has lost enormous - he has lost everything he owns. Where is that \$650 000 missing? It came out of his pocket, of course, although about \$400 000 is owed to the ATO, I believe. How do I know? Well, I assisted Michael in writing the letters to DET requesting its payment, most recently last month. I was in Melbourne and I spent half a day with him composing the letter. It is a letter signed by Michael Carton to Sharyn O'Neil as Director General. I have a copy of that letter, of course, because I helped to compose it. But it is a private letter from him to her. And, of course, in so doing, I pursued all of the documentation to satisfy myself, apart from anything else, that this was kosher and legitimate. I have no doubt whatsoever. I have seen the invoices.

Hon KEN TRAVERS: Where are the books for Balga Works then?

Mr Cook: The books?

Hon KEN TRAVERS: Yes, to work out who was paid what, when, where and what is owing and what is not owing.

Mr Cook: Yes, it is a good question and I am sure you will think it is a good question. A slippery answer - I do not want to give you a slippery answer - would be, I would like to know too. The best I can do to give you any clarification is that you will find the paperwork exists, including financial paperwork in, I think, about four places in no order of importance - in the registrar's office at Balga Senior High School. Now, they have been fully investigated by the police in the public sector investigation unit inquiry. I was interviewed for them and happy to. I have a copy in my folder here of my statement there. That is source one. Source two will be the district office, because Gerry Borger was the financial officer from the district and/or central office who was connected with this and doing his own audits. Thirdly, you will find them in the files of Michael Carton, all of which files the police gained access to and copied and still have - the public sector investigation unit of the police. And fourthly, I suspect you will find some of the crucial financial records in the office of Peter McCaffrey, the Deputy Director General Finance of the education department.

Hon PETER COLLIER: Will that include those letters, Mr Cook? You mentioned you helped Mr Carton with a number of letters to the department. Is it plural?

Mr Cook: I should clarify that. At one point Michael and I - me advising Michael, or as his friend, you know, there is no longer a formal relationship - we were going to go through a barrister and I helped Michael prepare the case and, I repeat, I did that for two reasons - I learnt over the period of time I always need to have two reasons. One is to help and the other is to satisfy myself about what is right and proper and true in all of this.

Hon PETER COLLIER: Sorry, just to follow up -

Mr Cook: So there is only one letter that I am aware of, I beg your pardon. Only letter that - no, there are two letters, I believe, have gone through to central office from Hurson Pty Ltd signed by Michael Carton. One was in, perhaps, December last year that went to Keith Newton, and Keith Newton sent the reply to reply to Michael. I am sure I have got it in my records as well. It was a bland - requesting payment of these invoices.

Hon PETER COLLIER: The \$650 000?

Mr Cook: Six hundred and fifty thousand - within a few - within a thousand or so. That received a bland bureaucratic letter of the kind that says we have received your letter and are looking into the matter and will be back to you when we have looked into the matter. That was, I think, December last year. The next letter was sent in August of this year - approximately a month ago. I have a copy of that in my folder. That is the letter I referred to previously direct to the director general making inter alia the observation and point that there has been no follow-up to the letter of December last year, there has been no payment of the invoices, here is a copy of the invoices, here is a complete copy of the history, would you please get on with attending to that matter?

Hon PETER COLLIER: Can I clarify that then? At this stage, neither you nor Michael Carton knows why DET did not pay the money from October 2005 to February 2006?

Mr Cook: If I may say so, I think that is a really good question in the way you shaped it, because it contains the correct answer - we have no idea. I have never and nor has Michael ever received any explanation. But, of course, at least in writing there has never been a written single word, let alone sentence, of explanation as to why the program was closed either. I have got to say that I believe there are some villains in this program and one of them is central office of DET. I am ashamed of it; I have spent my life in commitment to government schooling -

Hon PETER COLLIER: Why would you say that though? That is a fairly harsh term.

Mr Cook: I am saying it in that way because it is totally inappropriate for me to swear in an upper house inquiry. That is as modest as my statement could be. Well, one part of it is - I am sorry, I tend to be reasonably straight in my talking, particularly when I am becoming intense and I am, right at this moment. I feel very strongly about it. Part of it is bureaucratic ineptitude, the rampant raging law of mediocrity applied to the nth degree. Part of it is sheer wilful gutlessness - wilful gutlessness, toxic gutless - an inability to deal with anything that is different. From the very beginning the director general and the minister of education should have visited Balga Senior High School and said, "Merv, we will back you". Why? Because, you are Merv Hammond. You have got the history; you have the runs on the board and no-one else has. No-one else has in a system employing 20 000 people with 750 sites. No-one else has those runs on the board in dealing with the trickiest of young people. Secondly, you are attending to a problem that we desperately need a model for - the new raising for the compulsory leaving age, alienated youth who are going to have to start going to school will be involved in a program. What the bloody hell are you doing to tackle this? And here was an opportunity. Thirdly, they should have had the wisdom to recognise this was very complex, very interagency. And the record of interagency cooperation in education and other things in this state is shameful. It is shameful at the level of your Parliament. It is shameful at the level of government departments. We just are not good at it. It is the silo mentality. It is the sort of reason that I got out of the system. The best and most complex of things demand people working together and giving up some of their own province, some of their own bossiness, some of

their own rights and entitlements to be powerful. Now, it is kind of - it comes together in a remarkable way, in the shape and form of these young people because, of course, no-one wants them. Of course Joondalup does not want them residential there. You do not want them living next to you, I promise you. And I certainly would not want them living next to me. No locks would keep them out. I do not want a bunch of drug-addicted, abused and abusing young people molesting my family, thanks very much. Of course, who does want them? Well, the Sue Gordons and Denis Reynolds of this world were desperate to seek out programs and they backed this program because they could not find any other. I did find of singular interest that two days ago in *The West Australian* there appeared one of the very rare good news stories of *The West* about the new head of the - may I refer to it? I just think it is extraordinarily relevant and I had to smile. I am referring to the Wednesday *The West Australian* page 5 of October 3. I am holding it up to you. I am saying that, of course, to the microphone, with this new man Terry Murphy and the article there, not by Jessica Strutt, thank goodness and, therefore, has a chance of being positive and constructive, which would be very refreshing and in this case is. And why I was so bemused is because the tenor of this article is about the crying need for models and placements for alienated juvenile offenders other than jail. Guess what Balga Works was? It got closed down in the accommodation program, pretty rough as guts, but let me tell you there were an awful lot of very thankful people. And there were a handful of young people whose lives were turned around. And it would be a fascinating point of your inquiry to ask what has happened to those who were kicked out at the end of December last year. I will back that there has been at least one suicide. I will back that they are on the streets. I will back that there has been no happy ending for any one of those young people, because DCD and DCS admitted, we have no idea what to do with them. No idea. Well, I know what has been done to them - nothing. Now, in two cases they went back to precisely the sort of family that you would not want your children going back to. And the children did not want to go back there either. Sorry, that is an emotional response to a very good question.

Hon PETER COLLIER: Thank you.

Hon SHEILA MILLS: Why do you think that people were so singularly unsuccessful in obtaining funding of the program that was so good?

Mr Cook: That is a question which I have thought about a lot. It is not territory that in my own career I have much dealt with. This was an opportunity to deal with it. I certainly do not claim expertise in the territory that your question is getting at. Part of it, however, is there are very few precedents for direct negotiation between commonwealth departments, and in this particular program no one department could own the whole thing. And a department that does not own it or does not get all the kudos finds it very difficult to release moneys. That is certainly one of the factors. Even in the ICC, which brings together - is the commonwealth's latest attempt to bring together to bash the heads together of all of the commonwealth departments connected with the Nyoongah communities, for example.

[3.30 pm]

The fact is the ICC is a figurehead. What happens at it is people go in and negotiate and then go away and then the department heads negotiate. They negotiate on the basis of saying, "You pay, it's not my turn", or "You're going to get the glory." I do not mean that to sound flippant and, of course, I am not crossing the t's and dotting the i's, but that is the guts of what does not happen. That is one part of it.

Secondly, there is no question in my mind that over the two years of the program some reputations developed that made people and government departments very wary about putting money into something that was not being actively supported by central office - au contraire at times. It was revealing complaints from disgruntled employees - I repeat, often with very good reason because they were not being paid. A third factor is that no agency likes to give money for retrospective funding. They always want their money to be for something prospective, for something to happen,

and to be pro-active rather than filling in holes and covering up tracks and problems. It is not a complete answer, but they are some parts of the answer that I worried away at in trying, myself, to understand and explain. Perhaps, I should add the final thing; that is, they are all bureaucracies.

Hon KEN TRAVERS: I have to challenge some of those points. From your evidence there were no accountability mechanisms in place within the program. Correct me if I am wrong, but it is the impression I got from what you said.

Mr Cook: I think you are wrong on that, but I will happily come back to that.

Hon KEN TRAVERS: There were no financial controls or clear controls in place and no recognised business plan. They ran ahead with the program and just did it. You used the term “cowboy” affectionately. How does a government fund a program along those lines when you have those problems? At the end of the day it is taxpayers’ money and you cannot put taxpayers’ money at that sort of risk. Please tell me where I am wrong, but what controls were in place to deal with education outcomes, financial accountability and management accountability? You made the comment that, “Michael Carton was not paying the people he had but was still employing more people.” You asked the government to fund it not only in the future but also retrospectively.

Mr Cook: It is not going to happen, is it?

Hon KEN TRAVERS: Explain to me how you do that as a government? I agree with the program. I agree with the outcomes and philosophies. However, the modus operandi of trying to setting it up, I cannot see how a bureaucracy could fund it.

Mr Cook: It leaves me flabbergasted. I do not think you are wrong in any respect. You are very properly, in my opinion, illustrating a perspective and previously I was illustrating a kind of an internal supportive perspective. It comes out of me trying to understand how the shemozzle it became could eventuate like that. However, you raised two or three specific points. There was a development of a business plan. That is available in black and white. John Garnaut has that business plan. It was developed by the school. I tried to influence it. I thought it was a fine business plan. I have that at home. It is out there.

Hon PETER COLLIER: We have a copy of it.

Mr Cook: Okay. Secondly, there was a range of accountability mechanisms. The school went through all the normal audit processes that the education department puts its schools through. There were lines of control and management there. The principal was subject to the direction of the district director. A full line management basis was put in place. It broke down in part because of an important earlier point I made. The complexity of this program is that it was not simply a school program. It involved so many diffuse, dispersed and differently factioned players. The fact is that it involved a businessman and his business kind of model. Michael Carton did not have a line manager. He was an external contractor. The external contractor was allowed - I will not argue it is right or wrong - by the education department to be employed because the education department allowed the school to cash in its salary money and deploy it differently. There was a very good reason for that. Michael and Mervyn, and I certainly agreed with them, understood that if it went through teachers appointed by the system someone was probably going to get knifed.

Hon KEN TRAVERS: I understand that. The school had it to that point. The school was given its money and the school handed that money over to Michael Carton, or an entity associated with Michael Carton, to deliver programs. Where is the evidence that those programs were delivered and where are the reporting mechanisms to ensure that those programs were being delivered - not in terms of the nitty gritty of how Michael Carton was spending the money, but that he was actually doing something with that money?

Mr Cook: I will do my best to give a two-part answer to that. One part is that it is my professional view that the reporting mechanisms set up were disgracefully inadequate. It is one of the glaring obvious weaknesses of the entire deal. Mervyn Hammond was not much of a reporter. Michael

Carton would never had the time and would say, “Why am I writing reports and to whom?” That is part A: the reporting mechanisms were inadequate, missing, lacking and hopeless. It is another reason why I ended up saying in 2006 - March or whenever it was and remember we were not seeing the program closing then - that if I was going to have anything to do with it we had to start attending to some of these issues. The district office was in part connected, but it did not have a formal role with the accommodation program. The school was connecting with the accommodation program and it was growing like Topsy. It is not the bureaucratic way - bureaucratic in the good sense of the word - but it is the truth of how it happened. Part of my answer is that the reporting mechanisms were sorely lacking and totally inadequate. I have forgotten the second part.

Hon SHEILA MILLS: With reference to the accommodation program and the accounting mechanisms, Merv Hammond was specifically instructed that school funds were to go into that accommodation program.

Mr Cook: Okay.

Hon SHEILA MILLS: That was laundered through the P&C.

Mr Cook: Laundered?

Hon SHEILA MILLS: Yes, school money going to the P&C and then going on to accommodation. There was no accountability mechanism there, was there?

Mr Cook: Evidently not, no.

Hon PETER COLLIER: I appreciate that you were not involved in the grassroots component of the program. With regard to the students enrolled, and we know that the FTEs are based on student enrolments, etc, have you any idea how many students were enrolled in the program and how many were attending the program on a regular basis?

Mr Cook: On a couple of occasions, at meetings I was called in to be involved in as an adviser, I sought that precise information. I can remember one meeting where I was - I think the others were glad I was doing it, but I was doing the hard thing - pinning him down and saying, “Michael, I want names. I do not want you to tell me there are 156,” - for some reason that is a figure that sticks in my mind for enrolments - “where are they?” I was never at Balga Senior High on any occasion where I saw more than 20-something. Of course, there was some revolving door business going on. My recollection is that on that day, with others sitting and me doing the questioning, we got down to something like 40 names of students that the group of people sitting there could say are not only legitimate enrolees, but are active participants in the program, even if not 100 per cent of the time. None of these young people was involved 100 per cent of the time. I am sorry, am I answering your question?

Hon PETER COLLIER: You have answered my question.

Mr Cook: I believe that 150-something names at various points were either enrolled in the school or names on lists.

Hon PETER COLLIER: How often would you be in attendance at the school?

Mr Cook: I could go a month and not be there at all and then I might be there every day for a week. Most of my time in the school, for example, in 2006 would have been spent in mostly Mervyn Hammond’s office or Michael Carton’s office.

Hon PETER COLLIER: In those times that you were there - if I pick up on something you said earlier - you would be looking at about 20 students in attendance.

Mr Cook: The typical kind of number that was there on any given day - my observation was, and I think Adrian Brand would support this, tended to be 20-something. I would not have a clue as to what the record number in attendance on any one day was. I would be very surprised if it was over 30.

Hon PETER COLLIER: I will pick up on two things. You mentioned Adrian Brand. From what you were saying I understand he came from the department to assist in overseeing the program.

Mr Cook: He was a teacher in the school and was pretty good at dealing with difficult issues. I pushed and pushed and did a bit of a mini review. It was one way of more formally getting people to listen and to make sure that a range of people heard what was being said. I stressed that the school needed to provide a school senior officer to be in daily attendance at the shed with the program.

Hon PETER COLLIER: He was like the Balga Senior High School's representative on Balga Works.

Mr Cook: Yes, what we would call a program coordinator.

Hon PETER COLLIER: Was he paid through the senior high school or the conversion -

Mr Cook: Absolutely not through the Balga Works program.

Hon PETER COLLIER: So he was employed through Balga Senior High School?

Mr Cook: He was employed by the education department as a teacher at Balga Senior High School.

Hon PETER COLLIER: You said, I think, that you were not paid much.

Mr Cook: Probably.

Hon PETER COLLIER: With regard to who paid you, was it Hurson and the Balga Works component or were you employed by DET through the senior high school.

Mr Cook: As a consultant, because I was never an employee, I would do commissioned work and I would simply put together, as a business does, an invoice. I do not think I have ever put together an invoice in the history of the Balga Works program.

Hon PETER COLLIER: So you were paid through DET?

Mr Cook: My invoice was addressed to the principal of the school and would be paid through the school registrar from the school funds. Some of my invoices may have made reference in my description of the services I performed to Balga Works. I am sure some of them would have. I had a range of capacities. I was doing reviews, writing a document, presenting PD or whatever. All my payments were simply through my standard net invoices that would go to the principal of the school, not to Hurson at all.

Hon SHEILA MILLS: You mentioned the detox clinic that Michael Carton set up. Where was it? Was it in the school?

Mr Cook: I never actually saw it. There is supposed to be a nurses building at the school. My recollection is, and I do not know a lot about this specifically, that that detox clinic was funded - I was going to say by DCD - for a very specific student. The point of it was that DCD and the school negotiated to see whether they could continue with the involvement of some young people with very special needs in order for the school to be caught up in it rather than this person having to go away and, therefore, becoming further alienated from schooling and that community group. I saw it at the time as being almost the equivalent to having a childcare centre on campus.

[3.45 pm]

Hon SHEILA MILLS: And you think that was funded by DCD?

Mr Cook: You should not quote me. That is just a memory for me. I did not connect with it.

Hon SHEILA MILLS: Would you have contact details for Michael Carton?

Mr Cook: Of course.

Hon SHEILA MILLS: Would you be able to provide that to the committee staff?

Mr Cook: It is not a question I was expecting. I would ask you to explain further to me why you would ask me that question.

Hon SHEILA MILLS: We thought it might be useful if we could write to him.

Mr Cook: You mean you have not been able to write to him?

Hon SHEILA MILLS: No.

Mr Cook: Have you not? I do not know whether that places me in an awkward position.

Hon PETER COLLIER: Would you be able to contact Mr Carton and perhaps see whether he has a problem with that?

Mr Cook: Certainly, I can do that and would be pleased to. I hope you see the surprise on my face, even if the microphone cannot. As it happens through a particular set of circumstances, Michael and I have not been in contact for the last some five weeks. That is on a more personal basis, although it may be that I am owed some money. I remain enormously loyal to him. I did make a commitment to him that in his and his wife's and his two gorgeous little children's best interests, he should be able to re-establish his life in Victoria in the country town where he is living and that I would not reveal that. Of course I have never been asked by police or an upper house committee of my government. Therefore, you can see that I feel caught. I would be delighted to make contact with Michael. I am prepared to attempt to do that this evening. I would email him and ask him is it okay with him if I give you his mobile, his house address, his home number.

The CHAIRPERSON: A postal address would be fine.

Mr Cook: I feel very awkward. I have no intention of wishing to alienate this august body.

Hon KEN TRAVERS: If you have a personal commitment not to give it to him, we will not force you to do that at this stage. The committee would be interested in talking to him.

Mr Cook: I would have thought so. I did not know he had not been called.

Hon KEN TRAVERS: You have presented a view about him which is quite different to that presented by many others, to be honest. From our point of view, it would be very useful to hear his side of the story. If you are able to talk to him and ask him, either to give the information to us or get him to contact the committee secretariat about trying to arrange for him to appear before us.

Mr Cook: Absolutely. I will do that way before I go to bed tonight. I am more than happy to commit to contacting Renae or Lisa to give you that result. If at any point you require me to, I am a proper law-abiding citizen. I will tell you anything you want if you require me to. I appreciate that at the moment you are not forcing me to. You need to talk to Michael Carton. He must know that. Normally, I would be able to give you all the answers because we would normally - this year we talk very, very regularly. I am now like family in their family, and I have enormous admiration and high regard for Michael Carton. I know that I am one of the very few people who does. I have seen the commitment, I have seen the sacrifice. I know first hand how little he has been in any of this for himself. I know what it has cost him. I have never met a human being, including monks and priests, who are less personally caught up in greed or seeking things for himself than that man. He is quite remarkable. I totally fully understand that a lot of people have an extremely negative view of Michael Carton, and I think sometimes with very good reason. He should never have become involved with the bureaucracy.

Hon KEN TRAVERS: From your perspective, what was the genesis of the accommodation program? How did it get started?

Mr Cook: Again, if I may say so, that is a really important question because "genesis" is right. It did not come out of - as I understood it, it never came out of a planned decision. Merv had long had in his head the notion there were some flats next to the school, some of these kids need more than just seven hours a day in the school - what they actually need is care. There were other kids that

Merv and his school could help who were not in Balga and therefore could only attend Balga if they were living there. In comes Michael. There was no talk in late 2004 or, I think, at the very beginning of 2005 about a residential component. There never was a written-down plan that said we need to go into this. Essentially, it was Michael and very much Merv saying, "I'll help in any way I can" and the P&C saying they would help in any way they can - I was not part of the P&C at that point - recognising that some of these young people had nowhere to go. DCD and DCS, in particular, in the early days were saying, "We can't give you these young people on bail orders if all you're offering them is a nine till three program. We can't bail them unless there is a daytime program but if there's a daytime program, there's got to be something else or we can't bail them." You see the catch-22 for them.

I can remember so many times when my eyebrows went through my hairline, suddenly hearing things like, "They've taken on some accommodation and they are housing some young people", never without some involvement of DCD and DCS. Those two government departments are in the middle of this all the way. I am not saying that negatively. If you are calling DCS, you might like to ask what financial contributions it ever made to the program. I believe it is exactly nil. Three thousand-plus bed nights - this is a fact I am telling you. I have all the documentation; I have examined it carefully. Over 3 000 bed nights, a bed night meaning a night in which a young person was in accommodation and the responsibility of Balga Works program or Hurson or whatever the name was, over 3 000 bed nights, which in alternative accommodation is calculated YELP to be at an absolute barest of minimums, \$214.60 a day, which is what DCD paid. In practice, if you find any other places, witness that article, that are accommodating these young people, typically \$400 a day. Three thousand times 400 - work it out. The sum - \$1.2 million. Not one cent has ever been paid by DCS.

Hon KEN TRAVERS: What is the documentation you talk about? You said you have seen the documentation.

Mr Cook: All the documentation with the entry of these young people and where they came from. Most of them were on court orders, these young people in accommodation, and DCD orders.

Hon KEN TRAVERS: You said you still have that documentation. Are you able to provide that?

Mr Cook: Michael has it all. I have copies of a heck of a lot of it. I am actually very keen on seeing that Michael gets some of his personal fortune that is all completely gone. I can also say of course that is one key reason, I suspect, why DCS has never paid a cent to this program, shame on DCS, but the other reason is because I do not think it has ever been invoiced.

Hon KEN TRAVERS: Would it normally pay for the accommodation or is it more DCD?

Mr Cook: DCD, DCS do not see them in the same breath or same thought.

Hon KEN TRAVERS: Do DCS normally pay for accommodation for kids who are on bail?

Mr Cook: Absolutely. Of course. They were not being released to a charitable institution. They were being released on a planned program signed by Judge Denis Reynolds, chief of the Children's Court, or a key magistrate like Sue Gordon under the care of an agency to provide services for them. Of course they expect to pay, but they never followed up on seeking the opportunity to pay.

Hon PETER COLLIER: Who never followed up?

Mr Cook: The Department of Corrective Services I believe has never paid one cent.

Hon KEN TRAVERS: Has it ever been asked to?

Mr Cook: I just told you. I think the second reason why they have not paid any money is because they have never been invoiced.

Hon PETER COLLIER: I think DCD has paid.

Mr Cook: I said DCS. It is a separate department.

Hon HELEN MORTON: DCD is the Department for Community Development. What is DCS?

Hon KEN TRAVERS: The Department of Corrective Services.

Mr Cook: There were two categories of young people who became involved in the program. From the beginning it was more the Department of Corrective Services and the sources of the young people were essentially through the Children's Court and the judge and the magistrates operating there. Michael was making his network of all these wonderful people, trying to find ways of caring for these young people. Secondly, on a completely other hand, the Department for Community Development, because many of these young people, if they were not in jail or about to go to jail, were wards of the state. If you are a ward of the state, you are Department of Community Development.

Hon PETER COLLIER: Mr Cook, are you saying DCS were invoiced but didn't pay?

Hon HELEN MORTON: He is saying the opposite.

Mr Cook: No. One of the things I find amazing in this whole deal is that DCS has never been invoiced.

Hon SHEILA MILLS: If Carton is running around trying to get money, and they are supposed to owe 3 000 bed nights' worth of money, what is Michael Carton doing?

Mr Cook: It is almost impossible to explain to you in a satisfactory way the commitment. He never had time. He was always dealing with a crisis. I said he worked 37 hours a day. That is clearly a gross exaggeration. The truth is he worked 21 hours a day, literally, seven days a week, always on call, always pressured, pressured, pressured, many of which pressures he brought upon himself because he would take these people on. If they picked a kid up in the street, they did not take them and dump the kid. If there was nowhere to place the kid, he took the kid home.

Hon PETER COLLIER: Essentially, it is not the department. The department really is not responsible at this stage because they still have not to this day been invoiced.

Mr Cook: That is the only way in which that can be stated formally correctly. That is true. They have not been invoiced and therefore they have not paid. DCD have paid.

Hon HELEN MORTON: If they were not at the Balga Works residential service, what other sort of residential service would they be at that DCS would pay for? Give me an example of what DCS would pay for.

Mr Cook: DSC contracts a couple of - I cannot remember the specific names. It has a couple of Balga Works residential programs equivalent, which are oversubscribed and overfull and do not cater for all the need around Perth. That is one part of it. The essential answer is these young people are in jail. The ones in the Balga Works program got to the Balga Works program by being released on what is referred to as bail orders by the Children's Court to the care of the Balga Works program. If not, they would be in jail.

Hon HELEN MORTON: When other young folk are released on bail into the care of someone, that is, their parents or employer or another responsible adult of some sort of another, does the Department of Corrective Services pay them for their accommodation?

Mr Cook: I do not know the answer to your question. I only know the answer to the question: does DCS make formal, and therefore financial, arrangements with organisations for the care of young people on bail orders and is remuneration offered for that or accepted as being required? The answer emphatically is yes. In DCD's case, of course, they try to place kids with a carer. In the case of a formal accommodation program, DCD has a contractual arrangement, which was \$214.60 a day, to pay for board and lodgings, what it amounts to, and transport to a daytime program.

Hon PETER COLLIER: Picking up on what Helen was saying then, given what you have said - it is interesting stuff - the fact that Sue Gordon and other magistrates were out there dining with these

disengaged youth that had been bailed in a number of instances, it just seems staggering that they would not have perhaps focused on the prospect of providing some sort of remuneration for this issue.

[4.00 pm]

Mr Cook: They did. It was all care and no responsibility. They took the effort. Denis Reynolds made a number of approaches to appropriate government departments, including the Premier's department, certainly to DET, backing support for the program. That is one part. Secondary, of course, my guess is Denis Reynolds and Sue Gordon would be amazed to hear that Michael Carton never invoiced DCS. They, of course, assumed that he would have. He did not. Then Michael kind of got caught. It sort of seemed to him like too late, and I am saying to him, "It's never too late. What are you talking about? The state owes you the money. It will help pay some debts." But that is up to him. He does not have to do that. DCS does not have to chase him up and say, "We feel guilty because, you know, you saved" - the calculation - I would be surprised if Keith Mynard did not make reference to this when he appeared. All I know is he did appear. I assure you he did not tell me what he said. He is a very straight man. He did the calculation at one point of the savings to the state through the Balga Works program, and absolutely they are beyond \$10 million. I believe that can be empirically documented, that the savings to the state are over \$10 million in the cost of jailing of these young people, which is where they would have been without the program; because the cost of incarceration of a young person in this state - I did know the figure - it is either \$1 200 or \$960 per day and night. That is what our state, your state, pays for incarceration

The CHAIRPERSON: It is \$200 000 annually.

Mr Cook: And these kids were not incarcerated. Over \$10 million it saved. And I see the press and other people talk about this \$3 million pit. It costs \$3 million to staff a middle-sized primary school in any suburb of Perth. That is the salary bill in any year you like, and people talk about this \$3 million as this gargantuan sum of money and then the implication is that some of it must have been going into people's pockets. Well, if this committee manages to find one cent that went into anyone's pockets, please contact me and take the burden off me by sharing the good news with me; because I do not think one cent ever went into anyone's pocket; and certainly - certainly - not into the pockets of Hurson or Michael Carton. They are broke. He was worth over \$1 million of his own money; a businessman, a very successful businessman, despite some issues clearly in Victoria, when he came here and he ain't got no money. Like, you know, he first sold his car, then sold his wife's car, then sold everything else. Where was it going?

Hon PETER COLLIER: Was he a bankrupt, though? Was he not a declared bankrupt up until August of last year?

Mr Cook: Was he? A declared bankrupt?

Hon PETER COLLIER: Yes.

Mr Cook: Did he declare himself bankrupt?

Hon PETER COLLIER: No, he was declared, a declared bankrupt.

Mr Cook: Are you sure?

Hon PETER COLLIER: Yes.

Mr Cook: I do not know. I would have said he was not.

Hon PETER COLLIER: I am sure.

Mr Cook: But I can easily see if he was, why he was, because he was bankrupt - he did not have any money, which is what bankrupt means, I think, yes. Anyway, I mean, clearly I am very passionate about supporting Michael in terms of the goodness of the man. I think some of his

business practices are not practices that I would engage in myself. That may be the world of business; I do not know.

Hon HELEN MORTON: Did Mervyn and Michael ever fall out over this business?

Mr Cook: Earlier on I made the comment that I became tired of Michael coming to me and saying, “Please, Jon Cook, sort Merv out” and Merv coming to me and saying, “Please, Jon Cook, sort Michael out.” Constantly there were tensions. Merv was under enormous pressure for Michael to come up with the money from various sources to fund this program that Michael kept promising and did not appear; and Merv is a very naive trusting person in many ways. He is actually a very naive man. He kind of believes good people on the basis that they will follow through, and over a period of time learnt that Michael could not always follow through on his promises. In the meantime it was very clear, in retrospect, that what Merv was doing was using school or P&C money to keep this program going for as long as he could because they had a commitment to it and what were they going to do; turf the kids out? I would never in any sense use the word “stealing” in that sense; and I do believe that the charges that Merv is under, which I of course examined a great deal, do not contain one iota of criminal intent or of money into his own pocket. And furthermore, I absolutely believe - I would say “know” but you might say that I am not justified in using that word - I would nonetheless say I know that every penny of it went where it was intended to go, but it was not always obeying bureaucratic regulations and requirements and that was, therefore, of course a source of tension between Michael and Merv. They would each describe the other as a saint and each would say they have great regard for the other, and at times I think they actually wanted to strangle each other, particularly Merv wanting to strangle Michael - a feeling I know myself. I love him.

Hon HELEN MORTON: And what is their current relationship?

Mr Cook: Distanced. There have been a couple of conversations. When I was in Victoria in August of this year and spent time with the Cartons, some of the time we spent was working through documentation and understandings Michael has which can support Mervyn in his upcoming court case. I remain a very loyal and committed friend of Mervyn Hammond’s, and Michael was very pleased to contribute there and will no doubt contribute more. But they do not have a daily, weekly or monthly relationship, an ongoing friendship of any kind. I think the only person in Western Australia who does is me.

Hon KEN TRAVERS: I have a couple of questions. In a program like this, do you think there should still be a range of checks before you employ staff?

Mr Cook: A range of checks?

Hon KEN TRAVERS: Like police clearances, those sorts of things, background checks.

Mr Cook: Absolutely; but of course police clearance was gained - my understanding is for every employee of this program. I think all of them went through police checks.

Hon KEN TRAVERS: Okay.

Mr Cook: I mean, your question surprises me because I asked that question on a number of times and was involved in meetings where formally the school was asking the same questions, and Adrian Brand very definitely was. I do not believe I ever was given any sense other than every employee went through a police check. But my direct answer to your question is of course there should be checks.

Hon KEN TRAVERS: Did anyone ever check that or was it just Michael Carton’s word taken for it?

Mr Cook: I do not know the answer to the question.

Hon KEN TRAVERS: But when those questions were asked and you were present, who answered the question to say that they were being checked?

Mr Cook: It would have either been Michael or - I cannot remember, but it could have been Michael. I imagine it could have been Merv, or it could have been Adrian Brand. It was never something that lit a light in my head. It never triggered off a concern for me because if it had, I would have absolutely pushed the point.

Hon KEN TRAVERS: But if people are asking those questions, surely, why would they have been asking?

Mr Cook: No, they were not really asking the questions. I would talk to them, for example, on the basis of exploring the ways in which we can employ people; exploring the ways in which we can ensure that they receive the appropriate training; ensure ways of seeing their voices were heard. I mean, this is just good management in the ongoing processes of the bits that I was caught up in.

Hon KEN TRAVERS: But you were present when people advised them and made it clear that the checks were occurring.

Mr Cook: Absolutely - well, at the very least police checks.

Hon KEN TRAVERS: All right. I guess the other question I had was when, I think in February 2006, you decided it was time to bring together a management committee, was the financial management a part of that? I take your evidence that personally that is not your skill set, but was that ever discussed about the need to put in place better financial controls within the program and for someone to take control of the finances at that point?

Mr Cook: Since you have requested that I leave you with and table the documents, I have got in front of me - you do not yet have but you are going to have because you have asked me for them - all the minutes that I have of Balga Works' meetings, for calling them, and if you do not mind I will just quickly refer to see on the agendas. The first meeting of the Balga Works management committee was called for Tuesday, 14 March, so it would have been called earlier. And what I did was put out to the prospective committee, because it had not met to authorise itself at this point, and it was my initiative, I posed some suggested agenda items: composition; documentation; decision-making; a school officer, the Adrian Brand person; a proposed Balga Works program financial officer.

[4.10 pm]

That was a constant topic of conversation between Mervyn, Michael and myself. The financial operation of this program was beyond the skill set and the duty statement of the registrar of Balga Senior High School. As an observation, it would be fair to say it was very considerably beyond her skill set and, I believe, in fairness to her, her duty statement. What we needed was an officer who could take control financially and manage the thing as well as ensuring probity and so on for the whole program. We were all enormously conscious of the need for that. The problem was we could never find the money to pay the person. I kept pushing. No-one was arguing against it. It would have been an enormous help but who was going to fund the position? That was part of it. I am sorry, but just so that I can give the complete - finances appeared on the agenda for Thursday, 3 August 2006 and the agenda reads "item 4 finances: update on commonwealth funding from the ICC; update on Balga Works program tender process." You have not asked questions about that, but that was a saga in 2006. "Update on debts, procedures for settlement, staff back pay, P&C canteen." I had listed here, Michael, Gary - that would have been Gary Taylor the deputy principal - and Keith Mynard, as the three who either were going to talk to it or had requested that item to be on the agenda.

Hon PETER COLLIER: Are they agendas or minutes?

Mr Cook: Of the little set of documents I have here, some are agendas and some of them are minutes. It is the complete set of the one I have got.

Hon KEN TRAVERS: You also made a comment during your evidence that you were not aware of any employees still remaining unpaid.

Mr Cook: I am not aware of any. I asked Michael a number of times, but I did not need to go on pressing it because I accepted the answer that now, and long since, there are no wage entitlements of any employee that have not been met. If there are, I am not aware of them, Mervyn Hammond is not aware of them, and I believe that Michael Carton is not aware of them. A couple of cases went to court in order for settlement to be realised.

Hon KEN TRAVERS: Your basis for making that statement is conversations with Michael Carton or Michael Carton and Merv Hammond, or from examining documentation?

Mr Cook: I have never examined - yes, I believe what the various people have told me in the settings that I was in.

Hon KEN TRAVERS: What would be the basis for your making that statement?

Mr Cook: I have never seen any documentation in relationship to the salary or wage entitlements of any employee. It is just not my territory.

Hon KEN TRAVERS: Have Merv Hammond or Michael Carton - I will put the question another way - advised you that there is no employee still with an outstanding claim?

Mr Cook: For salary?

Hon KEN TRAVERS: For salary.

Mr Cook: Not counting superannuation and tax, because they certainly are unpaid, and no-one is pretending that they are paid. Yes, Michael Carton quite explicitly has said that. I do not know whether Mervyn Hammond has explicitly said it or not. I am sure you do, and you do need to, understand the way the employment of people worked. The money came in from DET to the school in the form of sums of money - deposits - which Merv was then entitled to deploy to Michael Carton, and it was Michael Carton who employed and paid the non-salaried, non-education workers.

Hon KEN TRAVERS: My final question is: at one point you said, "There were some tricky questions about employees, but we will come back to it later. I do not know if the committee wants to ask me about that." I cannot even, to be honest, remember the context of it, but I am asking you about it now.

Mr Cook: Certainly. I have, in part, dealt with it when we got to the point when I was saying I believe that there are people with several kinds of complaint, some of which are legitimate, some of which are mischievous. I then gave you the illustration of BLANK, I made reference to BLANK, who are the two people I believe have behaved mischievously and should never have been listened to, or if they were being listened to, certainly should have had alternative positions sought.

Hon KEN TRAVERS: Who would we seek those alternative positions from?

Mr Cook: Sorry; who should have?

Hon KEN TRAVERS: Who should we seek those alternative positions from if we were to get evidence from those people?

Mr Cook: I would count my own evidence I have been giving you as part of a more complete picture. I do not expect any one individual to have a complete picture.

Hon KEN TRAVERS: That is why I am asking you who else would you suggest would be able to give us that complete picture?

Mr Cook: Add to the complete picture.

Hon KEN TRAVERS: Yes.

Mr Cook: Michael Carton, of course; Mervyn Hammond, certainly; Adrian Brand; Gary Taylor, absolutely, and the key staff who were running - I don't know if I can remember all their names, or any of their names really - the key staff who were actually running the accommodation at Nottinghill Street. All of those people will give you more complete pictures.

Hon KEN TRAVERS: Who were the key staff running the accommodation at Nottinghill Street?

Mr Cook: Apart from Michael, and to some extent Kate Day - although Kate Day is really involved in this, in my view, because she was the partner and then wife of Michael Carton rather than because she was instrumental - she was part of the business and therefore you take some responsibilities, but she was never the legs or the mover and shaker of the program. Apart from them, and look, I am sorry, I do not have any reference here to remember the names of the couple of key people. I could easily look them up. Would you like me to?

The CHAIRPERSON: Yes. If you could let us know either by phone call or email.

Mr Cook: I should be able to give you the names of two or three of the key carers and the ones responsible for documentation and so on. Of course, I will also remind you that the police have all of this information, but I do understand that you are not the police.

Hon KEN TRAVERS: This is my intelligence. One last question: you were involved in preparing the funding submissions and -

Mr Cook: Some funding submissions.

Hon KEN TRAVERS: Some funding submissions. You then obviously took a role in some of them in terms of presenting them to different bureaucracies on those.

Mr Cook: Yes.

Hon KEN TRAVERS: Did you ever have a role in following up on those funding submissions after you had done the presentation, or did someone else have that role?

Mr Cook: Follow up in the sense that I know that from the ICC, a man named Carl Walker - I can't remember if that is the correct name or not - a couple of people would come from the ICC or from that commonwealth set of entities out to the school and do some work and negotiate and make inquiries and build their own understanding, and on several occasions I would have been part of the group who were working on that in order to build up and document satisfaction for the commonwealth that this was a legitimate enterprise and for the preparation of information they needed and so on.

Hon KEN TRAVERS: Obviously the funding was not coming through in many cases. On some of those submissions you were obviously waiting for - who would do the follow-up to find out where it was up to in terms of approval? Was that you or somebody else?

Mr Cook: I would describe from about mid-2005 to March or April 2006 as a period of negotiation with the commonwealth through the ICC, and Mervyn Hammond had had contacts with the Attorney-General's department - commonwealth - along the way, but it was negotiation building up a sense of whether there was going to be funding possible.

Hon KEN TRAVERS: Who was doing that?

Mr Cook: That was being done in the first instance by Michael and Mervyn and then they brought me into that and I became part of it. From early to mid-2006, I can remember sending several emails to the head of the Perth ICC. I can remember on two occasions having a cup of coffee so we could chat through some things where he would express his concerns about it all and ask questions like, "Is Michael Carton a crook?" and get my perspective on that.

Hon KEN TRAVERS: Why would he ask that?

Mr Cook: Because by early or mid-2006 there were an awful lot of complaints emerging, weren't there, and a lot of people who were saying they did think Michael was a crook in that very Australian use of the word. I am pretty sure that central office had decided he was a crook.

Hon PETER COLLIER: They still funded him though, didn't they?

[4.20 pm]

Mr Cook: You would have to ask them why they did that. But, of course, you say they were funding him; I say they were funding a wonderful program which was struggling.

There was never any funding of Michael Carton. Michael Carton never got salaries or wages. Michael Carton has lost a fortune and never got a thing out of it. This is not about Michael Carton; this is about alienated youth. It is the one thing you should never lose sight of. That is what this is about; that is what it was about for Michael Carton, that is what it was about for Merv Hammond and that is what it was about for Jon Cook and for the vast majority of the employees - alienated youth in the absence of anything else, from this government, from that government or any other government. That is what it is about. It got closed for all the wrong reasons. It did not grow and survive for a whole set of reasons, which include incompetent bureaucratic bungling, proper accountable mechanisms of various kinds that were not put into place. I looked on amazed and appalled most of the time and in awe and wonderment at the commitment of so many good people that they would dedicate themselves to this. I beg you not to lose sight of that.

The CHAIRPERSON: Just before we finish, I would like to add that if you contact Mr Carton, as you indicated you will -

Mr Cook: Yes, of course.

The CHAIRPERSON: We appreciate that. I would also like to say, yes it would be very useful for us to be able to write to Mr Carton with some questions. It is also fair to say that if he wishes to write to the committee to express whatever he wants to express, he is welcome to do that as well. I think that is procedurally fair. He might not even be aware that we are having an inquiry.

Mr Cook: No, no; he knows very well there is an inquiry.

The CHAIRPERSON: It certainly would be very useful for the committee to be able to write to him with specific questions we might have. If he feels he would like to write to us, we would encourage him to do so.

Mr Cook: May I ask a question in consequence to that, because I am sure Michael will ask me. It is preamble. Not only will I contact him but I will also urge him to work with you. I think that is the proper thing to have happen. One question he will of course raise, because I know what his current financial condition is, if he is in Victoria and has to come to Perth to appear - you should have him appear if you can: who pays the airfares?

The CHAIRPERSON: That we can consider.

Hon KEN TRAVERS: We can certainly put that to the committee. We do not have the ability to approve it ourselves. If he were to put a proposal, we will certainly seek funding for him.

Mr Cook: What I am saying to you is that he certainly will say he cannot afford to come. What I am doing is giving you my opinion as a friend and colleague that I am telling you he is speaking the truth. They have no money.

The CHAIRPERSON: There are two options there: if he wishes to put that to us, we can seek funds for that. The second thing is, we also have the capacity to speak to him by teleconference if that is another means of achieving that.

Mr Cook: Sure; that is a thought too.

The CHAIRPERSON: From my point of view, actually having people before the committee is the most useful way for us to gain as much understanding as we can.

Mr Cook: *Hansard* tells me that you do not have a very strong time line left. Are you not supposed to complete by 16 October?

The CHAIRPERSON: We are dealing with that.

Mr Cook: You are dealing with that? Okay. I am more than happy to undertake all of that. I will urge him to comply. I think he needs to be heard. Clearly, there has been a lot said - the suggestions from you, implicit in your own words, that there have been a lot of negative comments made about him. I think you would find it a very interesting experience to work things through with him. I do not think he will duck any questions. I am not saying you will like all the answers, but he is a very important part of a counterbalancing thing that I am also pleased to contribute, although I hope you have not heard me simply defending him willy-nilly, because I certainly do not.

The CHAIRPERSON: Thank you for your time this afternoon. We will ask Lisa to take copies of those and you can take the originals back with you.

Mr Cook: Yes, indeed, I will work that through with her now, if that is okay and I will get Lisa's details so that I can come back to you with the bits of information you want. Can I just summarise those to make sure my now tired brain is working?

The CHAIRPERSON: Yes, sure.

Mr Cook: One is the minutes and agendas of the Balga Works Management Committee, and secondly my contacts with Michael Carton and names of the key personnel.

Hon KEN TRAVERS: Senior staff.

Mr Cook: Indeed.

Hon KEN TRAVERS: You will get a copy of the transcript in a couple of days.

Mr Cook: Yes, of course.

The CHAIRPERSON: It is verbatim.

Mr Cook: I will try to do this quickly because I know that you are busy enough.

The CHAIRPERSON: Thank you. We are trying to meet a deadline.

Mr Cook: I am sure you are.

The CHAIRPERSON: We also want to make sure we do a thorough job.

Hearing Concluded at 4.24 pm