

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 58

Tuesday, 18 March 2014

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

POSTPONED QUESTIONS

Notice Given *Tuesday, 18 February 2014*

- 696. Hon Kate Doust to the Minister for Agriculture and Food representing the Minister for Housing
- 697. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 700. Hon Robin Chapple to the Attorney General
- 701. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 703. Hon Stephen Dawson to the Minister for Child Protection
- 704. Hon Stephen Dawson to the Minister for Child Protection
- 705. Hon Stephen Dawson to the Minister for Child Protection
- 707. Hon Stephen Dawson to the Minister for Child Protection
- 708. Hon Stephen Dawson to the Minister for Child Protection
- 710. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 714. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services
- 717. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 718. Hon Stephen Dawson to the Minister for Child Protection
- 719. Hon Stephen Dawson to the Minister for Child Protection
- 720. Hon Stephen Dawson to the Attorney General
- 721. Hon Stephen Dawson to the Minister for Disability Services
- 722. Hon Stephen Dawson to the Minister for Child Protection
- 723. Hon Stephen Dawson to the Minister for Disability Services
- 724. Hon Stephen Dawson to the Minister for Mental Health
- 725. Hon Stephen Dawson to the Minister for Mental Health
- 726. Hon Stephen Dawson to the Minister for Education

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- 727. Hon Stephen Dawson to the Minister for Child Protection
- 728. Hon Stephen Dawson to the Minister for Child Protection
- 729. Hon Stephen Dawson to the Minister for Child Protection
- 730. Hon Stephen Dawson to the Minister for Child Protection
- 731. Hon Stephen Dawson to the Minister for Child Protection
- 732. Hon Stephen Dawson to the Minister for Child Protection
- 733. Hon Stephen Dawson to the Minister for Child Protection
- 734. Hon Stephen Dawson to the Minister for Child Protection
- 735. Hon Stephen Dawson to the Minister for Child Protection
- 736. Hon Stephen Dawson to the Minister for Child Protection
- 738. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 740. Hon Robin Chapple to the Minister for Commerce
- 742. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry

Notice Given **Wednesday, 19 February 2014**

- 750. Hon Kate Doust to the Attorney General representing the Minister for Police
- 751. Hon Kate Doust to the Minister for Commerce
- 752. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
- 756. Hon Samantha Rowe to the Leader of the House representing the Minister for Energy
- 757. Hon Amber-Jade Sanderson to the Attorney General representing the Minister for Corrective Services
- 758. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry

Notice Given **Thursday, 20 February 2014**

- 760. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 762. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing
- 763. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing
- 764. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing
- 765. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing
- 766. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing

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Postponed Questions**Notice Given** **Tuesday, 25 February 2014**

- 767. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 768. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 770. Hon Lynn MacLaren to the Parliamentary Secretary representing the Minister for Transport
- 771. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 772. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 773. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 774. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 775. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 776. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 777. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

Notice Given **Wednesday, 26 February 2014**

- 783. Hon Alanna Clohesy to the Minister for Disability Services
- 784. Hon Ken Travers to the Attorney General representing the Minister for Corrective Services

Notice Given **Thursday, 27 February 2014**

- 785. Hon Stephen Dawson to the Parliamentary Secretary representing the Minister for Health
- 786. Hon Stephen Dawson to the Minister for Mental Health
- 787. Hon Stephen Dawson to the Parliamentary Secretary representing the Minister for Health
- 788. Hon Alanna Clohesy to the Minister for Disability Services
- 789. Hon Amber-Jade Sanderson to the Attorney General representing the Minister for Corrective Services
- 790. Hon Amber-Jade Sanderson to the Attorney General
- 791. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
- 792. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning

Notice Given **Tuesday, 11 March 2014**

- 793. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment
- 794. Hon Stephen Dawson to the Minister for Child Protection
- 795. Hon Lynn MacLaren to the Minister for Child Protection
- 796. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 797. Hon Amber-Jade Sanderson to the Minister for Agriculture and Food representing the Minister for Housing
- 798. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 799. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment
- 800. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

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Postponed Questions

801. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
802. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
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807. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
808. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
809. Hon Ken Travers to the Leader of the House representing the Premier
810. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
811. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
812. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
813. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
814. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
815. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
816. Hon Ken Travers to the Attorney General representing the Minister for Police
817. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
818. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
819. Hon Ken Travers to the Attorney General representing the Minister for Police
820. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
821. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
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833. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
834. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
835. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
836. Hon Stephen Dawson to the Minister for Mental Health
837. Hon Stephen Dawson to the Minister for Child Protection

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838. Hon Stephen Dawson to the Minister for Child Protection
839. Hon Ken Travers to the Minister for Mental Health representing the Treasurer
840. Hon Ken Travers to the Minister for Mental Health representing the Treasurer
841. Hon Ljiljana Ravlich to the Leader of the House representing the Minister for Training and Workforce Development
842. Hon Ljiljana Ravlich to the Leader of the House representing the Minister for Training and Workforce Development
843. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
844. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
845. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
846. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
847. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
848. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
849. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
850. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
851. Hon Robin Chapple to the Minister for Aboriginal Affairs
852. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
853. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
854. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
855. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing
856. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Local Government
857. Hon Ljiljana Ravlich to the Minister for Mental Health representing the Minister for Planning
858. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
859. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
860. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
861. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
862. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
863. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
864. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

Notice Given **Wednesday, 12 March 2014**

865. Hon Stephen Dawson to the Minister for Child Protection
866. Hon Stephen Dawson to the Minister for Child Protection

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Postponed Questions

- 867. Hon Sue Ellery to the Minister for Education
- 868. Hon Ljiljana Ravlich to the Minister for Mental Health representing the Treasurer
- 869. Hon Ljiljana Ravlich to the Minister for Mental Health representing the Treasurer
- 870. Hon Ljiljana Ravlich to the Minister for Mental Health representing the Treasurer
- 871. Hon Stephen Dawson to the Leader of the House representing the Premier
- 872. Hon Stephen Dawson to the Minister for Mental Health
- 873. Hon Lynn MacLaren to the Minister for Fisheries
- 874. Hon Lynn MacLaren to the Minister for Fisheries
- 875. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment
- 876. Hon Ljiljana Ravlich to the Minister for Mental Health representing the Treasurer
- 877. Hon Stephen Dawson to the Minister for Child Protection
- 878. Hon Stephen Dawson to the Minister for Child Protection
- 879. Hon Stephen Dawson to the Minister for Child Protection

Notice Given Thursday, 13 March 2014

- 880. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 881. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Community Services
- 882. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
- 883. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 884. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 885. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 886. Hon Amber-Jade Sanderson to the Attorney General
- 887. Hon Sally Talbot to the Minister for Agriculture and Food representing the Minister for Housing
- 888. Hon Robin Chapple to the Minister for Child Protection
- 889. Hon Robin Chapple to the Minister for Education
- 890. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 891. Hon Robin Chapple to the Minister for Electoral Affairs
- 892. Hon Robin Chapple to the Minister for Mental Health
- 893. Hon Robin Chapple to the Minister for Disability Services
- 894. Hon Robin Chapple to the Minister for Child Protection
- 895. Hon Robin Chapple to the Attorney General
- 896. Hon Robin Chapple to the Minister for Commerce
- 897. Hon Robin Chapple to the Minister for Agriculture and Food
- 898. Hon Robin Chapple to the Minister for Fisheries
- 899. Hon Robin Chapple to the Leader of the House representing the Premier

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900. Hon Robin Chapple to the Minister for Mental Health representing the Treasurer
901. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
902. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
903. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Science
904. Hon Robin Chapple to the Minister for Mental Health representing the Deputy Premier
905. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
906. Hon Robin Chapple to the Leader of the House representing the Minister for Training and Workforce Development
907. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development
908. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands
909. Hon Robin Chapple to the Leader of the House representing the Minister Assisting the Minister for State Development
910. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Planning
911. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Culture and the Arts
912. Hon Robin Chapple to the Attorney General representing the Minister for Police
913. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Tourism
914. Hon Robin Chapple to the Attorney General representing the Minister for Road Safety
915. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Women's Interests
916. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water
917. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Forestry
918. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
919. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing
920. Hon Robin Chapple to the Leader of the House representing the Minister for Sport and Recreation
921. Hon Robin Chapple to the Leader of the House representing the Minister for Racing and Gaming
922. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
923. Hon Robin Chapple to the Leader of the House representing the Minister for Finance
924. Hon Robin Chapple to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
925. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Local Government

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- 926. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Community Services
- 927. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Seniors and Volunteering
- 928. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Youth
- 929. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
- 930. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Heritage
- 931. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services
- 932. Hon Robin Chapple to the Attorney General representing the Minister for Corrective Services
- 933. Hon Robin Chapple to the Attorney General representing the Minister for Small Business
- 934. Hon Robin Chapple to the Attorney General representing the Minister for Veterans
- 935. Hon Stephen Dawson to the Minister for Commerce
- 936. Hon Lynn MacLaren to the Leader of the House representing the Premier
- 937. Hon Stephen Dawson to the Attorney General representing the Minister for Police
- 938. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment
- 939. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development
- 940. Hon Stephen Dawson to the Parliamentary Secretary representing the Minister for Health
- 941. Hon Stephen Dawson to the Minister for Child Protection
- 942. Hon Stephen Dawson to the Minister for Agriculture and Food representing the Minister for Housing
- 943. Hon Stephen Dawson to the Minister for Child Protection

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QUESTIONS ASKED TODAY

Notice Given *Tuesday, 18 March 2014*

944. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:

- (1) Which train stations across the Perth Urban Rail Network have elevators?
- (2) What are the ages of the elevators at each station in (1)?
- (3) When are the elevators in (1) due to be replaced?

945. Hon Ken Travers to the Attorney General representing the Minister for Police:

- (1) In 2012, how many incidents were reported to Police at train stations involving:
 - (a) damage to vehicles;
 - (b) vehicles stolen;
 - (c) theft from vehicles; and
 - (d) any other offences at train station car parks?
- (2) What was the sanction rate for the each category of offences in (1)?
- (3) In 2012, how many offences occurred at each of the following train stations:
 - (a) Stirling;
 - (b) Warwick;
 - (c) Greenwood;
 - (d) Whitfords;
 - (e) Edgewater;
 - (f) Clarkson;
 - (g) Currambine;
 - (h) Midland;
 - (i) Fremantle;
 - (j) Thornlie;
 - (k) Bull Creek;
 - (l) Murdoch;
 - (m) Cockburn;
 - (n) Rockingham;
 - (o) Warnbro;
 - (p) Mandurah; and
 - (q) Kwinana?
- (4) For each train station in (3), how many of the offences in (1) were reported, and what was the sanction rate?

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946. Hon Robin Chapple to the Minister for Aboriginal Affairs:

In July 1994, Reserve 43131 was vested for the designated purpose of 'Use and Benefit of Aboriginal Inhabitants'. The *Reserves (Reserve 43131) Act 2003* was assented to on 12 June 2003, nearly 11 years ago, which led to the closure of the Swan Valley Nyungar Camp shortly after. On 25 June 2013, a Select Committee into the Bill was established, an unusual move as the Bill had, at that time, already become law. The majority of the Select Committee, headed by the then former Attorney General Peter Foss, did not find sufficient evidence of continuing abuse of children at the camp. The Act contains a sunset clause and is no longer current law. Nyungar people are now campaigning to reopen the camp, and I ask:

- (a) what is the current status of Reserve 43131 and its vesting;
- (b) did the expiry of the Act, due to the sunset clause, restore the rights or relationship of the Swan Valley Nyungah Community regarding that site;
- (c) has the Minister or the department received any requests to reopen the Reserve 43131 for settlement by Aboriginal people;
- (d) what conditions have to be met prior to the new settlement of Aboriginal people on Reserve 43131;
- (e) what actions do the Minister or the department undertake to facilitate such settlement;
- (f) what are the barriers for opening Reserve 43131 for habitation by Aboriginal people;
- (g) what is the status of the then Management Order for the Reserve under the *Land Administration Act 1997*;
- (h) what is the relationship of the Aboriginal Affairs Authority with the Reserve;
- (i) does the Minister support the provision of shelter for Aboriginal people on the Reserve 43131;
- (j) does the Declaration of a Planning Control Area 102 (File 835/02/18) as gazetted on 29 June 2012, page 2982, to allow the future reservation of the lands for parks and recreation conflict with the vesting of the Reserve in 1994:
 - (i) if yes to (j), how does the Minister intend to resolve this conflict; and
 - (ii) if no to (j), why not;
- (k) did the Minister facilitate or ensure consultation with Aboriginal people prior of the gazetting of the Planning Control Area 102; and
- (l) will Aboriginal people determine the future of Reserve 43131?

947. Hon Stephen Dawson to the Minister for Child Protection:

I refer to the Ministerial media statement of 20 November 2013 relating to the Responsible Parenting Program, and ask if the Minister can please provide details on the numbers and calculation method used to determine the 61 per cent drop in the growth rate of children entering care since 2008?

948. Hon Stephen Dawson to the Parliamentary Secretary representing the Minister for Health:

- (1) Will the Minister please advise the bed count and individual services offered to patients at each of the following Mental Health Service program locations:
 - (a) Clarkson Community Mental Health Clinic;
 - (b) Joondalup Community Mental Health Clinic;

(A441253)

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- (c) Mirrabooka Community Mental Health Clinic;
 - (d) Osborne Park Community Mental Health Clinic;
 - (e) Subiaco Adult Community Mental Health Clinic; and
 - (f) Inner City Community Mental Health Clinic?
- (2) For each of the clinics listed in (1), can the Minister advise of the number of staff by position located at each of the listed clinics for the following periods:
- (a) 2013-14;
 - (b) 2012-13; and
 - (c) 2011-12?
- (3) What is the average patient case load for each case worker located at each of the listed clinics for each of the following periods:
- (a) 2013-14;
 - (b) 2012-13; and
 - (c) 2011-12?

949. Hon Robin Chapple to the Minister for Aboriginal Affairs:

In relation to the Stolen Wages Reparation Scheme WA and Redress WA regarding applications by Mr Tim Leyland Senior, I ask:

- (a) is the Minister aware that Mr Leyland was taken from his home and placed in the Moore River Mission against his will;
- (b) is the Minister aware that during his time at the mission Mr Leyland worked on the farm for 12 hours a day, enduring hardships that included insufficient food, little or no medical help, threats and standover tactics by mission staff:
 - (i) if yes to (b), what is the Minister's view of this treatment;
- (c) does the Minister consider that \$13,000 under the Redress WA scheme is sufficient, in view of Mr Leyland's suffering:
 - (i) if yes to (c), will the Minister please explain; and
 - (ii) if no to (c), what will the Minister do to ensure adequate redress;
- (d) will the Minister apologise to Mr Leyland and others for the unjust treatment they endured while in these government sanctioned institutions:
 - (i) if no to (d), why not; and
 - (ii) if yes to (d), when will this happen; and
- (e) will the Minister reopen the Stolen Wages and Redress schemes so that claims can be properly heard and adequately compensated, for example; with a payment that makes up the difference between what was paid at the time and the basic wage at the time:
 - (i) if yes to (e), when will this happen; and
 - (ii) if no to (e), why not?

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Notice Given *Tuesday, 18 March 2014*

950. Hon Robin Chapple to the Minister for Child Protection:

In relation to the Stolen Wages Reparation Scheme WA and Redress WA regarding applications by Mr Tim Leyland Senior, I ask:

- (a) is the Minister aware that Mr Leyland was taken from his home and placed in the Moore River Mission against his will;
- (b) is the Minister aware that during his time at the mission Mr Leyland worked on the farm for 12 hours a day, enduring hardships that included insufficient food, little or no medical help, threats and standover tactics by mission staff:
 - (i) if yes to (b), what is the Minister's view of this treatment;
- (c) does the Minister consider that \$13,000 under the Redress WA scheme is sufficient, in view of Mr Leyland's suffering:
 - (i) if yes to (c), will the Minister please explain; and
 - (ii) if no to (c), what will the Minister do to ensure adequate redress;
- (d) will the Minister apologise to Mr Leyland and others for the unjust treatment they endured while in these government sanctioned institutions:
 - (i) if no to (d), why not; and
 - (ii) if yes to (d), when will this happen; and
- (e) will the Minister reopen the Stolen Wages and Redress schemes so that claims can be properly heard and adequately compensated, for example; with a payment that makes up the difference between what was paid at the time and the basic wage at the time:
 - (i) if yes to (e), when will this happen; and
 - (ii) if no to (e), why not?

951. Hon Robin Chapple to the Minister for Aboriginal Affairs:

I refer to the Minister for Aboriginal Affairs' answer to question on notice No. 617, regarding Ms Bonnie Seela's claim under the Stolen Wages Reparation Scheme WA, and I ask:

- (a) in relation to question (c) about how Ms Seela can access the records that were used in the claims process and the Minister's answer that "she can obtain a copy of her application by contacting Ms Lucy Gunn, Executive Director, Community Development at the Department of Aboriginal Affairs", does the Minister mean to indicate that no checks or searches were undertaken for the purpose of assessing Ms Seela's application as to whether the Government in fact has records, or records exist, relating to the time she spent working at Balgo Mission;
- (b) taking into account the evidence by Mr Stephen Kinnane to the Senate Legal and Constitutional Affairs Committee in 2006 that "in WA generally the trust accounts were administered on people's personal files", to what extent did the Stolen Wages Taskforce look at personal files, in advising Government through its report or otherwise, about the availability of trust account records;

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- (c) in how many cases, where applications were assessed as eligible under the Stolen Wages Scheme, was a check or search undertaken as to whether the Government in fact has records or whether records do still exist, relating to:
- (i) the income payable to the person;
 - (ii) the amount of income actually paid; and
 - (iii) the amount, if any, held in a trust account;
- (d) in how many cases where applications were assessed as eligible under the Stolen Wages Scheme, was the applicant:
- (i) told what records the Government has, or which still exist, relating to income withheld from them; and
 - (ii) provided with a copy of this information;
- (e) noting that the Stolen Wages Taskforce was appointed by the former Government in May 2007, and it reported in June 2008, and that the Government then took until 6 March 2012 to release the report being the same day that the Minister announced the commencement of the Stolen Wages Scheme, what opportunity did Ms Seela and other Aboriginal people affected by the “stolen wages issue” have to consider the Taskforce report and make their comments to the Government about it before the Government finalised its position and announced the Scheme;
- (f) noting that the recommendations by the Stolen Wages Taskforce included a recommendation that the Government make *ex gratia* payments to individuals although the Taskforce did not indicate the amount in its report, did the Government receive advice from the Taskforce about the amount of the *ex gratia* payment:
- (i) if yes to (f), when was this advice received;
 - (ii) why did the Government not make this advice public; and
 - (iii) will the Government now make this advice public;
- (g) the Stolen Wages Taskforce Report stated that “actuarial modelling has been used to estimate the amounts of money and the potential impact of the loss of this money.” (page 6) and “ ‘While the Taskforce has not been able to identify records to establish precise amounts of money held in trust accounts, actuarial modelling has been undertaken to determine likely scenarios’ ” (page 80), is the Minister aware of what assumptions were used for this modelling and what the modelling indicated; and
- (h) did the Minister receive a copy of the actuarial modelling referred to in the Taskforce Report:
- (i) if yes to (h), why has this information not been made public; and
 - (ii) is the Government now willing to make public:
 - (A) the actuarial modelling referred to in the Taskforce; and
 - (B) any other actuarial modelling relating to the stolen wages issue received by the Government?

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952. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:

- (1) In 2013, how many incidents were reported to Police at train stations involving:
 - (a) damage to vehicles;
 - (b) vehicles stolen;
 - (c) theft from vehicles; and
 - (d) any other offences at train station car parks?
- (2) What was the sanction rate for the each category of offences in (1)?
- (3) In 2013, how many offences occurred at each of the following train stations:
 - (a) Stirling;
 - (b) Warwick;
 - (c) Greenwood;
 - (d) Whitfords;
 - (e) Edgewater;
 - (f) Clarkson;
 - (g) Currambine;
 - (h) Midland;
 - (i) Fremantle;
 - (j) Thornlie;
 - (k) Bull Creek;
 - (l) Murdoch;
 - (m) Cockburn;
 - (n) Rockingham;
 - (o) Warnbro;
 - (p) Mandurah; and
 - (q) Kwinana?
- (4) For each train station in (3), how many of the offences in (1) were reported, and what was the sanction rate?

953. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

- (1) Under which clause of the *Privacy Act 1988* mandates that a reference number provided to a client for an online submission must be private?
- (2) How does Department of Fire and Emergency Services (DFES) acknowledge what time frame a submission can be expected to receive a response?
- (3) Are submissions handled in numerical order as received?
- (4) What transparent system does DFES have in place to track submissions?
- (5) What specific fire fighting vehicular standard (and year(s) of publication) is used to determine the appropriate amount of on-board fire fighting water supplies?

(A441253)

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- (6) What specific fire fighting vehicular standards, including standard number and year of standard publication, does DFES use as the reference for the design of its fire fighting vehicles?
- (7) Have DFES fire fighting vehicle designs and specifications ever been independently audited for their operational efficiency?
- (8) If yes to (7), when and where can this review be found?
- (9) Why is a record of water usage at a structural fire not an operational requirement?
- (10) Is there any legislative requirement that prevents DFES from recording how much water is used at a structural fire?
- (11) How long have there been two people to undertake compliance checks for the purposes of connection to the Direct Fire Brigade Alarm Network?
- (12) What is the name of the person, other than Geoff Morton, who is qualified to do this?

954. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

- (1) If there is no legislative requirement to liaise with Department of Fire and Emergency Services (DFES), why does DFES state it will raise issues of concern as a result of little or no liaison to the Building Commissioner?
- (2) On whose authority is DFES given the right to raise concerns with the Building Commissioner on aspects of a submission they are neither required, nor may they have the qualifications to do so?
- (3) There is no legislative requirement for DFES to comment on anything other than their operating requirements (Clause 18B(1)). Therefore, on whose authority is DFES granted the right to comment on all aspects of a submission?
- (4) Regarding the answer to (c), in the original question on notice No. 601, if DFES has nil fees for their services, how does DFES allocate an operating budget for these services?
- (5) There is no requirement for DFES to provide the Building Surveyor with a list of elements of the project that it considers should be tested or inspected during construction for compliance with the BCA under the *Building Act 2011, Building Regulations Section 18B(1) 2012* (as amended). Therefore, under whose authority is DFES granted the right to do this?
- (6) Regarding the answer to (e) in the original question on notice No. 601, if DFES has nil fees for their services, how does DFES allocate an operating budget for these services?

955. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

- (1) What was the legal justification for the original refusal to provide a Direct Brigade Alarm to Perth Arena prior to July 2013?
- (2) Why is there a need for Department of Fire and Emergency Services (DFES) to limit its liability in the event of loss or damage?
- (3) Given the absence of legislation for DFES fire engineers to be chartered, what are the educational and professional standards required by DFES fire engineers?
- (4) Is there an internal budgetary limit applied to each submission?
- (5) If yes to (4), what is it?

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- (6) If no to (4), why not?
- (7) What were the DFES Built Environment Branch (BEB) staff numbers for the years ending:
- (a) 2010;
 - (b) 2011;
 - (c) 2012; and
 - (d) 2013?
- (8) What was the operating budget for the DFES BEB department for the years:
- (a) 2010;
 - (b) 2011;
 - (c) 2012; and
 - (d) 2013?
- (9) What was the number of building submissions for *Fire Engineered Solutions* and *Deemed to Satisfy Solutions* for the years:
- (a) 2010;
 - (b) 2011;
 - (c) 2012; and
 - (d) 2013?
- (10) Of the two contractual staff, what are their qualifications?
- (11) Of the two contractual staff, when and where were their positions advertised and for how long?
- (12) Has the DFES BEB ever been independently audited by a non-government qualified fire engineer to determine if all advice provided by DFES is consistent and unbiased?
- (13) If yes to (12), by whom?
- (14) If no to (12), why not?
- (15) If yes to (12), will the Minister table the document?
- (16) If no to (15), why not?

956. Hon Ken Travers to the Leader of the House representing the Premier:

I refer to an email sent by a staff member in the former Minister for Corrective Services office at 3:09pm on Tuesday, 5 February 2013 with the subject line “information to callers” that commenced “Guys, I’ve just got off the phone to Ian Johnson who somehow knew I was working up here for a while”, and I ask:

- (a) who sent the email;
- (b) does the author still work in a Ministerial Office; and
- (c) what was the location that the sender was referring to when they stated that they were “.. working up here for a while”?

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957. Hon Robin Chapple to the Minister for Aboriginal Affairs:

In relation to the WA Stolen Wages Reparation Scheme and a complaint about the scheme by Ms Ruby Ungia of Ringer's Soak Community, I ask:

- (a) will the Minister establish a stolen wages scheme in respect of Ms Ungia and other former Aboriginal cattle station workers who remain unpaid for the work they did to this very day:
 - (i) if yes to (a), when will this occur and what form will it take;
 - (ii) if yes to (a), will the Minister work with Aboriginal people and their agencies to develop a fair scheme; and
 - (iii) if no to (a), why not;
- (b) will the Minister apologise to Ms Ungia and other Aboriginal people for the harsh conditions they were forced to endure as a result of Government policies while working on cattle stations in Western Australia:
 - (i) if no to (b), why not; and
 - (ii) if yes to (b), when will this occur; and
- (c) in view of the advanced age of Ms Ungia and other complainants to the Stolen Wages scheme, and to show good faith with these senior Australians, will the Minister address this as a matter of urgency:
 - (i) if no to (c), why not; and
 - (ii) if yes to (c), when might Ms Ungia expect correspondence about the matter from the Minister?

958. Hon Robin Chapple to the Minister for Aboriginal Affairs:

In relation to Ms Rosie Lala, a highly respected senior member of the Ringer's Soak Community and Halls Creek, who is dissatisfied with the terms of reference of the Stolen Wages Reparation Scheme WA, I ask:

- (a) will the Minister apologise to Ms Lala and others like her who experienced harsh conditions, exploitation and discrimination at the hands of government officials and station owners and as a result of government policies, while working on Kimberley cattle stations, meaning she received no education as a child (she cannot read and write), no payment for the work she did, no employment training and no compensation under the Stolen Wages Scheme as it currently stands:
 - (i) if no to (a), why not; and
 - (ii) if yes to (a), when will the Minister contact Ms Lala;
- (b) does the Minister consider the arrangements as they currently stand to be fair and just:
 - (i) if yes to (b), could the Minister please explain how they are fair and just; and
 - (ii) if not to (b), what does the Minister propose would be a fair and just arrangement for compensation of former station workers; and

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- (c) will the Minister direct his department to look into Ms Lala's grievances, and take such steps as are necessary to compensate her for loss of earnings which occurred as a direct result of the government policies of the day:
 - (i) if no to (b), why not; and
 - (ii) if yes to (b), when can Ms Lala expect to receive the Minister's correspondence?

959. Hon Robin Chapple to the Minister for Aboriginal Affairs:

I refer to complaints by Mr Ronnie Carlton of Kununurra, which have been the subject of two letters to the Minister and a news report on ABC TV in September 2013, about the manner in which the Stolen Wages Reparation Scheme WA discriminates against former Aboriginal station workers, and I ask:

- (a) what is the Minister's response to Mr Carlton regarding his assertion that the Stolen Wages Reparation Scheme's WA terms of reference discriminate against former Aboriginal station workers whose pay and conditions were a direct result of decisions by the Government of the day;
- (b) will the Minister direct his department to rectify the matter and establish a new scheme that will consider the grievances of former station workers whose wages were stolen and who experienced discrimination in their workplace;
- (c) if no to (b), why not;
- (d) will the Minister apologise to Mr Carlton for the injustice and discrimination he suffered, and will the Minister now open a new, fairer scheme and have it open for several years, or enough time for people living in remote areas to hear about it, especially in view of their inability to read and write and lack of access to newspapers, television and the internet; and
- (e) if no to (d), why not?

960. Hon Sue Ellery to the Minister for Education:

For every public school in Western Australia:

- (a) what is the number of Education Assistants in:
 - (i) 2013; and
 - (ii) 2014;
- (b) what is the number of Education Assistant full time equivalent for:
 - (i) 2013; and
 - (ii) 2014; and
- (c) what is the budget for Education Assistants in:
 - (i) 2013; and
 - (ii) 2014?

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961. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands:

In July 1994, Reserve 43131 was vested for the designated purpose of 'Use and Benefit of Aboriginal Inhabitants'. The *Reserves (Reserve 43131) Act 2003* was assented to on 12 June 2003, nearly 11 years ago, which led to the closure of the Swan Valley Nyungar Camp shortly after. On 25 June 2013, a Select Committee into the Bill was established, an unusual move as the Bill had, at that time, already become law. The majority of the Select Committee, headed by the then former Attorney General Peter Foss, did not find sufficient evidence of continuing abuse of children at the camp. The Act contains a sunset clause and is no longer current law. Nyungar people are now campaigning to reopen the camp, and I ask:

- (a) what is the current status of Reserve 43131 and its vesting;
- (b) did the expiry of the Act, due to the sunset clause, restore the rights or relationship of the Swan Valley Nyungah Community regarding that site;
- (c) has the Minister or the department received any requests to reopen the Reserve 43131 for settlement by Aboriginal people;
- (d) what conditions have to be met prior to the new settlement of Aboriginal people on Reserve 43131;
- (e) what actions do the Minister or the department undertake to facilitate such settlement;
- (f) what are the barriers for opening Reserve 43131 for habitation by Aboriginal people;
- (g) what is the status of the then Management Order for the Reserve under the *Land Administration Act 1997*;
- (h) what is the relationship of the Aboriginal Affairs Authority with the Reserve;
- (i) does the Minister support the provision of shelter for Aboriginal people on the Reserve 43131;
- (j) does the Declaration of a Planning Control Area 102 (File 835/02/18) as gazetted on 29 June 2012, page 2982, to allow the future reservation of the lands for parks and recreation conflict with the vesting of the Reserve in 1994:
 - (i) if yes to (j), how does the Minister intend to resolve this conflict; and
 - (ii) if no to (j), why not;
- (k) did the Minister facilitate or ensure consultation with Aboriginal people prior of the gazetting of the Planning Control Area 102; and
- (l) will Aboriginal people determine the future of Reserve 43131?

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Notice Given *Tuesday, 18 March 2014*

962. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Planning:

In July 1994, Reserve 43131 was vested for the designated purpose of 'Use and Benefit of Aboriginal Inhabitants'. The *Reserves (Reserve 43131) Act 2003* was assented to on 12 June 2003, nearly 11 years ago, which led to the closure of the Swan Valley Nyungar Camp shortly after. On 25 June 2013, a Select Committee into the Bill was established, an unusual move as the Bill had, at that time, already become law. The majority of the Select Committee, headed by the then former Attorney General Peter Foss, did not find sufficient evidence of continuing abuse of children at the camp. The Act contains a sunset clause and is no longer current law. Nyungar people are now campaigning to reopen the camp, and I ask:

- (a) what is the current status of Reserve 43131 and its vesting;
- (b) did the expiry of the Act, due to the sunset clause, restore the rights or relationship of the Swan Valley Nyungah Community regarding that site;
- (c) has the Minister or the department received any requests to reopen the Reserve 43131 for settlement by Aboriginal people;
- (d) what conditions have to be met prior to the new settlement of Aboriginal people on Reserve 43131;
- (e) what actions do the Minister or the department undertake to facilitate such settlement;
- (f) what are the barriers for opening Reserve 43131 for habitation by Aboriginal people;
- (g) what is the status of the then Management Order for the Reserve under the *Land Administration Act 1997*;
- (h) what is the relationship of the Aboriginal Affairs Authority with the Reserve;
- (i) does the Minister support the provision of shelter for Aboriginal people on the Reserve 43131;
- (j) does the Declaration of a Planning Control Area 102 (File 835/02/18) as gazetted on 29 June 2012, page 2982, to allow the future reservation of the lands for parks and recreation conflict with the vesting of the Reserve in 1994:
 - (i) if yes to (j), how does the Minister intend to resolve this conflict; and
 - (ii) if no to (j), why not;
- (k) did the Minister facilitate or ensure consultation with Aboriginal people prior of the gazetting of the Planning Control Area 102; and
- (l) will Aboriginal people determine the future of Reserve 43131?

NIGEL PRATT

Clerk of the Legislative Council