

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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**ADDRESS-IN-REPLY**

*Motion*

Resumed from 6 November.

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [3.20 pm]: Mr Speaker, I begin by once again extending my congratulations to you on your election as Speaker. We on this side of the house have confidence that you will very efficiently, effectively and wisely perform your role. I also congratulate the member for Mount Lawley on his election as Deputy Speaker, and I look forward to working with those people who have volunteered to be Acting Speakers when the Speaker or his deputy are not available. Secondly, I congratulate the Premier on his successful election campaign and on achieving the office of Premier, and I equally congratulate the Leader of the National Party for his successful campaign. I congratulate both of them for being able to negotiate a governing majority in this house.

When there is a winner or a group of winners in an election, there is always, of course, a losing party. It is clear that Labor lost the election; we acknowledge that. We have heard the message and we understand that we did not meet the full expectations of our community. Labor is engaged in a program of dialogue with our community and all the different groups within it to work out how we should improve our policy settings and our political positioning to be more capable of gaining their confidence at a future election. Nevertheless, we on this side of the house are proud of the achievements of the Gallop and Carpenter Labor governments. We believe that those two governments made a very significant contribution to the wellbeing, growth and development of Western Australia economically, socially and environmentally. We believe that we have left a strong inheritance for the minority Liberal government.

There is a comparison between the inheritance of this government and the inheritance of the Gallop Labor government in 2001. In 2001 the Gallop Labor government inherited a financial situation in which there had been five deficits in the previous eight budgets and two more budget deficits were forecast for succeeding years. The Gallop Labor government inherited an economy that at that time was actually getting smaller—it was actually getting smaller. The Minister for Resources Development at the time was the now Premier. The incoming Gallop government also inherited a set of unfunded commitments that were not provided for in the budget and forward estimates. I well remember our deep disappointment at discovering that there were major information technology projects to be undertaken in the police department. In fact, these projects were underway in the police department on the authority of a letter from the previous Premier, not on the authority of any decision officially recorded in the budget papers or in the forward estimates.

The government previous to the Gallop government had a record of poor financial management and poor processes. I want to give new members of the house some idea of the circumstances that that government inherited. I will quote from a memo that many members, but perhaps not many new members, will know about. The memo is from Mr John Langoulant, the then Under Treasurer and now member of the Commission on Audit, who in June 1998 spoke about his concern about the processes within that government. He commences his memo with the words —

I have expressed my concern to you on a number of occasions about the disturbing trend of Cabinet and individual Ministers to embark upon expenditure proposals out of context with the budget.

He goes on to say —

This trend manifests itself in the following ways:

- Individual Ministers and Cabinet Sub-Committees proposing and endorsing proposals which are not consistent with agreed and promulgated government policy. Current examples are the wage outcomes agreed for teachers and police, and being negotiated for nurses.

I will not read the memo in full, but he also gives the following example —

- Individual Ministers attempting to capture the budget process by seeking in-principle approval for significant expenditure programs before the annual budget process begins ... A classic example is the current proposal by the Minister for Education to expand the Local Area Education Planning initiative, the same Minister's proposal on regional power and the Environment Minister's proposals on ambient air quality which was put to Cabinet on 22 June.

I quote those comments from John Langoulant—whose credibility has recently been endorsed by his appointment to the Commission on Audit—because the minister he is referring to is none other than the Premier,

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who was then the Minister for Education and Minister for Energy. I warn the Treasurer that this is the type of minister he is now dealing with as Premier. There is a risk that the poor financial management and the contempt for public processes exhibited by the Premier when he was a minister in the Court government will be exacerbated by the fact that he is now the Premier and has authority over the Treasurer. My understanding is that the government has set up its own version of our expenditure review committee. That committee is called the economic and expenditure review committee, or EERC. My further understanding is that the EERC has had just one meeting. Am I wrong, Premier? Has it had more than one meeting?

**Mr J.H.D. Day:** It is early days.

**Mr E.S. RIPPER:** Early days! So, there has been one meeting of the EERC—as the Treasurer announces to the public that there will be not one round of belt tightening but three rounds of belt tightening, and as the Treasurer imposes a three per cent efficiency dividend in a lock-step way without debate across the public sector.

**Mr J.H.D. Day:** Whose brilliant idea was that?

**Mr E.S. RIPPER:** That was implemented by us in 2001 with meeting after meeting after meeting of our expenditure review committee so that we could debate with agencies what the consequences would be, so that we could finetune the application of that efficiency dividend, and so that there would not be poor consequences for service delivery. It had to be done by hard work, and by meeting after meeting, including many meetings on weekends, in order that we could apply that priority assurance dividend, as we called it at that time. We did apply that dividend, and we applied it in a way that strengthened front-line services. The government cannot apply an efficiency dividend and strengthen front-line services if it is not meeting with the agencies and not having meetings of its EERC. I see a crunch coming: either the Treasurer has his way with a rigid implementation of the first of his three rounds of budget cuts, or the Treasurer faces humiliation. Knowing the Premier's record in government when he was Minister for Energy and Minister for Education, I fear very much that the Treasurer faces humiliation. Certainly, the word that we are receiving from our contacts is that the Treasurer is getting no support from the Premier as he seeks to go about his work.

I make those comments referring back to the year 2000 because I want to contrast the inheritance of the Gallop and Carpenter governments with the inheritance now left to the Barnett government. I want to talk about the achievements of the Gallop and Carpenter Labor governments because these achievements form the inheritance of the new government. First, I wish to speak to the economic position and the stark contrast between the inheritances of the two governments.

I refer now to the economic situation that prevailed during Labor's term in government. In notional terms, the economy was worth \$75 billion in 2000-01, and we forecast that that value would reach \$184 billion in this financial year. Of course, people might say, "Well, that's in nominal terms; what's the growth been in real terms?" In real terms, the economy grew by 57 per cent during our period of government, and that marvellous period of growth and development in the state of Western Australia sets a wonderful foundation for any incoming government, including for the minority Liberal government that currently occupies the Treasury benches. That economic growth was not experienced only by Rio Tinto, BHP Billiton or others from the big end of town; there were real benefits for ordinary Western Australians. Jobs growth from 2001 to this year realised more than 200 000 extra jobs in our community, together with all the implied opportunities for wage increases, promotions and progress from welfare into work for the young people of the state over that seven and half year period. The economic growth also translated into improved earnings. Average weekly earnings for Western Australian full-time workers grew by 42 per cent from the 2001 December quarter to this year. The increased earnings and employment rates and the extra business profits translated into improved per person household consumption rates. Household consumption per person has increased by 24 per cent since the 2001 December quarter. There were real benefits for people in Western Australia—jobs, wages, profits, household consumption. It is not surprising that those real benefits were at levels ahead of what was happening in other parts of the country because the gross domestic income per capita in Western Australia in 2006-07 was \$64 800, whereas the national figure was \$48 607. Therefore, there was significantly advanced gross domestic income per capita in Western Australia when compared with the situation in other parts of the country.

The strong economy—the comparison is the declining economy in 2001—of course translated into strong finances, but those strong finances were not simply an outcome of the economy; they had to be achieved by government policy and by government decision making. Whereas the previous Liberal government delivered all those budget deficits and was forecasting more, we delivered eight budget surpluses! Furthermore, we had very significant progress on capital works and on debt management, because, although it was difficult for many people in our community to understand, every single dollar of surplus was invested in the future of Western Australia. I will listen with interest to how the incoming Treasurer explains the question of the surplus to the

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public of Western Australia because the incoming Treasurer at one point described our surplus as obscene. Now that he is about to be running, at least temporarily, surpluses of the same or very nearly the same magnitude as many of the Labor surpluses, what will he say? Will he describe those surpluses as obscene or will he actually tell the public the truth; that is, that every dollar in the surplus is used to fund the public infrastructure program?

I now very briefly explain the outcome of the Labor investments. If we add up government expenditures during the last seven and half years, we see that Labor governments spent almost \$30 billion on capital works. We began our term in government with a debt level, as forecast in the 2000-01 mid-year review, of \$4.54 billion, and our period of government ended with a debt level at the end of last financial year of \$3.634 billion. We started with debt at \$4.5 billion and we ended with debt at \$3.63 billion; meanwhile, we invested \$30 billion in capital works for the future of Western Australia. That is the summary of our financial record. That is what we did with the surplus: we used it to replace debt for the building of infrastructure; we used it to retire debt. Debt is now lower than when the Gallop government was elected, but the community has the benefit of that \$30 billion of capital works.

Although running a surplus budget, we did not neglect to invest in services. Before I refer to services, I want to comment on our performance in infrastructure investment compared with that in other states. In this financial year, operating largely on the budget that I delivered, the capital works investment in Western Australia—that is the direct spend on infrastructure assets—is about \$3 000 per person, compared with an average for the other states of \$2 000 per person. Our per capita spend on infrastructure is second only to that of Queensland, and, of course, Queensland was starting from a low base. It is very much to be hoped that the incoming Western Australian government will maintain a strong focus on the infrastructure investment required not only for this state to grow, but also for its citizens to have access to good service delivery in the future. I am concerned about the raft of excuses that I am starting to hear from the Treasurer. I am concerned about his largely futile attempts to create a public impression that there is some sort of black hole in the state finances. Those things tell me that the government is looking for excuses not to deliver to the people of Western Australia.

I turn now to the question of investment in services. Rather than quote dollar figures, I will quote some numbers outlining additional staff employed. Since 2001, the Labor government, the now Labor opposition, employed an additional 2 263 extra nurses—that is, more than 2 000 full-time equivalent extra nurses—and nearly 1 000 extra doctors in the system. There has been some assertion from members on the other side, including during the election campaign, that the government of the day did not use the proceeds of the boom for the benefit of Western Australians. It may be that Western Australians have a view—at least on certain aspects of the argument—that that is the case. However, we had a very big infrastructure program, and, on the question of services, we employed more than 2 000 extra nurses and nearly 1 000 extra doctors in the hospital system. There were outcomes for people. The waiting list was halved and the waiting time was shortened substantially. Not only was there investment and extra people, but also there were outcomes for people in Western Australia who accessed those services.

In 2008-09 Western Australia will spend, courtesy of our budget for education, \$12 755 per student, which is an increase of almost \$4 500, or 54 per cent, since 2001. The total number of funded training places should reach 39 000 by December this year, which is more than double the number of places that were available in February 2001. This achievement is combined with the largest school building program ever undertaken in the history of Western Australia. Is it not interesting that the shaky new Minister for Education could not give us any details of the schools that the government is committed to building? She could not tell us, even after being given hours of notice of the issue, which schools the government committed to building during the election campaign. I am very concerned about that. We are proud of our school building program, under which 26 schools were to be opened or commenced next year alone. It concerns me that the minister cannot be more definite on this matter. It strikes me that the school building program could well be a victim of the Treasurer's review of the capital works program. I assure you, Mr Speaker, that we will pursue the schools capital works program very vigorously. I advise the minister to get better information from her staff before the next question time, because we will be asking further questions about the school building program.

There were outcomes from this investment in our school system, the investment in resources per student, the investment in training and the investment in new facilities. Every couple of years the Organisation for Economic Cooperation and Development conducts a survey of the achievements of 15-year-olds throughout the world. The results were released in December 2007. Western Australian students were ranked third in the world in science; sixth in the world in reading, beating students from the United Kingdom, Germany and Switzerland; and sixth in the world in maths, beating students from the United Kingdom, Germany, Denmark, Sweden, Norway and the United States. In the three areas of maths, science and reading, Western Australian 15-year-olds performed better than the OECD average. In Australian comparative terms in each area, Western Australian 15-year-olds were

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second only to those in the Australian Capital Territory. We hear a lot of negative things about our education system, but we must note the performance of our 15-year-olds. We must note the outcome from the massive investment in new staff and facilities during the period of the Gallop and Carpenter Labor governments.

We saw significant investment in law and order as well. It will be interesting to see whether this government maintains some of this investment. Western Australia spends 28 per cent more on law and order per capita than do the other states. The figures are: Western Australia spends \$856; New South Wales, \$673; Victoria, \$698; Queensland, \$649; South Australia, \$681; and Tasmania, \$646. The average of all the states is \$669. Western Australia's expenditure of \$856 is 28 per cent higher than the average of the other states. We invested very heavily in law and order services. We put on 600 additional police, as promised, and we invested heavily in supporting those police with technology and public service staff. Despite the campaign of the other side of politics, there were outcomes for citizens from the investment in law and order. It will be interesting to see whether the incoming government can achieve similar progress. Burglaries fell by 45 per cent and motor vehicle thefts fell by 46 per cent. What can be seen in each of those areas is significant investment in staff and facilities and significantly improved outcomes for citizens.

I am not saying that members of the Western Australian community were satisfied with the overall outcome. If they were satisfied with the overall outcome and if we had met their full expectations, we would have been returned to government. We did not meet their full expectations, and we understand that. Nevertheless, we must acknowledge the achievements of the Gallop and Carpenter Labor governments, and the very strong inheritance that this government now has to build on as it seeks to show what it can do in governing Western Australia.

**Mr C.J. Barnett:** You missed electricity.

**Mr E.S. RIPPER:** There was also major reform in the electricity industry. That major reform has unleashed private sector investment, which, I think, is building a dozen new power stations. The incoming Treasurer will be absolved from the need to use his scarce capital works funds to build power stations. In return, he can do what the Gallop and Carpenter Labor governments did—that is, invest heavily in the electricity network. Billions of dollars have been invested in the electricity network since 2001, delivering vastly improved safety, reliability and quality of power supply. That makes up for years of neglect, particularly in the 1990s when the now Premier was the Minister for Energy.

I will now talk about our role. Our role is to, first, hold this government to account for delivering on its promises. People might say that we cannot do that just yet, because, as one minister was heard to say in interjection a little earlier, it is early days. How can we hold the government to account when it has had only a short period in office? There is an area in which it needs to be held accountable—that is, its 100-day plan. The 100-day plan was very important in the election campaign. The 100-day plan was the Liberal Party's answer to Labor's charge that it was not prepared for government. The "Liberal Plan for the First 100 Days of Government" was designed to present a contrast with the previous government. The Liberal Party's argument was that the former government was not getting on with the job; that it was not solving the problems; that the Liberal Party had a 100-day plan. It is an example of how it would be different. I do not regard the 100-day plan as some minor promise; I regard it as central to the Liberal Party's claim to govern, because it went to one of the key arguments in the campaign, which was: was the Liberal Party ready and was it prepared? The Liberal Party came out with the 100-day plan, part of which reads —

If elected this Saturday, a Liberal Government will move quickly to implement all our election commitments. Parliament will be recalled as soon as possible to allow early consideration of the Liberals' legislative agenda.

**Mr C.J. Barnett:** Tick!

**Mr E.S. RIPPER:** The Premier says "tick" in his arrogant, light-hearted and dismissive manner, but he knows that he is not meeting the full extent of that promise, because Parliament will not sit long enough to deal with the legislation.

**Mr C.J. Barnett:** Don't be so sure.

**Mr E.S. RIPPER:** Parliament will sit longer, will it?

**Mr C.J. Barnett:** We will see how we go.

**Mr E.S. RIPPER:** We have already offered to sit longer, and we have some support from across the chamber for that.

**Mr C.J. Barnett:** Are you going to pass the Surrogacy Bill?

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**Mr E.S. RIPPER:** I think the Surrogacy Bill will be far more difficult for the Liberal Party and its members than it will be for us. We will see how they handle the surrogacy legislation. We have already taken a positive step. We suggested that the surrogacy legislation be dealt with in the upper house for its efficient handling in the Parliament. I am pleased that the Liberal Party accepted that suggestion and that surrogacy legislation will be debated in the upper house. That is an example of our approach to opposition. We are prepared to be positive and constructive when the merits of the matter demand that that be the case. We have done that and demonstrated that with the surrogacy legislation.

Part of the Liberals' 100-day plan was to introduce legislation for fixed parliamentary terms. We have not seen that yet. Will we see it before the end of the three-week sitting?

**Mr C.J. Barnett:** This is not question time. Ask me a question then.

**Mr E.S. RIPPER:** When asked to demonstrate that he is honouring his 100-day plan, the Premier says to ask him another time. The 100-day plan includes —

Legislate for a proper register to monitor the activities of political lobbyists.

Are we to see that legislation before the end of the three-week sitting? Note that it was not a promise to introduce legislation but a promise to legislate; in other words, it was a promise to bring the legislation to the Parliament and to take it through both houses of Parliament and to have it completed within 100 days. This was the can-do, roll-up-the-sleeves alternative Premier campaigning against what he regarded as a government too wedded to process and too long in taking decisions. The Premier made these promises; now let us see how well he goes delivering them. The 100-day plan included —

Invest an immediate additional \$10m to pay for more surgery to reduce hospital waiting lists ...

Will that happen before the end of the 100 days?

**Mr C.J. Barnett:** Watch this space.

**Mr E.S. RIPPER:** The Premier will guarantee that will happen, will he?

**Mr C.J. Barnett:** I am not guaranteeing anything to you. I am saying to watch this space. Watch them roll out day after day.

**Mr E.S. RIPPER:** He will not guarantee that it will happen. He will not guarantee anything.

**Mr C.J. Barnett:** Not to you, no.

**Mr E.S. RIPPER:** Am I not a citizen of Western Australia? Am I not entitled to consideration as a citizen? Is it not proper for me to ask whether the Premier will meet his 100-day campaign commitments?

**Mr P. Papalia:** Ask on behalf of the 28 electorates.

**Mr E.S. RIPPER:** That is a very good point from my colleague. We have 28 seats. We form the largest party in the Parliament. We ask on their behalf whether the Premier will deliver on his 100-day commitments. What about the truth-in-sentencing laws? The Liberal Party promised to scrap them within 100 days. Now the Premier will not have the Parliament sit long enough to do that. It will be April or May next year before the truth-in-sentencing laws have passed through both houses of Parliament.

What about mandatory sentences for thugs who assault police and public officers? Will that legislation be introduced? What about introducing additional powers for the courts to impose restrictions on antisocial behaviour? Will that be introduced within the 100 days? What about the Liberal Party's promise to increase penalties for hoons? Will we see that introduced within the 100 days? We have not seen the legislation let alone its being passed by Parliament. The Liberal Party promised to repeal cannabis laws and prostitution legislation. It promised to do all these things within the first 100 days. It was central to its claim to government and to legitimacy, yet it has not delivered and will not be able to deliver.

**Mr B.S. Wyatt:** It is non-core.

**Mr E.S. RIPPER:** John Howard used to call promises that he was not going to implement non-core promises. It will be interesting to see what the Premier decides will be his language as he excuses his failure on this 100-day plan.

Under the topic of education in the 100-day plan there is a promise to allocate initial additional funds needed to commence work on new schools. New schools are part of the 100-day plan, yet the Minister for Education cannot give us any detail at all, even when given notice that this is an issue. There are serious difficulties with that central claim to government that the Liberals outlined.

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I turn now to the second central claim about which I think there are some serious difficulties. It was not a claim that arose during the election campaign but a claim that arose during negotiations between the Liberals and the Nationals afterwards. I must say that there is something seriously wrong with the Nationals' royalties for regions policy. There is nothing wrong with a big increase in investment in the regions, but there is something wrong with the way the Nationals have explained the formula. The Nationals say that 25 per cent of royalties, or \$2.8 billion, should be invested in regional Western Australia. What they ignore is that Western Australia does not keep those royalties. Those royalties are counterbalanced by a reduction in Western Australia's share of the goods and services tax. Western Australia loses up to 90 per cent of those royalties through the mechanism of reductions in its share of GST. The Nationals' formula is invoking the requirement to pay 25 per cent of 100 per cent when the state has in many cases only 10 per cent of the additional royalty flow. There is a fundamental flaw in the Nationals' argument, which is why when we negotiated with the Nationals we proposed a discrete concrete amount of new money, not the formula but an amount of new money. We agreed that it would be reasonable to commit substantial additional sums to the regions, but not through the adoption of a fundamentally flawed formula. We said that we thought the state could afford \$1 billion of new money for regional investment over four years. Quite frankly, as Treasurer at the time, I regarded that as being just within the limits of the financial possibilities then available to the state. However, the Liberals went ahead with it and are now saying that they committed to \$2.8 billion worth of new money to the regions. It is the government and it made that commitment. We will hold it to account for \$2.8 billion of new money to the regions. We will also hold it to account for the retention of the state's AAA rating.

There is one issue on which we will pursue the government very closely, and that is the question of how much of this money for the regions is actually new money. Every year a lot of money is spent on the regions. If the government simply takes the badge of the budget off and puts the badge of royalties for regions on, it will do nothing for the regions. That would be an accounting con and a political con. What is important is how much of this money is actually new money for the regions. How much compared to what, one might ask. There is only one basis of comparison: what is in the current budget and what is in the current forward estimates? I agree that a new government might change the forward estimates. A new government might decide that it prefers a port enhancement in Esperance rather than Geraldton, or a school in Meekatharra rather than Dowerin. However, surely the important point is: what was the value that the regions were already going to get under existing plans? Have they got that value plus \$2.8 billion? That is the huge task confronting the minority Liberal government, and it is a matter on which the opposition will hold the government vigorously to account.

In the course of the debate, the Premier said something very disturbing. He said that projects in the forward estimates have no status. He said that the forward estimates are simply guesstimates. Every regional and metropolitan member ought to be very concerned about that statement. The school that a community thought was to be built in a particular electorate, as shown in the forward estimates, now has no status, as the Premier says. That hospital that the forward estimates showed was to be built in a particular member's electorate now has no status. The Premier has said that projects in the forward estimates have no status. All of us on this side of the house are concerned about this issue, but all members on the government side should also be very concerned about their communities' expectations, based on funding set aside by Labor in the budget and the forward estimates. The Premier has said that those projects have no status. Those forward estimates are just guesstimates. The Treasurer says that he is reviewing the entire capital works program and will impose three rounds of budget belt tightening. Members should think about what will happen to their communities' projects, based on funding expectations delivered by Labor in the forward estimates. The Premier and the Treasurer have declared that they have no status. The central claim to legitimacy by the government—royalties for regions—has serious flaws in its underlying concept and in the government's capacity to deliver the program, and serious issues for all members who thought that projects in their own electorates were safe because they were funded in the forward estimates.

I will now deal with another claim by the government that has been shown by recent events to be fundamentally flawed; that is, the Premier's incessant campaigning on the question of honesty and integrity. The reason for the Premier campaigning on this issue was that he wanted to paint himself as someone the community could trust, and his political opponents—those of us on this side of the house—as people who were somehow lacking honesty and integrity. Of course, we absolutely and vigorously reject that claim. When people like the Premier make these claims, they invite scrutiny of their performance. So far, two issues have cast doubt on the Premier's campaign.

The first issue is the question of the independence and impartiality of the public service. The most senior position in the public service in Western Australia is that of the Director General of the Department of the Premier and Cabinet. The government has shunted aside the public service director general and made him head

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up a public sector commission. I support the idea of a public sector commission, but I wonder who will be the next Director General of the Department of the Premier and Cabinet. So do the journalists, and when they asked the Premier at a press conference he muttered that Peter Conran was doing some work. We know who Peter Conran is. We know that he is a long-time Liberal Party bureaucratic activist. We know that he served at the headquarters of the Liberal Party in three federal election campaigns in succession. His curriculum vitae is on the Internet. If members google him, they will see that he is politically partisan; he is not an independent public servant. This government intends to parachute Peter Conran into the most senior public service position available in Western Australia, while all the time saying that it supports an impartial and independent public service, and that it is a government of honesty and integrity. It will not wash; people have woken up to the manoeuvres going on with Peter Conran. He gave some advice during the transition period. As a political appointee, he should have been appointed under section 68 of the Public Sector Management Act. Why did the government not do that? There is a bit of a problem: someone appointed under section 68 is not entitled to apply for a permanent public sector position. The government has a plan in mind for Peter Conran—it wants him to be director general—so he was hired on a consultancy, so that the government could get the advice from a political appointee and then parachute him in to the public service with impunity, while claiming to support an impartial public service, and to be a government of honesty and integrity. I say it is already a government of hypocrisy early in its life.

The second issue I will deal with is the question of conflicts of interest. The Liberal Party has a blind spot on the question of conflicts of interest. As a party, it has always found it difficult to debate and face up to the problems raised by conflicts of interest. In a society such as Western Australia, with a population of two million, there will always be the potential for conflicts of interest to arise. People in government must have sophisticated plans and strategies to manage those potential conflicts of interest. At question time today the Premier was totally inadequate on the question of conflicts of interest posed by the shareholdings of Hon Norman Moore and his wife. This is not a question of people objecting to the wives, husbands or partners of ministers holding assets. It is a question of perception of conflict of interest. People sharing finances share interests and the advantages and disadvantages that might arise from particular decisions. That is why assets of spouses were made explicitly part of the ministerial code of conduct under the Gallop and Carpenter Labor governments. Has the ministerial code of conduct been changed? Does the ministerial code of conduct no longer require consideration of the assets of spouses? The way the Premier talks, we should not be concerned about the assets of spouses. Has the Premier changed the ministerial code of conduct?

**Mr C.J. Barnett:** No, we haven't.

**Mr E.S. RIPPER:** He has not changed it. If the Premier has not changed the ministerial code of conduct, then Hon Norman Moore has a problem. He and his wife, through a superannuation fund, own shares in BHP Billiton and Woodside—two of the major resources companies in this state—at the same time as Mr Moore is the Minister for Mines and Petroleum, daily facing the possibility of making decisions that will impact on the interests of BHP Billiton and Woodside, or on the interests of their partners and competitors, of which there are many. Moreover, Hon Norman Moore goes into cabinet, where issues related to BHP Billiton and Woodside are frequently discussed. For example, the agreement acts that relate to those companies are often brought before cabinet for discussion by other ministers. Will the Minister for Mines and Petroleum absent himself from those cabinet discussions? At the moment, the minister is saying that he will take his name off the superannuation documents, so that fixes it. That is the Murray Criddle defence: “I sold my Wesfarmers shares to my wife, so I do not have a conflict of interest on the question of the privatisation of Westrail.” It is not good enough—it did not wash in the Court government, and it will not wash in the Barnett government. Hon Norman Moore has a conflict, whether he takes his name off that superannuation document or not. It is the Premier's responsibility to manage that conflict of interest issue.

The Premier should be saying to Norman Moore, “These are the issues on which you must give decision-making authority to other ministers”, as the Premier has done with Minister Faragher. He must say to Hon Norman Moore, “If as Minister for State Development I bring certain matters before cabinet, you cannot participate in them.” I think it is a fairly untenable situation. The presence of Woodside and BHP Billiton in our economy is such that it must be very difficult to be the Minister for Mines and Petroleum in light of those conflicts. The simplest way would be for Mr Moore and his wife to dispose of those shares to avoid that conflict. The Premier could have dispensed with this issue today at question time by simply saying, “I have directed Minister Moore to dispose of those shares, and he has agreed.”

**Mr C.J. Barnett:** So Mrs Moore is not entitled to retain her superannuation. Is that your view—a long-term employee of the government sector —

**Mr E.S. RIPPER:** The Premier has not listened. There is another way: he could provide that list of cabinet issues that Hon Norman Moore will not be allowed to discuss or he could provide him with another portfolio that

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would not involve such a conflict. There is a variety of ways in which he can deal with this issue, but deal with it he must.

**Mr C.J. Barnett:** I have.

**Mr E.S. RIPPER:** How has the Premier dealt with the issue?

**Mr C.J. Barnett:** The State Solicitor has provided advice that a clear protocol is in place.

**Mr E.S. RIPPER:** The Premier should table the advice so that we can see it. Let us look at the advice, if that is his answer.

*Amendment to Motion*

**Mr E.S. RIPPER:** On the question of three central claims that go to the legitimacy of this government: the 100-day plan—fail; royalties for regions—set up to fail; and, honesty and integrity—already failing, destined to continue. That is the position after a very short period of this minority Liberal government. That is why I want to move an amendment to the Address-in-Reply and add the following words —

but regret to inform His Excellency that the government has broken many promises within its first 100-day plan, including failing to protect the people of Western Australia by not giving legislative priority or time to Sentencing Act amendments to ensure serious offenders are adequately punished

**MR J.A. MCGINTY (Fremantle) [4.12 pm]:** I extend my congratulations to the Speaker on his election to the very important position within this Parliament and to you, Mr Deputy Speaker. I also extend my congratulations to the Premier and his new government. I wish them well in the task before them.

Having said that, in seconding this amendment, it is with considerable disappointment that I note the delays in the matters that are contained in the Liberal Party pre-election document—its “Liberal Plan for the First 100 Days of Government”. It outlines in excess of 40 commitments of matters to be attended to during its first 100 days in government. Included among those are a commitment to —

- Scrap Labor’s disastrous ‘truth-in-sentencing’ laws to make sure that if offenders do the crime, they do the time.

We found out in question time today that the legislation has not yet been drafted and approved by cabinet. We found out that it will be introduced in the second last sitting week of this year in a time frame that guarantees that it cannot be dealt with by the Parliament this year. It reminds me of the Premier’s election slogan for the 2005 election, which was “Decisions Not Delays”. We see here a classic case of delays and a snail-like pace in dealing with matters that are of enormous concern to the general public here in Western Australia. The Premier’s ministers need to rise above the blame game that they seem to be intent on engaging in. Members opposite are the government; the buck stops with them.

**Mr T.R. Buswell** interjected.

**Mr J.A. MCGINTY:** We saw from the Attorney General at question time today his failure to accept that the responsibility for dealing with sentencing laws is his. A commitment was given to introduce legislation and to pass it before Christmas, during the first 100 days of the government’s term this year.

**Mr T.R. Buswell** interjected.

**Mr J.A. MCGINTY:** That is exactly what he did; he wanted to turn around and play the blame game. That does not wash any more. That is the game members opposite want to play; they want to get into simply blaming.

**Mr C.J. Barnett** interjected.

**Mr J.A. MCGINTY:** Playing games is exactly what it is, Premier. The public do not like it and they will not accept it from him.

It is quite clear that the government never intended to honour the legislative commitments that are contained in the first 100 days document. It never intended to do that because it arranged for the Parliament to be recalled in such a way that it was impossible to deal with those matters for which commitments were given. They are urgent matters for which this Parliament should pass legislation before the Parliament rises this year. There is no greater priority than to get right the sentencing laws of this state. When the Liberal Party was in opposition, it saw that issue as simple and easily fixed. Now that members opposite are in government it is all too hard and there is no sense of priority about dealing with it. We on this side of the house have offered our support to fast-track the amendments. We made exactly the same offer on the surrogacy legislation. I am delighted that the Deputy Leader of the Liberal Party saw the merit in that proposal and today the Surrogacy Bill will be introduced into



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the Legislative Council in a way that means it can be dealt with by this house and become law before Christmas, assuming it is passed by this house.

We cannot see that same sense of urgency or purpose being given to something that affects so many more people; namely, the inadequate state of our sentencing laws in Western Australia. More than 2 000 serious offenders will be sentenced to a term of imprisonment between now and the earliest date by which the legislation can become law, which is April next year. The effect of not passing the amendments to the sentencing law will mean that the sentence of almost every one of those offenders will be reduced by one-third. That should not happen. It is something that requires urgent action. These offenders include one-punch killers. This Parliament always intended that, in the worst cases, the maximum sentence would be available to the court to punish such offenders. The maximum sentence under the Criminal Code is 10 years. At the moment that means those offenders will serve 6.6 years. When the government introduces the amendments—I hope we are in a position to support them—and they are passed, it will mean that 10-year sentences can be handed out to one-punch killers.

Another area that concerns me enormously is that, until the Yates decision in July this year, it was the law in this state that any new offence that had been created after 2003 would not be subject to sentence discounting. One of those laws was the cyber predator law. It was aimed, generally speaking, at men who use the internet to groom young people—generally speaking, but not exclusively, young girls—for sexual purposes. Parliament passed a new law after the 2003 Sentencing Act amendments to make that a criminal offence in Western Australia. I give full credit to the police because they have pursued the matter diligently. They have obtained a number of convictions—I am aware of at least a dozen—for which the offenders have gone to jail without their sentence being discounted. The Yates decision in July 2008 has meant that those people can now successfully appeal and have one-third of their prison sentence taken off—in other words, one-third less than what the court thought was just in those circumstances. As a result of this delay, there will be at least a dozen appeals by cyber predators who should be in jail for a long time but who will now be able to have one-third cut off their sentences because this government has not made a commitment to move expeditiously on this very important legislation. A whole range of killers, sex offenders and cyber predators will go before the courts and get unjust penalties—unjust because the penalties will be too light as this Parliament has failed the people of Western Australia by not moving on this very important issue.

**Mr M.J. Cowper** interjected.

**Mr J.A. McGINTY:** I will answer the member's question. The decision in Yates, which spelt out the law authoritatively—it was a five-person Court of Appeal judgement in this state—was handed down, and three weeks later we had drafted the amendments to the law in order to bring them into the house. I made a copy of them available, on a confidential basis, to the then shadow Attorney General to ensure that these matters were dealt with. I must say that he has breached the confidence and the trust that I put in him by the way in which he has conducted his discussion about these matters in seeking to blame us. We had the legislation drafted. All he needed to do was his own finetuning. I should say that the legislation is drafted by the same people in the Parliamentary Counsel's Office. The advice comes from the same people in the Office of the Director of Public Prosecutions and from others within the legal apparatus of government. I quite appreciate that there might be a desire to do things marginally differently, but, in my view, the purpose and the intent will be remarkably similar. We are going to have delays in passing critical legislation that will cause grave injustice. The victims and the families of the victims will continue to be upset and outraged as a result of the failure of the courts to be able to provide adequate sentences, and the responsibility for that sits with the Attorney General. It is the blame game that he wants to play. Those people opposite are the government. It is their responsibility to deal with this matter.

I want to touch on some very important matters of history. There has been sentence discounting in Western Australia for as far back as anyone can remember. In 1981 the Dixon Committee of Inquiry into the Rate of Imprisonment in Western Australia observed that remission—that is, the discount—was so entrenched that it would be quite impractical to abolish it. It recommended that the remission be increased from a quarter to a third, and we still have that today. My research has taken me back to the 1960s, when the minute the court pronounced a sentence, a quarter, or a third, as it has been for at least the past 20 or 30 years, was wiped off that sentence, so it has been very much a part of our history.

The government before the recent Labor government—that is, the Court Liberal government—recognised this problem and the then Liberal Attorney General commissioned then District Court Chief Judge Kevin Hammond to undertake a report. He reported in March 1998. The report recommended abolishing remission, or discounting, as we now know it, but not in such a way as to increase the actual time spent in prison. In 1999 the Liberal Party brought in the Sentencing Legislation Amendment and Repeal Bill. It passed through the Parliament but was never proclaimed because it would have produced too many anomalies. In 2000, in the year before the state

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election when Labor came to power, the Liberal government Attorney General Peter Foss put through a new bill that abolished remission and reduced sentences by one-third. It sounds a little familiar, does it not? That legislation was never proclaimed, so we in the Labor Party had to deal with it when we came to government. It was something that we happily embraced. In 2003 we put forward legislation that abolished remission and brought about greater transparency. At that time, administratively, once a judge announced a tough sentence, the department of corrections took one-third off. We said to the courts that, instead, they should say what sentence would actually be served, but they should have regard for the general time in prison, and, because of the amendments, there should not be a general increase in the time in prison.

In the Legislative Council the Liberal Party amended that legislation to provide for the very problem that we have today—that is, to provide for one-third discounting to be part of the sentence formulation. That was done by the Liberal Party in the Legislative Council. For a full history of this I can refer members to the judgement of Chief Justice Wayne Martin in the Yates case. Therefore, it can be properly said that it was amendments made by the Liberal Party in the Legislative Council that caused the truth-in-sentencing problem. It is one that would not have arisen had it not been for those amendments made by Peter Foss and the Liberals in the Legislative Council. Nonetheless, I accept that it was our responsibility as the government to then go about fixing it, and that is something that we happily did.

The next step in this process was the Yates decision, which came down on 10 July 2008—only a few months ago. The government responded on 3 August, some three weeks later, announcing that it would introduce legislation to deal with the truth-in-sentencing problem as it had emerged. We would abolish the sentence discounting. We would, for the first time in the history of this state, make it available to the courts to award the maximum penalty. In the past they could not do it because, firstly, they had to take off one-third for remission. Secondly, after 2003, by statutory direction as a result of the Liberal Party amendments in the Legislative Council, the courts had to take one-third off the sentences before they were handed down.

**Mr C.C. Porter:** You said that they had always had the option of imposing the maximum.

**Mr J.A. McGINTY:** Who?

**Mr C.C. Porter:** You.

**Mr J.A. McGINTY:** No, I did not.

**Mr C.C. Porter:** In the *Albany Advertiser* of 6 September 2007 you are reported as saying that judges always have the option of imposing the maximum sentence. Did you say that?

**Mr J.A. McGINTY:** I make this point, Attorney General: you have not covered yourself with any glory today. I took the unusual step of making available to the then shadow Attorney General, on a confidential basis, two drafts of the legislation dealing with this issue in order that he might provide some input into it, because prior to the calling of the election it was thought that this matter deserved priority, and we wanted to deal with it expeditiously. I received no feedback. That is no doubt on account of the fact that some days after the information was provided to him the election was called. However, I make this point to the Attorney General because I think it is quite an important point: he was given something in confidence, and I regard it as a breach of confidence that in question time today he talked openly about its contents. If we are going to have dealings with the Attorney General, we cannot trust him because he breaches confidences. He needs to accept this. I sought advice from some of the Attorney General's colleagues. They said, "You can trust him. You can give him things in confidence and you will never hear about them." During the election campaign we saw the then shadow Attorney General breach that confidence, and we saw it again today. I, perhaps unwisely, thought that I could give the details of the government's two draft pieces of legislation to the shadow Attorney General in confidence and get some sensible feedback on them, but I will certainly be very cautious about trusting him again in the future, because I think his behaviour is such that it really poses a question about his integrity.

Having said that, I will move on to the next step. What the Labor Party proposed prior to the calling of the election was essentially a three-point plan: firstly, that we would repeal the transitional provisions that provided for discounting; secondly, that we would expressly provide that the maximum sentence would be available—that has never been able to be done in the past; and, thirdly, that we would expressly provide for sentencing to be based on precedent or relativities to achieve greater consistency in the sentences that the various courts hand down from time to time. I believed that that was going to achieve quite significant changes.

In question time today the Attorney General said that it was a draft designed not to effect any change to the truth-in-sentencing laws. With due respect, Attorney General, that is not correct. I object to the Attorney General not being honest. His was not a true statement for this reason: what was in those documents was a significant change that would make the maximum sentence available in a way that the court in Yates said was not currently

**Extract from Hansard**

[ASSEMBLY - Tuesday, 11 November 2008]

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available. It abolished discounting. What did we find during question time today? The Attorney General said to the house—dishonestly, in my view—that the draft would not effect any change to the truth-in-sentencing laws.

**Mr C.C. Porter** interjected.

**Mr J.A. McGINTY:** That is what we proposed and it would have been law by now. Nonetheless, there was a change of government. However, that does not relieve the government of its responsibility to deal with this very pressing matter. The member for Bateman said prior to the election that the repeal of the transitional provisions would be simple, quick and effective. He is now saying that it is all too hard and that is the reason this matter is not before Parliament. The public of Western Australia was given a promise and that has been broken by the government's failure to deal with this matter. It is a matter on which we were happy to cooperate. It should have received greater priority from the Attorney General, and I am disappointed that he has let the people down and gone back on his promise.

**MR J.R. QUIGLEY (Mindarie)** [4.30 pm]: I extend my congratulations to the Speaker and the Deputy Speaker on their elections to those positions. I know the Deputy Speaker well because he was a colleague of mine in law, and I congratulate him on his election to that office.

The only matter I wish to address in this amendment to the Address-in-Reply motion is the puzzling delay in bringing what is a reasonably simple matter back before this chamber to repeal the one-third discount in sentencing legislation. I noticed that the Attorney General said earlier in the chamber today that he was presented with a Goldilocks problem: is the porridge too warm or is it too hot? The problem with Goldilocks was the number of beds that she slept in before she supped. It appears that on this occasion Goldilocks may have slept in too many beds. It is not the porridge that the Attorney General is producing that is the problem; rather, it is the pork pies. We were reminded by my friend and colleague the member for Fremantle of the decision in the Yates case, which came down on 10 July 2008 and clarified what we all understood to have been the law that existed before that time. On 16 July 2008 the shadow Attorney General and the then Leader of the Opposition, the member for Vasse, put out a joint media statement that said in unequivocal terms —

A State Liberal Government will immediately repeal the...transitional provisions so that sentencing Judges are not compelled to automatically issue discount sentences, and can apply sentences appropriate to the offence, and be able to hand down terms of imprisonment right up to the maximum penalty.

True or false? Pork pie. It is not being done immediately. As the member for Fremantle said, thousands of people will be sentenced before this repeal is given effect. That is contrary to what the public was told prior to the election. Presumably under the new legislation judges will have the capacity to recall those sentences and to impose new sentences. As a practitioner of law, the Attorney General will be aware of not only the injustices this will visit upon the victims of crime, but also the inordinate delay and inconvenience it will pose to the superior courts.

On page 76 of the *Sunday Times* on 24 August 2008, immediately before the election, the then opposition spokesman on legal affairs, the current Attorney General, said under the banner of the Liberal Party and the heading "Court Sentencing" —

We agree that sentences are too lenient, and we are serious about fixing the problem ... The first critical step is to get rid of the one-third discount system completely, no ifs, ands or buts.

We have heard of the Goldilocks dilemma this afternoon. However, the current Attorney General made a statement to *The Australian* on 29 August 2008, during the election period, which states —

"We've stated previously with our truth-in-sentencing policy that we will completely remove—no ifs, ands or buts—the one-third discounting system," Mr Porter said. "The first thing that we'll tackle after removing the one-third discount, is the system of discounts for early pleas."

The Attorney General had decoupled what is now giving him so much angst as to how hot to make the porridge by promising the public of Western Australia that he would do it in two stages. Firstly, he said that he would completely repeal the one-third automatic discount; and, secondly, that he would come back to Parliament and remove the system of discounts for early pleas and deal with that as a completely separate issue. The noise that Goldilocks was making prior to coming into the bearpit was that there was to be immediate action on revocation.

Of course, the Liberal Party, when in opposition, wanted to rattle the sabre very loudly and say that by repealing this legislation there would be significant increases in the length of punishments imposed. However, today the Liberal Party is saying that a further problem is the cost to the government, because if the government is to do

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away with the one-third discount, that will increase the prison population to such a degree that the government will have to look at the cost factor regarding how far to turn up the gas. If the government turns up the gas and the porridge becomes too hot, and if it makes the pork pies too big, the cost to the state will be too great. Yet on 16 June 2008 Goldilocks said rhetorically —

“How much will the prison population increase if the one-third reduction is scrapped?”

“That’s very difficult to calculate but there is not going to be a catastrophic one-third increase in numbers.

“There will not be more people in prison —

I hope the media picks up on this —

but there will be people in prison for slightly longer.”

In the lead up to the election, the electorate was given the impression that two things would happen. The shadow Attorney General said that under a Liberal government there would be a significant increase in the total length of sentences handed down to serious offenders. We have now found out after trawling through the different bedrooms that Goldilocks has slept in that the notes he has been leaving in one bedroom show there will not be more people in prison but that prisoners will be in prison for only slightly longer. When will this slightly longer increase begin under a Liberal government? I repeat what was promised to the people of Western Australia by the now Attorney General in a press release that he issued five days after the Yates decision —

A State Liberal Government will immediately repeal the current transitional provisions so that sentencing Judges are not compelled to automatically issue discount sentences...

My challenge to Goldilocks this afternoon is to come good on his word to Western Australia and all the victims of crimes and do it immediately, just as he promised the people he would do.

**MR C.C. PORTER (Bateman — Attorney General)** [4.38 pm]: I will begin with the assertion of the member for Fremantle that somehow this was the fault of Mr Foss when he was a member in the upper house some years ago. That is very interesting. Truth in sentencing is this: prior to 2003 there was a system known as remission. That system meant that if an offender was told in court that he was being given a head sentence of 10 years, the offender was able to be let out of jail after 6.6 years—that is, minus one-third of the 10-year sentence. That was happening out of the public view. Evidently, people became distressed at that time. They would hear in court that an offender had been sentenced to 10 years but the offender was actually serving 6.6 years in custody.

In order to acknowledge that public pressure, the Parliament removed the system of remission. The great fear of the then government and of the former Attorney General and member for Fremantle was that that would cause an explosion in the prison population. I must say that I think that was an unfounded fear, on balance, but it was nevertheless a fear that the member for Fremantle had. It is true that after consideration by an upper house committee, the original clause to bring in the transitional provisions was amended, and that has resulted in the one-third discounting system that applies at the moment. The reason that occurred was that a committee of inquiry found that the original transitional provisions might create some anomalies relating to parole.

Let us look at clause 2(1) of the original transitional provisions of the member for Fremantle’s first draft clause, which was debated in this Assembly and was amended in the upper house. It stated —

**2. Sentencing courts to take into account the effect of the sentencing amendments**

- (1) The purpose of this clause is to ensure, as far as is practicable, that an offender sentenced after the commencement of the sentencing amendments to a fixed term spends the same time in custody serving that term as he or she would have done had he or she been sentenced before the commencement of the sentencing amendments.

That was the clause that the member for Fremantle brought into this place. Yes, that clause was amended by an upper house committee. However, the effect of that clause and the clause that was brought into this place is exactly the same.

**Mr J.A. McGinty:** No, it is not.

**Mr C.C. PORTER:** Well, member, listen to this —

The purpose of this clause is to ensure, as far as is practicable, that an offender sentenced after the commencement of the sentencing amendments to a fixed term spends the same time in custody serving

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that term as he or she would have done had he or she been sentenced before the commencement of the sentencing amendments.

That clause was meant to lock sentencing judges in to ensure that people will basically still get their one-third get-out-free pass after the 2003 amendments. That is the member for Fremantle's clause. That is what he meant to do. For the member for Fremantle to come into this place and blame this on Mr Foss is a level of chutzpah that I find absolutely fascinating. Chutzpah is a Yiddish word that basically means gall. Someone once said that chutzpah is a person who kills his parents and then complains about being an orphan. That is the member for Fremantle, because this is his clause! All the upper house committee did was fix it for him!

**Mr J.A. McGinty:** They fixed it all right! They caused the problem!

**Mr C.C. PORTER:** They gave the member for Fremantle what he wanted. I have read to the member what his clause said. For the member for Fremantle to try to blame this on someone else is absolutely remarkable.

Let us look at the member for Fremantle's assertion that somehow I have been a naughty fellow because I have spoken, firstly, about the fact that he gave me a draft, and, secondly, about the general content of that draft. That draft was never released to anyone, and it was never read to anyone, yet it has been asserted that I have made particular comments about the nature of that draft. The member for Fremantle was so scared about the prospect of any real change that what he did in this exercise was produce a draft that was specifically designed to set increments in sentencing for only the absolute worst of the worst of offenders—the top one to three per cent of offenders. The member for Fremantle was desperately trying—through the draft that I have seen, but that he was too scared to show to anyone—to ensure that for the overwhelming majority of offenders there would not be one day's difference in the time spent in custody. The member for Fremantle was trying to revert to what he had originally tried to do; namely, ensure that an offender would serve the same term regardless of whether he or she had been sentenced before the commencement of the sentencing amendments or after the commencement of the sentencing amendments.

This will not be the import of the bill that I will bring to this house. I will give sentencing judges back their discretion. I will not make it mandatory for them to consider the fact that years ago, offenders were given remission. I will not do that. I will give them back their discretion. In my assessment, the likely effect of that legislation will be that, for the worst of the worst offenders, sentencing judges will for the first time be able to access the maximum penalty. For the overwhelming majority of offenders, sentencing judges will have the discretion to increase in effective terms the time that those offenders spend in custody. In some instances sentencing judges may choose not to do that, or they may choose to do that in a moderate fashion, but for the first time they will have that discretion.

What I also find astounding is the member for Fremantle's re-reading of his own views on this legislation. He has told us today that the great genius draft that he produced would allow sentencing judges to access the maximum penalty. One does not have to be a legal scholar to work out that the big problem with the truth-in-sentencing system that the member for Fremantle devised was that sentencing judges were unable to access the maximum. The best example of this is the case of the offender Farmer. His Honour Justice Heenan said about that case that it was the worst case of manslaughter he had ever seen. That is a very unusual thing for a sentencing judge to say. Indeed, that makes Farmer's offending—in the great run of offending—very unusual. In that sentencing process—I am speaking off the top of my head without the decision in front of me; this is as close as I can get to accuracy as to what happened—Justice Heenan started at 20 years. He was compelled by the legislation that the member for Fremantle had bought into this place and that his government had passed to reduce that 20 years by one-third to 14.4 years —

**Mr J.A. McGinty:** Courtesy of the Liberal Party amendment.

**Mr C.C. PORTER:** Does the member want me to read that clause to him again? Does the member remember that clause?

**Mr J.A. McGinty:** What the Liberal Party did to that clause in the upper house left us with a substantially different law to the one that the Labor Party introduced.

**Mr C.C. PORTER:** I will read it again. Let us see, for all the legal scholars in this place, whether this has a plain meaning, because it certainly has for me. It states —

The purpose of this clause is to ensure, as far as is practicable, that an offender sentenced after the commencement of the sentencing amendments to a fixed term spends the same time in custody serving that term as he or she would have done had he or she been sentenced before the commencement of the sentencing amendments.

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I like the words “spends the same time in custody”. That appears very unequivocal to me. The member for Fremantle knew that people might be upset that offenders would be let out early by one-third, so he wanted to ensure, through the Orwellian-style legislation that he had introduced, with some magic wand-waving manoeuvre called truth in sentencing, that offenders would spend exactly the same amount of time in custody. It was a lie, and that was the problem with it. What sentencing judges will now be able to do is access the maximum. I am intrigued by the views of the member for Fremantle. I have read out to the member for Fremantle what he was quoted as saying in the *Albany Advertiser* of 6 September 2007. He said in that quote that judges always have the option of imposing the maximum sentence. That is wrong, wrong, wrong! The problem with the system that the member for Fremantle introduced is that it prevented judges from accessing the maximum. That is what it did. That brought our criminal justice system into disrepute. The draft that the member for Fremantle developed —

**Mr J.A. McGinty:** So why not bring in the legislation this year? Why do you want to delay it until next year? Do you just want to play games with it?

**Mr C.C. PORTER:** Not at all. The member for Fremantle has raised an important point in his question. What the member for Fremantle is saying in effect is that between today’s date and the date when the legislation will be passed by both houses of the Parliament, many people will have been sentenced.

**Mr J.A. McGinty:** Two thousand people will have been sentenced.

**Mr C.C. PORTER:** How many people have been sentenced since 2003? Hundreds of thousands of people have been sentenced since 2003, yet on 4 September 2007, when this issue was red hot, the member for Fremantle said in this place that it does not mean a thing. It does not mean a thing! He just got it wrong!

**Mr J.A. McGinty:** So what are you doing about it?

**Mr C.C. PORTER:** The legislation, in its final and quite proper terms, will be before cabinet on Monday and will be introduced into this place straight after that. What is the member for Fremantle saying? The member for Fremantle is upset that I am one week outside of his desired timetable! The member for Fremantle has had since 2003 to sort it out, but I am one week outside of his timetable! I am sorry that I am going to get it right, which leads me to the next point; that is, the draft that I will provide to this Parliament will result in an increase in the prison population. To address the member for Mindarie’s points, I assess that there will be considerable increments for the worst of the worst offenders. Under the member for Fremantle’s plan, there would have been no increments for anyone else.

**Mr J.A. McGinty:** That’s not true.

**Mr C.C. PORTER:** It is true, and I will tell the member why it is true, without being allowed to refer to his draft. Other than in general terms, the member made it mandatory, pursuant to his draft, for a sentencing judge to take into account that prior to 2003 people got remission. By making that mandatory, the member would have forced a judge to sentence on the basis of tariffs that developed in an environment in which there was an expectation of a one-third discount. The member and I both know that the intended effect of that provision was to ensure that, other than for the worst of the worst offenders, there would be no change. The member for Mindarie’s point is that, under the draft legislation that we will produce, there will be quite considerable increments for the worst of the worst offenders. For the rest of the offenders, sentencing judges will have discretion to increase the sentences, because, effectively, maximums on the books have been increased. Judges may exercise that discretion in some circumstances and they may not exercise it in others, but they will have the discretion to do that. That will mean that the prison population will increase, which is not something that would have happened, dare I say it, under the member for Fremantle’s draft, which is probably why the member, as far as I can see from going over the department’s work, did no substantive costings of truth in sentencing. I have looked at seven models of costings. Those models cover various bands of sentencing—sentences of less than 12 months, sentences of between 12 and 24 months, sentences of between 36 and 60 months, sentences of between 60 and 96 months, sentences of between 96 and 120 months, sentences of between 120 and 180 months and sentences of more than 180 months. We have looked at bands of sentencing as a proxy for seriousness, anticipating moderate increments in sentencing in the lower bands and very high increments in sentencing in the higher bands. We have then calculated what this will do to the overall bed capacity and worked that into a figure for capital and recurrent expenditure.

**Mr J.A. McGinty:** What’s the cost of your proposal?

**Mr C.C. PORTER:** It is very difficult to say.

**Mr J.A. McGinty:** That’s a great job you’ve done!

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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**Mr C.C. PORTER:** I love a man who laughs at his own jokes when no-one else laughs.

**Mr J.A. McGinty:** I'm laughing at you; don't worry about that.

**Mr C.C. PORTER:** The reason it is difficult to assess is that my plan, unlike the member for Fremantle's plan, gives discretion back to judges. The member's draft was easy to assess because there would not have been any change. That is why he drafted it in that way.

**Mr T.R. Buswell:** With zero cost.

**Mr C.C. PORTER:** That is exactly what it was. The member for Fremantle drafted it to ensure that there would be no change.

**Mr J.A. McGinty:** How much will yours cost?

**Mr C.C. PORTER:** It depends on which model we look at. The difference is that I have modelled the costs. Did the member do that?

**Mr J.A. McGinty:** What will your bill cost?

**Mr C.C. PORTER:** The member for Fremantle did not bother with the cost because he planned a draft that would have resulted in no change and would have had no cost implications. That is why the work was not done.

Members opposite will see the legislation. The legislation will be meaningful. It has been thought through, and it will be accompanied by costings that will go to cabinet on Monday. That will have a consequence for capital and recurrent expenditure. That work has been done. That work was not done previously because the member for Fremantle planned it away. He was going to dupe the population of Western Australia for a third time.

**Mr E.S. Ripper:** What will be the rise in the muster under your legislation?

**Mr C.C. PORTER:** That depends on sentencing discretion.

**Mr J.A. McGinty:** You've got no idea; I think that's what it means.

**Mr C.C. PORTER:** The member is quite wrong. I have seven different ideas, depending on the best predictive measures of sentencing discretion. In addition, I can tell members what the change would have been under the member for Fremantle's plan—nothing.

**Mr J.A. McGinty:** That's not true.

**Mr C.C. PORTER:** There would have been no change. Did the member do any costings?

**Mr J.A. McGinty:** You're the government. Come on; tell us.

**Mr C.C. PORTER:** The member for Fremantle did not do any costings because he was not going to have any change. It is quite simple. This is legislation that he desperately did not want to bring in.

**MR M. MCGOWAN (Rockingham) [4.54 pm]:** The point of the amendment moved by the Leader of the Opposition is to highlight to the Parliament and to the people of Western Australia that significant promises were made by the now government that have not been and will not be delivered on in the first 100 days of this government. That is the point. The point is not disputation about what did or did not pass through the upper house some three or four years ago; the point is ensuring that the public of Western Australia is aware that significant pieces of legislation that this government promised to pass within its first 100 days, which will expire before the end of this year, will not be delivered.

**Mr R.F. Johnson:** We did not say "passed"; we said "introduced".

**Mr M. MCGOWAN:** I want to make sure that that interjection is recorded. The Leader of the House says that they did not say "passed". He obviously has a very big difficulty with plain English. The opening few paragraphs of the 100-day plan outlines the priorities for the first 100 days of the new Liberal government and the first major activities to be undertaken if there is a change of government in Western Australia. It is a very considered document that sets out what the new government will do if it is elected. It is not a statement that was made by a backbencher or a potential backbencher for an article in a regional newspaper. It is not an off-the-cuff statement that was made by people who did not know whether they would be elected. This document was launched by the then Leader of the Opposition, now Premier of the state, and was the basis of the platform that the then opposition took to the election. It sets out six pieces of legislation that would be passed within the first —

**Mr R.F. Johnson:** Where does it say "passed"?

**Mr M. MCGOWAN:** There he goes again. He has a huge difficulty with plain English.

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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**Mr R.F. Johnson:** Did you write to me over the weekend about moving the Surrogacy Bill to the upper house? I can't find the letter, but you're claiming that you did. I think you have a difficulty, my friend.

**The DEPUTY SPEAKER:** Order, member for Hillarys!

**Mr M. McGOWAN:** The then opposition, the now government, claimed that it would pass six pieces of legislation within the first 100 days of its being in government, which will expire before the end of this year. The document states —

Legislate for a proper register to monitor the activities of political lobbyists.

It does not say “introduce legislation”; it says “legislate”. My understanding of plain English is that that means that legislation is concluded in that time. It also states —

Scrap ... ‘truth-in-sentencing’ laws ...

It does not say “move to scrap” or “introduce legislation to scrap”. It also states —

Increase penalties for hoons ...

It does not say “introduce legislation to increase penalties for hoons”; it quite clearly says “increase penalties for hoons”. The document also states that the Liberal Party will repeal cannabis laws. It does not say that it will “introduce laws to repeal cannabis laws”. It also states —

Legislate to provide medical benefits to former Police Officers for injuries relating to their former duties.

The government has introduced that legislation, but it will not be passed within the first 100 days of this new government. The document also states that the Liberal Party will repeal prostitution legislation. I have heard the then Leader of the Opposition, the now Premier, say regularly that those six pieces of legislation were aspects of his core beliefs and were fundamental things he wanted to achieve if he became Premier.

The government has now put in place what can be described only as a pathetic sitting timetable. There will be only three sitting weeks before the end of the year. Two of those three weeks will necessarily be spent on dealing with the Address-in-Reply. That leaves one sitting week in which to deal with six pieces of legislation that the government expects to be passed within that period. We vow to take steps to see whether this Parliament can sit longer this year. We want to make sure that the truth-in-sentencing legislation that we introduced and that we are committed to is dealt with in this Parliament. The Labor Party has said that truth-in-sentencing legislation is a priority and that it is committed to ensuring it comes into effect. We will take steps to make sure that that legislation is dealt with because we do not want to see, due to the laziness of this government, people who deserve more significant sentences, particularly at the higher end of the scale, receive lower sentences. We do not want to see people incurring the luxury of a lesser sentence because of the laziness of ministers and of a Premier, all of whom are not interested in getting on with the main job of government—namely, to come into the Parliament and bring forward legislation. However, it gets worse: there are to be 17 sitting weeks next year. In the first full year after the Labor government was elected, we sat for 72 days—in effect, the Parliament sat for 24-plus weeks in our first full year in government. This government, with these important issues to be dealt with, is going to sit for only 17 weeks next year, on top of one sitting week this year in which to deal with legislation. I know that members opposite tend to be exhausted by the parliamentary process, and I refer them to the 2009 sitting timetable. There will be two sitting weeks in March next year and two sitting weeks in April. The earliest that the truth-in-sentencing legislation could possibly be expected to pass through both houses of Parliament is April 2009—after the government was elected in September 2008! The Barnett government has said that dealing with this legislation is one of its highest priorities. Members opposite do not need to go back to their electorate offices or to go on holidays or overseas trips. Members opposite need to come back to the Parliament and perform their highest responsibility —

**Mr R.F. Johnson:** Who is going on holiday? Who is going on overseas trips?

**Mr M. McGOWAN:** Maybe the Leader of the House should investigate the matter.

Several members interjected.

**The ACTING SPEAKER (Mr P.B. Watson):** Order, members!

**Mr M. McGOWAN:** This government needs to get on and deal with the important issue of the moment, which is to come into this Parliament and legislate. As the opposition, we will use our 28 members in this house—a four-member bigger contingent than that of the Liberal Party—to do everything in our power to ensure that laziness is not rewarded and that this Parliament sits this year to deal with important legislation.



**Extract from Hansard**

[ASSEMBLY - Tuesday, 11 November 2008]

p76b-118a

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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**MR C.J. BARNETT (Cottesloe — Premier)** [5.03 pm]: Was that it? Was that what the opposition has been working on for the past six weeks—that little effort? Unbelievable! I would have thought that the opposition would have a few substantive issues to raise—and that was it! What has the opposition done with its 100-day plan? Do members opposite know how many days we have been in government? Forty-nine—tomorrow is 50. The 100-day plan has another 51 days to go. At least this state has had 49 days of good, honest government.

Several members interjected.

**Mr C.J. BARNETT:** Here we have the opposition debating the 100-day plan when we are up to day 49. Do members opposite know when the 100 days is up? New Year's Eve. I look forward to having a press conference at which I will go through the 100-day plan and tell all the Labor members in attendance exactly where we are up to in the plan. Members opposite do not seem to be able to accept the reality that, although it was a close election, it was an election that they lost!

**Mr J.A. McGinty:** I congratulated you on winning.

**Mr C.J. BARNETT:** I appreciate that. As I said at the opening of Parliament, the Liberal Party alone received 30 000 more votes than did the Labor Party. That was the verdict of the people of Western Australia. Add in the votes, if members like, from the seat of Churchlands and that number increases. Add in the votes that went to the National Party and the number increases again. That is the reality.

The Labor Party should not forget that it gave up in government—that it gave up on government! The Labor Party threw in the white towel and called an election six months early. That is what it did. The Labor Party gave up six months before the end of its term and now members opposite come in here and bleat about priorities and things that need to be dealt with urgently. Where was the sense of urgency when Labor threw in the towel? Labor gave up on the state of Western Australia, and the people of Western Australia gave up on Labor—that is what happened on 6 September.

**Mr M. McGowan** interjected.

**The ACTING SPEAKER:** Order, member for Rockingham!

**Mr C.J. BARNETT:** The member for Rockingham comes in here and talks about the surrogacy legislation. After days and weeks of debate here and in the other house, including a committee stage, that legislation was at the point at which all that was required was the acceptance in this house of a message from the other house about a minor technical detail. What did Labor do after months of debate and a conscience vote on the legislation that represented the only opportunity for many families and young women to have a child? It threw their aspirations for and dreams of a family out the window because it thought that Labor was better suited to go to an election six months early. Members opposite should not come in here and be self-righteous! The former Attorney General, the person who made a complete hash of truth-in-sentencing, now tries to rewrite history as though it was not his fault. Sorry, it was his fault, and now a Liberal Attorney General will correct those mistakes. That is what will happen. Truth-in-sentencing legislation will be introduced and I hope that members opposite will enthusiastically support it. Here we go. It is day 49 of our term in government. A report on the 100-day plan is still 51 days away! I look forward to the support of members opposite.

Amendment put and a division taken with the following result —

Ayes (28)

Ms. L.L. Baker  
Mr A.J. Carpenter  
Mr V.A. Catania  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr J.N. Hyde  
Mr W.J. Johnston

Mr J.C. Kobelke  
Mr F.M. Logan  
Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray

Mr A.P. O'Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mr E.S. Ripper  
Mrs M.H. Roberts  
Ms R. Saffioti

Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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Noes (30)

Mr P. Abetz	Dr E. Constable	Dr G.G. Jacobs	Mr D.T. Redman
Mr F.A. Alban	Mr M.J. Cowper	Mr R.F. Johnson	Mr A.J. Simpson
Mr C.J. Barnett	Mr J.H.D. Day	Mr A. Krsticevic	Mr M.W. Sutherland
Mr I.C. Blayney	Mr J.M. Francis	Mr W.R. Marmion	Mr T.K. Waldron
Mr J.J.M. Bowler	Mr B.J. Grylls	Mr P.T. Miles	Dr J.M. Woollard
Mr I.M. Britza	Dr K.D. Hames	Ms A.R. Mitchell	Mr J.E. McGrath ( <i>Teller</i> )
Mr T.R. Buswell	Mrs L.M. Harvey	Dr M.D. Nahan	
Mr G.M. Castrilli	Mr A.P. Jacob	Mr C.C. Porter	

Amendment thus negatived.

*Motion Resumed*

**MR R.H. COOK (Kwinana — Deputy Leader of the Opposition)** [5.10 pm]: Firstly, Mr Speaker, may I congratulate you on your election to the position of Speaker. I note that you are a member of the Murdoch University alumni, like me, and welcome the ongoing success of former Murdoch students. I also pay my respects on this Remembrance Day to those who gave their lives in wars. I attended the service this morning at the Kwinana Returned Services League and pay tribute to those members of the Kwinana community involved.

I begin by acknowledging the Nyoongah people, the traditional owners on whose country we meet. I acknowledge their connection to this country, their rights and obligations to care for the south west and the ongoing spiritual and cultural life they share with this region.

This afternoon I make my inaugural speech with a great sense of humility and resolve—a sense of humility because I am indebted to the people with whom I have shared the political journey thus far, and a sense of resolve because I know my work has just begun and I am of a single mind to work tirelessly in making a contribution to help make Western Australia a better place for everyone to live.

I draw some of my inspiration from the life and work of H.C. “Nugget” Coombs. A great and quiet servant of the public, Nugget was once dubbed Australian of the century. His conviction that government has an obligation to participate positively in the economic and social life of the community to protect, raise and advance the lives of people and the economy is a valuable central guiding principle. Later in his life Nugget served as adviser to the Aboriginal leadership and sought to provide what skills he could bring to bear to assist them to meet their aspirations as first Australians. I never met Nugget but have tried to emulate his approach when working with communities, and it is his commitment to make a personal contribution to the lives of the most disadvantaged in our community that guides my sense of service.

I believe the measure of any society is the way it treats its most disadvantaged and defenceless. The wealth of a few is worthless if, for others, the basic human rights they deserve are being undermined by laws, economic systems, or political and social policies, or simple indifference. Human rights are the building blocks of a democracy. In the case of Aboriginal people, their rights as citizens are also qualified and extended as first peoples of our lands.

My convictions on the rights of Aboriginal people are informed by the principles that were instilled in me by my magnificent parents, Hugh and Lynne. Their guidance in life was never sermonised but rather offered and constantly reinforced by behaviour. They taught me the importance of principle and the often inconvenient but important paths this takes in one’s own life decisions. Mr Speaker, I want to share with you the image of my family marching with seven young kids along seemingly endless beaches to reach fishing holes that would probably be easily accessed by car. Upon reaching that fishing hole my family would catch only the amount of fish that was necessary for the next meal and leave, even when the fish were still biting. Hugh and Lynne offered the lesson that the journey travelled is often more important than the destination reached. Whether it was attending a rally or engaging in debate over the dinner table, they taught me that passion is an important furnace that should be constantly fired in all our bellies in seeking social justice. I am also indebted to Hugh for the knowledge and support he provides in my shadow portfolios.

These lessons were also ably supported by my siblings, David, Gillian, Veronica, Helen and Doug, who all carried me, cajoled me and demonstrated the important life principles handed to us by our parents and, in the case of Doug, these principles were often supported with a healthy shared passion for sport and adventure. I would also like to pay a short tribute to my late brother Richard, who left us well before he should. He parted our company before I could ever appreciate him properly as a person but left, as a big brother should, as one of my childhood heroes.

I would also like to thank and acknowledge my family, Carly Lane, Tobias and Isabelle. I acknowledge their love, strength and support, as well as their capacity to keep my feet firmly on the ground.

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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In 2000 I joined an organisation called Australians for Native Title and Reconciliation. I sought ANTaR out through friends because of the legislation being considered at that time by state Parliament to limit the full rights Aboriginal people should enjoy under the principles and laws of native title. Working for Senator Chris Evans, who at that time was chair of the Joint Standing Committee on Native Title and the Indigenous Land Fund, I was appalled by the attacks on Aboriginal people by the state government of the day. ANTaR provided me with life-changing perspectives on the struggle for social justice. As one who previously had very limited exposure to Aboriginal culture, I was able to reach out to Aboriginal experiences within a methodological framework that was sympathetic, supportive and culturally appropriate. I met and worked with a community of people that brought together conviction, faith, professional principles and academic rigour for a common cause of supporting Indigenous rights. I would like to acknowledge local ANTaR activists Theo MacKay, Stephen Hall, Carol Innes, Carolyn Betts and previous national president Phil Glendinning, and ANTaR national directors, David Cooper and Gary Highland.

I am also indebted to ANTaR, as it was my role within that organisation that gave me the opportunity to work at the Western Australian Aboriginal Native Title Working Group and with great colleagues, such as Patrick Dodson, Brian Wyatt, Peter Yu and Dennis Eggington, and, later work in Aboriginal rights with Larissa Behrendt, Glen Kelly and others. I remember attending early meetings of WAANTWG and being struck by the Indigenous leadership's strength of character, intellect and political analysis. These experiences were reinforced during my time at the Yamatji Marlpa Bana Baba Maaja Aboriginal Corporation and the South West Aboriginal Land and Sea Council.

Glen Kelly, in particular, has guided my thinking on the application of human rights principles in public policy, and I acknowledge the friendship, support and love of Glen and Donna Oxenham and their daughter—my godchild—Tahlia.

In coming to this place, I have a reputation as an advocate for the Indigenous cause, and this of itself would be a worthy mantle. It is not the Indigenous nature of the cause, however, that fuels my passion for Indigenous rights; rather it is the fact that the plight of Indigenous people in our society is the most debilitating and urgent of all social justice issues confronting the Western Australian community. In social and economic terms, this is nothing short of a fundamental failure of our society. This is not an Aboriginal problem. While they share the most acute of all social, economic, political, physical and social indicators of disadvantage, we are all diminished as a society—as Western Australians. While Aboriginal people experience a life expectancy 15 years less than that of non-Aboriginal people, we are all diminished. While Aboriginal people continue to live in substandard housing without adequate power, water and utilities, we are all diminished. While so many young Aboriginal people continue to grow up in a world in which they are all too often overcome with despair and take their own lives, we are all diminished. While Aboriginal people are 13 times more likely to be jailed, and while the majority of young prisoners are Aboriginal, while they constitute only three per cent of the population, we are all diminished. While, as Archie Roach recently said, Aboriginal people living in urban areas remain some of the most isolated and remote communities in our society, we are all diminished. While Aboriginal people have so little control over their lives because we have failed to acknowledge their dispossession and provide the recognition of their governance and their inalienable rights as Indigenous people of Western Australia, then, together, we are diminished and fail to fulfil our destiny as a whole society.

On 13 February 2008 the Rudd government issued an apology to the stolen generation on behalf of the nation. This was an important and powerful symbolic act, but more needs to be done. Western Australia should have a constitutional recognition of its first peoples, and this recognition should be backed by a bill of rights that enshrines not only Aboriginal rights but also citizens' rights. This recognition should follow a lengthy and informed debate, negotiation and dialogue with members of the Indigenous and non-Indigenous communities. I do not come to this debate as a sympathetic observer; I come to it as an active stakeholder. I want my children to grow up in a country that has reconciled its present social perspective with its colonial historical origins, to participate in a proud society that has confronted its historical circumstances, embraced the differences and is resolving its future together, allowing all cultures to enrich our lives. This is the Western Australia I want.

There is much that needs to be done in Western Australia to improve the physical lives of Aboriginal people and to raise the living standards of many Western Australian communities. For the most part, these physical issues are a precondition for forming meaningful governance models for communities. We cannot expect the community that is so socially and economically neglected to all of a sudden be a model of good governance. Another precondition for any process to rectify the circumstances that a lot of Aboriginal communities confront is to codify the rights they possess as first peoples of the country and to sit down and negotiate and reach agreement on the broad issues of co-existence in our common world.

**Extract from Hansard**

[ASSEMBLY - Tuesday, 11 November 2008]

p76b-118a

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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On this point, I conclude my remarks on resolving this acute social justice issue. There is no single answer for resolving the social and economic issues confronting Aboriginal communities. The answers are to be found in the patchwork of ideas, activities and initiatives that are exploding everywhere around the country. The answers are everywhere and everyone has a stake in the solution. The answer lies in the work of June Oscar, Emily Carter and the other women at Fitzroy Crossing as they fight the impact of alcohol in their community. The answer lies with Charlie Kickett as he works with and mentors young Aboriginal people in Kwinana. The answer lies with the Australian Employment Covenant and its work with Warren Mundine to create 50 000 jobs. The answer lies with the Yorgum Aboriginal Counselling Service, as it provides culturally appropriate family counselling services to people in its community. We need to harness what works and learn from what does not. The solution, however, is not in picking single solutions and suppressing people's rights as humans. It is in listening, hearing, negotiating and acting with resolve and strength.

Listening is an important element of successful communities. Before coming to this place I worked and studied in the area of public relations. I will spend some time discussing this area because I believe that the elements of excellence in public relations, as pioneered by James and Larissa Grunig, underpin the principles of good governance and citizenship. The Grunigs and other academic thinkers discussed the importance of organisations undertaking two-way symmetrical communication. This process involves companies, governments and other organisations that seek a social licence to operate in our community undertaking to inform and be informed by their stakeholders—the people and groups that interact with them. Government in particular has an obligation to shape its behaviour and approach via an open dialogue with the community. It is from this perspective that I am a proud practitioner of public relations. I am not proud of those who have undermined this industry, but I consider the relationships that government and the community keep as being a fundamental part of a healthy democracy. Governments that fail to maintain strong and healthy relationships with their constituencies deny themselves an extraordinary array of experiences, ideas and innovations from which they can benefit. Dialogue and innovation are of course also important principles in creating sustainable communities. Only with a firm focus on the three areas of environment, community and the economy will we achieve something approaching sustainability in our part of the world.

These are all elements that come into sharp focus in the community of Kwinana. Kwinana was established in 1952 with the passage of the Industrial Development (Kwinana Area) Act 1952, to service the emerging industry of what is now known as the Kwinana industrial district. The area of Kwinana is a living example of all the genuine tensions of sustainability. According to the Medina Residents Group, the original township of Kwinana was to be located to the north of its current location, nearer the Kwinana industrial estate. The young town planner Margaret Fielman, charged with the responsibility of designing the new township, insisted that the town be located further south in order for the residents to be out of the likely airshed of pollutants brought by the prevailing south-west winds from nearby industry. Since that day, the Town of Kwinana has continued to live alongside industry in a managed, but at times difficult, relationship. Many of the people who moved to Kwinana to work on the industrial strip, including those who came from England and other migrant nations, continue to live there now. It is a tight-knit community with a proud working history and a strong sense of identity. Kwinana is also enjoying a rejuvenation as new families join the community and add to the established suburbs of the Medina, Calista, Orelia and Parmelia, the newer suburb of Leda and, even more recently, Bertram and Wellard. The electorate is also rimmed by the Rockingham coastal suburbs of Coo loongup—or Woodbridge—Hillman and Waikiki.

The Kwinana electorate enjoys high environmental values with many trees and open spaces—a hallmark of Margaret Fielman's work. In the southern and eastern ends of the electorate the community continues to enjoy the semirural settings of Baldivis, Casuarina, Wandi, Anketell, Hope Valley and Mandogalup, which compete for lifestyle and country with the spread of metropolitan Perth down the Kwinana Freeway and the newly completed Perth-Mandurah railway line. The community must be supported to provide a lifestyle that people value. The electorate of Kwinana as a community strongly values the lifestyles offered. It might be horse-friendly property in Wandi, a small farmlet in Baldivis, a new home in Bertram, or an established home in a historic precinct like Medina. Kwinana is a living example of the struggle to provide sustainability in a community. The interests of industry must be acknowledged—many people in the electorate work in the industrial area and it know that this is important for the sustainability of the economy and employment. Kwinana industry directly employs 4 800 full-time workers and 2 800 part-time workers, and indirectly employs another 26 000 people. Its output is around \$15.7 billion per annum. It is an intense centre of activity with industry participants working together in a unique way to integrate their operations, work in harmony with local communities, and protect the environment in which they operate.

As the member of Parliament for this unique industrial, environmental and social setting, I commit myself as a strong defender of the Cockburn Sound and surrounding Kwinana and Rockingham environments, and to

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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playing a constructive role with those dedicated industry and community groups, such as the Kwinana Industry Council and the Kwinana Progress Association, toward the creation of a sustainable community in the Kwinana electorate.

[Member's time extended.]

**Mr R.H. COOK:** The future of the Perth and Western Australian economy is intertwined with the region of the global economic community in which we live. We should not base our future on being a western rump of the Australian economy. Instead, we should be looking to be a pivot for the Indian Ocean economic rim, which will play an increasingly important part in our lives and provide the focus for our economic future. Rather than looking east for leadership and direction for our economic future, we should be leading the nation as an active partner in our regional economy. We should be seeking to be a stepping stone for the Australian economy and a fulcrum for the emerging and established economies of Africa, the Middle East, the subcontinent and South East Asia. WA must move to meet these needs of the regional economic community through a revolution in its educational, cultural and political direction. We must develop our human capital through innovative education opportunities and strong trade and industry development policies. Above all, we must turn Perth and WA into a cultural exchange centre of ideas, art and learning to nurture and develop the relationships that are necessary to promote a centre for international economic and social exchange.

The journey to becoming a member of Parliament is undertaken only with the input, assistance and inspiration of many friends, family and colleagues. I conclude by acknowledging the role of some of my friends and Labor Party comrades who have battled with, supported and encouraged me to progress: Simone McGurk, the Kwinana campaign director; my campaign director, Kieran Cranny; Dave Kelly, state secretary of my union, the Liquor, Hospitality and Miscellaneous Union; Simon Mead, Australian Labor Party State Secretary; Fiona Henderson; and Senator Chris Evans. Of course, I acknowledge the support of ALP local rank and file supporters such as Barry and Jerroldine Gilbert and Kath Gallop whose support has been unwavering along with other members of the Kwinana, Hilton and Rockingham-Safety Bay sub-branches of the Australian Labor Party. I would like to thank Daniel Smith and the team at CPR Communications Public Relations in Perth, and CPR senior management, Adam Kilgour, Josh Williams and, of course, my valuable friend Erik Locke. In particular, I would like to thank my very good friends and comrades Hon Ken Travers and Hon Sue Ellery and the member for Fremantle, Hon Jim McGinty. Sue and Jim have been two of my greatest critics and greatest supporters. Ken Travers in particular has been an extraordinary friend in both my political and professional lives, and I am very proud to serve in the same Parliament as he, even though he had to wait 12 years for me to get here!

The Parliament is a place in which many have invested trust and faith in a few to adhere to important convictions of principle and see them embedded in honest deeds. I am aware that my election as Deputy Leader of the Labor Party and appointment as shadow Minister for Health, Mental Health and Indigenous Affairs has placed a greater onus on me to work hard to promote good policy for and with the people who share an interest in these important policy areas. I commit myself to this task as the member for Kwinana and look forward to working with all colleagues to serve the people of Western Australia.

[Applause.]

**MR A.J. SIMPSON (Darling Range — Parliamentary Secretary)** [5.33 pm]: I, too, add my congratulations to the re-elected members and to you, Mr Acting Speaker (Mr P.B. Watson), and to the Speaker and Deputy Speaker.

I am honoured to rise in this house, as the new member for Darling Range, and I take this opportunity to thank the former member for Darling Range, now the member for Kalamunda, for his great work. I am humbled to be a member of the Colin Barnett-led Liberal and National government and to have been granted the privilege of being the parliamentary secretary to Hon Robyn McSweeney, the Minister for Child Protection; Community Services; Seniors and Volunteering.

The electorate of Darling Range is the largest metropolitan seat and spans some 2 000 square kilometres, from Mt Helena in the north to Serpentine in the south. It takes in the localities of Sawyers Valley, Chidlow, Mt Helena, The Lakes, Mundaring Weir, Hackett's Gully, Pickering Brook, Karragullen, Roleystone, the Clifton Hills of Kelmscott, Bedforddale, Wungong, Byford, Cardup, Forrestdale, Oakford, Oldbury, Mundijong, Jarrahdale, Serpentine, Keysbrook, Mardela, Karrakup, Darling Downs, Mt Richon and parts of Mt Nasura. I included those suburbs, Mr Acting Speaker (Mr P.B. Watson), to make you aware of how big this electorate is. As everyone in this house knows, I could not do this alone and, at this point, I show my great appreciation for the help and support of my family. I would like to thank my lovely wife, Kim, for her commitment and for putting up with me as a member of Parliament. It is not easy being the partner of a member of Parliament, and I thank her very much for supporting and assisting me in a role in which I have chosen to serve my community. I thank also my two beautiful daughters, Sian and Casey, for putting up with me being a part-time dad and missing out

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on so many of their formative years. My parents are no longer with us, but the help and support I get from my in-laws, Mike and Val More, is reassuring and more than welcome. I thank them most sincerely for their insight and I look forward to working with them in my role involving the seniors portfolio.

When it comes time to saying thanks, it would be remiss of me not to mention my wonderful staff, who performed above and beyond the call of duty to not only represent me as a face in my office when I am out and about but also act as a confidant and friend. To Denise Garner, my executive officer, and Shaun Ratcliff, my research officer, and their families I extend a very heartfelt thank you from not only me but also Kim and the girls. With any election there are always a mountain of volunteers, and I extend my thanks to each one of them. If it was not for the volunteers, none of us would be here today. We should all take a moment to thank those people in our community who give their time free for the causes they believe in.

Now that we find ourselves in government I feel compelled to continue the good work I began during my first term in Parliament. I am confident that now that we are in power we can continue on a positive note into the future and make positive changes for the benefit of all in our community. The first issue I wish to raise in the house is the Residential Parks (Long-stay Tenants) Act 2006. The bill was introduced into the house late 2005 with the intention of providing continuity for tenants, residents and park owners of long-stay caravan parks. As can be seen from recent developments reported in the local media, a number of caravan park owners have decided that the almighty dollar is more important to them than the residents' lives, and they have sold out to developers. This has left residents with limited options and the need to find alternative accommodation. I know this act went a long way towards resolving a number of these issues. However, as we have seen, it has not been effective and the issue needs to be readdressed so that those residents are not left without a home.

The next item on my agenda that I wish to pursue is water—or the lack of it! During the last term of government I was a member of the Economics and Industry Standing Committee. While I was on this committee we tabled a report on water licensing. The report was the outcome of meeting many different water users from agricultural and industrial to residential. From those meetings it was confirmed that water usage would be an ongoing issue that needs constant review. I am aware that we are developing desalination plants and imposing water restrictions to provide extra water to consumers. However, I feel that there are many more ways of providing additional water supplies. We need to think with open minds outside the square. When it comes to grey water recycling and the third-pipe process, I believe there are a lot more avenues available for saving water that we can look at. I am looking forward to working with the new minister on new ways of providing water to the consumers of Western Australia.

As we are talking about the environment, I would like to raise the subject of uranium mining. During the recent election campaign, the issue of uranium mining was raised constantly by the now opposition in an effort to scare people into believing that uranium mining was a bad thing. This begs the question: is it or is it not? As a person who is constantly looking for new opportunities for the state of Western Australia, I am eager to discover the facts about uranium mining. I have heard the arguments on both sides of the fence and I fully intend to acquaint myself with these arguments so that I can make an informed decision about uranium as a source of energy for clean power generation in our great state. I also feel that, as a responsible government, we should look at tidal, solar and wind power as optional sources of renewable energy for power generation.

If we are talking about being a responsible government, we should take the time to also talk about food additives. This issue has been brought to my attention by Julie Eady, a full-time mother of three, who has spent a number of years researching food additives, which has resulted in her publishing a book called *Additive Alert*. It has sold 70 000 copies and made me aware that we as a state need to be much more vigilant about the food purchases we make. The previous Labor government was quick to introduce the traffic-light system into school canteens, which focuses on providing food with reduced fat, sugar and salt content, when, in reality, the real dangers are in the additives we find in our modern-day foods. Julie Eady's research has taken in other countries such as the United Kingdom and Europe. In April 2008, due to safety concerns, the UK food standards agency called for six artificial colours cited in the study to be phased out of all foods in the UK by the end of 2009.

This study has added to the existing scientific evidence linking food additives to behaviour in children and determining that the present findings lend strong support for the case that food additives exacerbate hyperactive behaviour in children. This is just one of numerous studies providing a wealth of information on the detrimental effects of food additives.

Considering the high level of children diagnosed with attention deficit disorder and attention deficit hyperactivity disorder, I feel that this is definitely something we should investigate for the good of our children and the future of our state. I cannot believe that, as a supposedly forward-thinking nation, we are still using food colourings that have been banned in the United Kingdom. Why are we not protecting our kids? I look forward to

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supporting the Kids First campaign and to raising this issue with the Minister for Health in a bid to “can the colours” in this state.

Since we are talking about food—I apologise if it makes you hungry, Mr Acting Speaker (Mr P.B. Watson)—I believe we need to discuss genetically modified foods. At the risk of being called a fence sitter, I say that I understand both sides of the argument. As I have family members in the farming industry, I understand their need to develop crops that will ensure their families’ futures in farming. From my former life as a baker, I can tell members that genetically modified soya meal has been used in making our daily bread for at least 20 years. Not everyone in this house would know that Australia is not a big producer of soy, so where do members think the soya meal comes from? Yes, from genetically modified crops from Canada and America!

I will take members through a bit of a history of bread. We have been putting thiamine, or vitamin B, in bread for a number of years. In the near future, flour millers will be required to add folate to their flour in the production of all bread and pasta products in Australia. Everyone knows that folate is reported as being a vital ingredient for a successful pregnancy. That is great if a person is pregnant, but not if a person is a 70-year-old with cancer. It has been reported that extra folate in a person’s diet can increase the growth of that person’s cancer. The point that I am trying to make is that we have been messing with the food chain for so many years by adding vitamins and minerals and other additives that the lines between GM-free foods and GM foods are so blurred that I am not convinced of the benefits of not heading towards GM foods. This is yet another issue that I am passionate about and intend to pursue during this term of government.

On a completely different tack, I wish to raise the issue of gambling and the cost to our community. This is an issue that I have been working on for a number of years. I hope, as we are now in government, that it is an issue that we will be able to resolve, considering that 80 per cent or thereabouts of all gambling comes from government-owned agencies such as Racing and Wagering Western Australia and Lotterywest. People may say that we do not have a gambling problem in this state, but I dare members to say that to a family who is suffering due to their loved ones being addicted to gambling and limited help being available in the state of Western Australia. We are blessed to not have poker machines available at every turn, as they are in other states. This means that the gambling opportunities that people have in Western Australia are more limited. This being the case, the job of protecting problem gamblers from themselves should be an easier task than it is in other states. I hope to be able to gain support from both sides of the house when I introduce a bill early next year.

Although I wish to pursue the aforementioned issues during this term of Parliament, many issues in my new electorate of Darling Range require my urgent attention. I take this opportunity to thank the people of Darling Range for their support and for putting their faith in me by electing me as their member. From the moment I was elected I have been inundated with requests from constituents on the issues that are near and dear to their hearts. I look forward to working with the Barnett government to fulfil the promises that we made during the election campaign to build a new primary school in Byford, to assist with the construction of new change rooms at the Mundijong Centrals Football Club, to build a new police station for the Shire of Serpentine-Jarrahdale and to upgrade a few of the schools in the area. These are just a few of the projects that we are aiming to complete during our first term in government. I look forward to the challenge of providing these things for my community.

**MR D.A. TEMPLEMAN (Mandurah)** [5.43 pm]: Thank you very much, Mr Acting Speaker (Mr P.B. Watson), for the opportunity to speak on the Address-in-Reply. I congratulate you on your appointment as an Acting Speaker and on your very close shave to possibly becoming Deputy Speaker. I also congratulate all the other members who were elected and re-elected at the recent state election.

Ngaala kaaditj Nyoongah moort keyer kaadak nidja boodja. I acknowledge the Nyoongah people as the original custodians of the land on which we meet this evening.

I congratulate the new Premier and the new ministers. I also acknowledge particularly those members from the Labor Party who were not successful at the election, because I believe they should be acknowledged. They include, of course, the former member for Wanneroo, Dianne Guise; the former member for Geraldton, Shane Hill; the former member for Southern River, Paul Andrews; and the former member for Riverton, Tony McRae. I also acknowledge Labor members who retired at the last election: Sheila McHale, Judy Edwards and Jaye Radisich. I also mention Bob Kucera. One of the unfortunate things, of course, is that when members are defeated at an election, they do not have the opportunity to make a valedictory speech. I am sure that if those members were still present, they would have liked that opportunity to make some parting comments. I acknowledge all of them, as well as members of the former opposition, which is now the government, who were not successful at the election. I acknowledge their contribution to their communities, to the Parliament and to Western Australia, because I believe it is important that we acknowledge their efforts.

**Extract from Hansard**

[ASSEMBLY - Tuesday, 11 November 2008]

p76b-118a

Mr Eric Ripper; Mr Jim McGinty; Mr John Quigley; Mr Christian Porter; Mr Mark McGowan; Mr Colin Barnett; Mr Roger Cook; Mr Tony Simpson; Mr David Templeman; Mr Peter Abetz; Ms Lisa Baker; Mr Albert Jacob; Mr Bill Johnston; Mr Ben Wyatt

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I had the great privilege of serving as a minister in the Carpenter government. I was Minister for Community Development, Seniors and Volunteering, Youth, Environment, Climate Change and Peel. In the latter portfolio areas of Environment, Climate Change and Peel, I acknowledge the tremendous contribution by the following people. I acknowledge Susan Hunt, Chief Executive Officer of Perth Zoo, and the team at Perth Zoo. We should be very proud of our Zoo and of the staff and the tremendous work they do. I acknowledge Mark Webb and his tremendous team at the Botanic Gardens and Parks Authority. Kings Park and Bold Park are jewels in the crown of Western Australia. They are now visited by five million-plus people annually. The work that is done by Mark and his team is quite remarkable, as well as the volunteers who support him and Susan at the Zoo also. I also acknowledge Rod Hughes and the team at the Swan River Trust, as well as Jim Freemantle and the board of the trust. I acknowledge Maree De Lacey, Chief Executive Officer of the Peel Development Commission, and the staff at the commission. Again, we should be very proud of these agencies for the tremendous work they do.

I also acknowledge my own staff, of course. I acknowledge Fran Harman and Kelly McManus. We all know how hard our electorate staff work. I, like many of us in this place, are blessed with great staff. I thank Kelly and Fran, and also John Scott, who helped my team during the Mandurah campaign. I also acknowledge the staff who worked for me when I was Minister for the Environment, including Flora Woon, Madeleine Kelly, Claire Bissett, Owen Whittle, Maggie Johnston, Piers Verstegen, Tristy Fairfield, Amanda Keenan, Michelle Andrews, Jessica Houston, Melinda Hayes, Kristy Jefferies, Jackie Ormsby, Hon Sally Talbot as the parliamentary secretary, Julie Dean, John Scott, Tim Bowra, Andre Maynard and my chief of staff, Stephen Dawson, who was with me for the period that I was a minister. I was blessed with great ministerial staff. They worked particularly hard and were intensely loyal. I am proud to have served with them and to have been associated with them during my time as a minister.

I want to raise some issues—I will speak very briefly after the dinner break—that I think are very important to my electorate and, indeed, to the Peel region. One of the great things about the Peel region is that it is a dynamic area. It is growing. It has an increasing population. It has a dynamic and emerging economy. It is, in fact, the third largest region in which there are mining operations. That is significant. One of the great struggles the Peel region has had, and continues to have, is that some doubters in this place and elsewhere do not acknowledge the Peel as a region in its own right, as it deserves to be recognised. That includes the region's City of Mandurah. I am attacked on my side, including by the Acting Speaker, I must say, about Mandurah not being a regional city. I have to tell members that it is a part of the Peel, and it is, of course, the largest regional city outside the metropolitan area.

I have had this debate with many people, and I am fair dinkum about this. Members need only look to places such as Melbourne and Geelong. The people of Geelong would not say that they are Melbournites; they are fiercely independent Geelongites. The same is attributable to the people of Newcastle, which is a major regional city located outside of Sydney. The people of Newcastle do not want to be called Sydneyites; they are Novocastrians. The people of Mandurah are proud of their regional city status, which is not always recognised. Frankly, it needs to be recognised. We want it to be recognised that we have a unique identity that we are proud of. We recognise the growth and the spread of the metropolitan area southwards. However, Mandurah is a regional city and we are proud of it. I will argue that point until the government of the day or a future government decides to incorporate Mandurah into the metropolitan area. The current government will not do that. Until that happens, I will proudly argue in this place that Mandurah is a regional city and that it deserves to be recognised for the growth that is occurring in that region now and in the future. I remind members on both sides of the house that I will continue to do that.

Another critical reason why Mandurah and the Shires of Murray, Serpentine-Jarrahdale, Waroona and Boddington have grown so quickly is the diversity of opportunities that exist. The health and wellbeing of the Peel-Harvey waterway and the catchment underpin the importance of the health and wellbeing of the region that I represent and live in. This is an absolute passion of mine. It is absolutely critical that the health and wellbeing of the Peel waterway and the catchment that feeds it are recognised for their economic, social and environmental importance. If that system fails, there will be huge social, economic and environmental implications. A governance model is needed to oversee the management of the Peel-Harvey system and the catchment and which incorporates and identifies the management priorities for the Peel regional park, and includes not only the terrestrial system but also the estuarine system. I did not quite do that when I was the Minister for Peel and the Minister for Environment, but I urge the government to recognise that a governance model needs to be put in place and funding needs to be provided for a Peel regional park. The funding must allow for the ongoing management of that system so that it can be rehabilitated and reinvigorated. We all know that the three rivers that feed into that system—the Serpentine, Murray and Harvey Rivers—are not healthy. The Serpentine River in particular is not healthy and the Murray River is under great strain. Those two rivers feed into the Peel-Harvey



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system. What happens to the catchment affects what feeds into those rivers and tributaries. If we are to be responsible for allowing the population of Peel and the southern corridor to increase, we must put in place the necessary management structures and an ongoing maintenance and water quality monitoring program before we allow the urban sprawl to continue.

That issue brings me to the proposed Keralup development. An Environmental Protection Authority report earlier this year highlighted a range of concerns and issues about Keralup. It is located on a wetland, which is a degraded swampland. The EPA has highlighted and recommended a range of environmental constraints and issues that must be addressed before any development can occur in that area. Many of those matters impact directly on the water quality of the Peel-Harvey system. We will be setting up a disaster if 60 000 people are located there without having put in place an appropriate management structure and without allowing for the necessary ongoing maintenance and monitoring of the water quality. As I have said, two rivers in particular are not healthy, and the increased boating activity is impacting on the foreshore reserves and river banks. The increasing population is demanding access to the waterways. We must get this structure right. I will work with the government, and the Deputy Premier in particular, given that he is a member for the area, as is the member for Murray-Wellington. This is a critical matter and we must get it right. Until those environmental issues are addressed, a big question mark will hang over the Keralup development.

**Dr K.D. Hames:** It will take at least 10 years to get there, in my view.

**Mr D.A. TEMPLEMAN:** We must get the structural management right.

I will also highlight some other very important issues for my electorate, including the very popular Perth to Mandurah railway system, which was opened by the then Minister for Planning and Infrastructure late last year. That was a great day. The benefits of that railway are being delivered to not only my community in Mandurah and the wider Peel area, but also the communities living along the southern suburbs railway. People are voting with their feet. They are literally falling over themselves to get onto those trains, for a range of reasons. They are making a great contribution to reducing greenhouse gas emissions and the railway is an important project for economic reasons.

The success of the southern suburbs railway, including the Mandurah terminus station, which is in my electorate, means that the train stations are experiencing a need for more parking. A better integration of the public transport bus system that feeds into those stations is needed all the way along the railway line so that people can get out of their cars in the first place and use the public transport that links with the stations. We also must consider closely where the new stations are needed. I am putting in my bid for another station to be built at Mandurah. I need to draw the attention of all members, including the member for Warnbro, that Mandurah station currently services a population of some 70 000 people who live in the city of Mandurah. However, the people who live in the Shires of Murray and Wiluna can access only the Mandurah terminus. Further up the line are the very important stations of Wandi, Rockingham, Leda and Kwinana. There is no argument about their importance. Those four stations service the populations within that precinct, which contains about 190 000 or 200 000 people. Four stations service up to 200 000 people and possibly 100 000 people are serviced by one station. Frankly, Mandurah needs a new train station. My preferred location is the locality of Lakelands, which is a northern suburb of Mandurah. If a station were built there, it would allow people to walk to the station. A car park would be needed but it would not need to be a fancy asphalt car park. All that would be needed is a hardstand limestone car park. Most of the people who would access Lakelands station could get there either by foot or by the current bus service. A fancy train station is not needed either. The people of Lakelands would be very happy with a provincial-type station that would allow people with a disability to access the train. I do not want to argue with members about where the station should be; frankly, I am just putting my argument. Mandurah, with a population of possibly 100 000, is serviced by one station and other stations allow a greater dispersal of the population. That is my bid.

Within my electorate, along with a number of other parts of Peel, are a number of residents who call caravan parks their home. Many of those people are elderly and are on fixed incomes. Many of them have put most of their life savings into their park homes or caravans. I note a comment made by the previous member who spoke, the member for Darling Range. He said that the people who live in park homes or caravans in his electorate face a similar situation to the people of Landsdale, who may possibly be under threat in the future because their caravan park might be rezoned for redevelopment. Many of those people genuinely do not have the resources to find an affordable home. Affordable housing, therefore, is an absolutely critical measure and is an important issue for the people living in the Peel region and in Mandurah, in particular. A number of caravan parks within my electorate are potentially at risk in the future if the owners of the land ultimately decide to redevelop it.

I have so much more to give and to say, and I am sure that I will do that after the dinner suspension because I have a number of other issues I would like to raise.

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*Sitting suspended from 6.00 to 7.00 pm*

**Mr D.A. TEMPLEMAN:** I am very keen to continue with my Address-in-Reply contribution. One thing that I am also concerned about is the population growth that is occurring in the Peel region—Mandurah and, particularly, the Murray shire. A range of planning and environment related issues are associated with population growth. One issue is the demand for higher density developments in the region. Although I am not opposed to high-rise developments—if members want to call it that—or dwellings higher than four or five storeys, I think it is very critical to have a clear policy about where these sorts of high-rise or higher density developments can go. Certainly, my concern is that we should be limiting development, particularly the higher rise developments, around the estuarine system. We have seen rapid development in Mandurah and increased demand for higher density developments.

[Member's time extended.]

**Mr D.A. TEMPLEMAN:** The council and, indeed, planning agencies and developers, need to understand that the Peel-Harvey-Yalgorup system is home to not only a burgeoning human population, but also migratory birds and unique flora and fauna. In the Peel waterways and the Peel-Harvey system a number of Ramsar listed sites play host to thousands of migratory birds throughout the year. If we are going to allow people to live around that estuarine system, we need to be very careful about where they go because they do have and have had an impact on our native flora and fauna. The City of Mandurah has a big task ahead of it. I know that dotted throughout the City of Mandurah and, indeed, into the Shire of Murray there are increasing calls for higher density living. I am not against higher density living but I think that planning is critical when considering where we allow high-rise development.

Another concern I have is about the zoning of the area known as Point Grey, which is a proposed tourist zone, and developers are looking at putting in a marina. Again, I am concerned about anything that will impact on the health and well-being of the estuarine system. A marina will require dredging. We already know about the acid sulfate soils issue in the Peel-Harvey system, so any proposal to increase dredging is of serious concern to me.

I also think we need to be very conscious that once the Perth-Bunbury highway is completed, the area that is west of the Perth-Bunbury highway to the Peel waterways will become strategically very significant and potentially pressured for further urban infill. Again, that area is significant; it is part of the catchment and I would be concerned if there was wide-scale urban development along that fringe. That underpins the reason we need the Peel Regional Park management process put in place.

Another thing that is important and has been underpinned by examples in Mandurah and throughout the state is the need for the biodiversity conservation bill. This bill has been in the planning stages for some time and has been consulted on for nearly a decade, from memory. We need modern environmental legislation through the biodiversity conservation bill, which will allow issues such as the impact on native flora and fauna and habitat to be considered not only from an environmental perspective, but also as part of the planning processes. That is absolutely critical.

It is time that Western Australia adopted a container deposit scheme. I quite sincerely believe that if we are to drastically increase the rate of beverage container collection and ultimate recycling and re-use the best scheme—the only scheme that will work—is a container deposit scheme. When I was environment minister, I looked at the scheme in South Australia and other models throughout the world, particularly at what has been done in places such as California and parts of Canada. The Western Australian Department of Environment and Conservation is currently co-chairing with Queensland a proposal for a national approach. I urge the new environment minister—I wish her the very best; it is a great job—to look seriously at this container deposit scheme. Western Australia has the lowest rate of recycling in Australia and is one of the highest consumers. I believe that the industries that create these containers have a responsibility to come to the party and work with government, rather than oppose a container deposit scheme and put out a range of negative and quite often misleading information about what a scheme would mean. We must improve our recycling rates in Western Australia. The Carpenter government introduced the Waste Avoidance and Resource Recovery Bill 2007, and it has been passed; it allows us to extend the producer responsibility to those industries that create the waste in the first place. We all must take responsibility for the waste that we create not only in our own homes and in our workplaces but ultimately as a community. One way to deal with beverage containers is, in fact, to introduce a container deposit scheme into Western Australia. South Australia's system has been operating for many, many years. It is a system that can, of course, be improved on but the recycling rates in South Australia are way above any national indicator. If members go to South Australia and talk to people who recycle beverage containers, they will find that it is part of their behaviour. Over a long period, people in South Australia have become used to the idea that the containers they consume in their homes or businesses are redeemed. It is not a tax, although

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some people in the industry will say that it is; it is a redeemable deposit. If people consume it and return it to an appropriate place, they can redeem a deposit for that container. I think we need to take this on and join South Australia in introducing that scheme. The best scheme would be a national scheme, but if the other states and territories are not interested, Western Australia should implement a scheme. I think members will find that a number of other states and territories would probably follow our lead if we decided to do that.

I know there are other speakers but I have some other important things to say. I am really concerned that the new government is not focused on climate change as a real issue. I think it is an important issue that all of us must take responsibility for, not only in our own behaviours, homes, neighbourhoods and communities, but also as members of the global community. Therefore, I am concerned that there has been no real indication yet by the new government of any policy initiatives that address the real risks of climate change to Western Australians, but I hope there will be. Many communities in Western Australia, including the one that I live in, will potentially be impacted on by rising sea levels and other climate change related impacts.

One great initiative of the Carpenter government was the Living Smart program, which was trialled in Mandurah and Joondalup. There was massive involvement by people in those communities, who worked with families to reduce their energy and water use and to look at their behaviours in their homes where they can actually have a genuine impact on behaviour. However, if we are going to undertake any of these programs, they must be widespread and they must change behaviour. It is about changing behaviour. I have my chooks in my house —

Several members interjected.

**Mr D.A. TEMPLEMAN:** Not my house—my backyard! I also have an organic garden. One of the positives of not winning government is that it gives us time to do the important things in life. I love burying my arms up to my elbows in mulch and compost, growing my own vegies and getting rid of snails in an organically correct way. We need to ignite a passion for behavioural change, particularly in young people, and get them to go outside and get dirty. The problem is that kids have become used to sterilised environments. Everything they do has to be clean. They cannot get their hands dirty by playing or by doing gardening. These are the sorts of things we need to change. We need to get our children and young people used to the fact that what they eat often comes from things that are grown and what they drink often comes from things that are raised. These sorts of things are very important. Therefore, behavioural change is very important.

In the short time left to me I need to highlight the issue of policing in the Peel, particularly in Mandurah. The people in the Peel have been well served by the police and their superintendents in the Peel police district. One of my concerns relates back to a comment that I made at the beginning of my speech about the need to recognise the Peel as a region in its own right. One of the fears we are facing is that the Peel police district will be brought into the southern metropolitan region. That would be a disaster, and I will fight it every minute of the day, because the Peel region is a defined region. The Peel police district has been one of the best performing police districts in the state. That is because of the strong leadership of a succession of superintendents, and the magnificent men and women police officers who work at the stations within the Peel region. Yes, I did hear the interjection from the member for Dawesville. I actually do support a police station in Dawesville, because that corridor is continuing to grow.

I need to mention a couple of other important issues. One issue is the need for a new estuary bridge. I am also concerned about the education needs in the Peel. I will be raising with the Minister for Education the need to fulfil the promise that was made by the former Minister for Education that Coodanup Community College would provide secondary, year 11 and 12, education, along with Halls Head, because we need to look very seriously at improving on the successes of secondary education in particular. The Minister for Education has just come into the chamber. I am very pleased about that, because I can now highlight to her the need for the proposed new school on the border of Meadow Springs and Lakelands. That is absolutely critical, minister.

**Dr E. Constable:** I have heard! I have heard!

**Mr D.A. TEMPLEMAN:** That is a growth area. Those children should be able to attend a school within their catchment rather than have to cross Gordon Road. Therefore, I am pleading to the minister on that important need.

I want to finish by thanking a couple of key people. I particularly thank Kieran McNamara, the Director General of the Department of Environment and Conservation, and his team. A large number of men and women work throughout Western Australia in DEC. I congratulate them and acknowledge their work. They do not always get it right, and there are always issues that come up, but from my experience in working with them and speaking with them, they have the environment of Western Australia at heart. I also acknowledge the teams in all the divisions of DEC. I also acknowledge the Environmental Protection Authority and its new director general, Paul

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Vogel, who was appointed late last year. The EPA performs a very important independent assessment process within Western Australia. I also acknowledge Anthony Sutton, the appeals convener, and his staff. They are very important people. I finally want to thank the two people I love the most: my partner, Donna, and my son, Jack, who was born on 11 January this year. They are the best thing that has ever happened to me.

**The SPEAKER:** I am pleased to know that the member likes being up to his elbows in mulch! I give the call to the member for Southern River.

**MR P. ABETZ (Southern River)** [7.14 pm]: Mr Speaker, I am deeply honoured to address the Parliament on this day: 11 November, Remembrance Day. On this day we remember the huge sacrifices that were made by so many during the wars that our nation has been involved in. We so easily take our freedom for granted. We so easily forget the huge price that various generations have paid for the freedom that we enjoy. For example, of the 300 000 young men who left the shores of this country to fight in World War I, some 60 000 never returned to be greeted by their families. Without the sacrifices of these men and those who followed them over the years, it is doubtful that we would have this great institution of parliamentary democracy in our land. It is no exaggeration to say that Western Australian soldiers have played a key role in many wars. Perhaps the most pivotal was the Western Australian 10th Light Horse Regiment, which was part of the Australian Light Horse Brigade. Their so-called mad charge on 31 October 1917 against Beersheba, which was heavily defended by the Turkish forces, was a turning point in the Palestinian part of World War I. It was actually at this time in the evening, at about 7.00 pm local time, that the Australian forces galloped into Beersheba. On entering Beersheba they were able to secure the water supply for their horses, thus enabling themselves and their horses to push on ahead instead of perishing in the sands of the desert. Lest we forget.

It is indeed a privilege and an honour to serve as the member for Southern River in this thirty-eighth Parliament of Western Australia. I want to extend my congratulations to members on both sides who have taken their seats in this Parliament. The seat of Southern River takes in some long-established suburbs, such as a small part of Gosnells and Huntingdale, along with the newer suburbs of Forest Lakes and Canning Vale and now the rapidly developing area of Southern River. This electorate faces special infrastructure and transport needs. The planning for the areas of Canning Vale and Southern River was based on having the Mandurah railway line come through Canning Vale. However, the Labor government saw fit to not have the railway line come through that area. It saw fit to not provide that area with a rail service. The two major roads that lead out of Canning Vale towards the city are choked with traffic for over two hours in the morning and two hours at night. Those roads are in desperate need of upgrading. One of the things that many electors said to me during the election campaign is would I please fight for a railway station in Canning Vale. I certainly will do that at every opportunity.

Because Southern River is a relatively new housing area, there is a great lack of community infrastructure. I think I may be the only member in this place who can say that his or her electorate does not have a public library. A library is currently under construction, thankfully. However, despite this lack of community infrastructure, there is a great sense of community and a wide cultural diversity, with people from many different ethnic backgrounds having made their home in my electorate.

I am perhaps one of the most reluctant members of this house. I say reluctant in the sense that until five or six years ago I had never dreamed or even thought about the possibility of entering Parliament. For the past 25 years I have had the pleasure and found great fulfilment in pastoring churches. In that role I had the privilege of being with people at the high points of their lives, such as at weddings, anniversaries, celebrations and births, but also of walking with people in the valleys of their lives, such as at times of serious illness and losing loved ones in death. I have many times had the privilege of sitting with people who were on their deathbed and holding their hands as their life ebbed away, and then conducting their funerals and supporting their families. I have had the opportunity of assisting parents in teaching their children a Christian world and life view, which has given them a dependable framework for navigating the uncharted waters of life.

My work with the Dandenong palliative care service in Victoria in the 1980s taught me that ultimately life is about relationships. Never once did any one of the many people on whose deathbed I sat and spoke with say, "I wish I had built a bigger house" or "I wish I had earned more money" or "I wish I had more shares" or, for that matter, "I wish I had been a member of Parliament." Their regrets and their joys always focused around families and relationships. As this chamber considers various pieces of legislation, members can be assured that I will take a very keen interest in how a particular piece of legislation will affect families and communities. Our state will be as strong only as its communities and its communities will only be as strong as its families. As a student of history and having worked with families in many different settings, I am convinced that the quality of the relationships in our families and communities ultimately determines the health and strength of the fabric of our society.

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Mr Speaker, I joined the Liberal Party, I think about five years ago, at the urging of some close friends who knew me well and who shared my deep concern about various pieces of legislation that were coming before Parliament; legislation that was beginning to reshape our society into one which increasingly made the weak and vulnerable dispensable. I mention abortion, euthanasia and attempts to legalise prostitution and so legitimise the sexual abuse of women. Increasingly, the freedoms and protections that we have known in this land are being eroded by the propositions put forward by the so-called political correctness movement. A defining moment for me was some years ago when I was serving on the staff selection panel of a local Christian school. A young lady who had been working in a childcare centre had applied for a position and I asked her, “Why do you want to leave the childcare centre and work in a Christian school?” She told us that in the childcare centre where she worked she was required to make special mention of Chinese New Year, Muslim Ramadan and the Jewish Day of Atonement, but any reference to Christmas and Easter was strictly forbidden. In fact, she said that the staff were not allowed to teach Christmas carols to the children and were not even allowed around Christmas time to have Christmas carols as background music. At that time there was also a push on from various political quarters to take away the exemption that Christian schools have to employ exclusively Christian teachers. Therefore, Mr Speaker, I was persuaded to nominate for preselection, and I guess the rest is history.

Let me add that without the generous support of my family, many of whom are present this evening, friends who are also in the gallery and members of the Liberal Party, I would not be here today. A special word of thanks is due to my son David who took time out from running his businesses to act as my almost full-time campaign coordinator, and did a sterling job. Thank you, David. I also publicly record my sincere thanks to the more than 70 volunteers who involved themselves in my campaign, to those who contributed financially and to those who helped on polling day. There are two other people I wish to mention by name. My wife Jenny, who is in the gallery, has stood beside me now for the past 33 years as my wife. During the campaign she put up with me leaving home at 5.30 every morning and often not returning before 11 or 11.30 and sometimes midnight. I also thank my brother Eric, Senator Eric Abetz from Tasmania. He knew that I was pretty raw and untried in the whole thing of politics. He came over to Western Australia in the first week of the campaign and said, “I’ll teach you a thing or two”; and he certainly did. He taught me some very useful tricks of the trade and I believe that some of those tricks that he taught me, which I would never have thought of using, actually helped me get over the line in Southern River. He also phoned me quite regularly during the campaign just to encourage me and to make sure that I was not losing focus.

As I enter this Parliament, I do so conscious of the great opportunities that Australia has given me. I first set foot on Australian soil in March 1961 at Fremantle, as my parents were on their way with their six children to start a new life in Tasmania. Members may find it hard to believe today that in those days, as an eight-year-old, I could not speak one word of English. Perhaps I know too much English now! Having come to this country with my parents from Germany, I can say that throughout the world there are many people who love what we have. That is why so many people seek to come to the shores of our country. The current influx of South African migrants, with whom I have had the privilege of working—some are in the public gallery this evening—are testimony to the fact that this country has a tremendous amount to offer. We all like this house that we call Australia. It is a great house. It is a house that gives its citizens great opportunities and much protection, and also opportunities for prosperity.

As one of six children in a migrant family, I was able to pursue university studies and I graduated with an honours degree in agricultural science. I am a fan of organic growing, which might be of interest to the previous speaker. Four of my siblings also completed university degrees and my brother Eric, as I mentioned, has served in the federal Parliament as a senator for a number of years. Australia is one of those very rare countries where, with effort and ability, one can go a long way towards fulfilling one’s life dreams.

Western Australia is part of that house that we call Australia. However, every house needs a foundation and the more solid the foundation, the longer that building will last. I believe that our forefathers laid a very strong foundation based on Judaeo-Christian values. They built a foundation from which we still benefit today. However, this foundation is being increasingly undermined and eroded. The values which underpin our society and its great institutions are under increasing attack by those who want to reshape our society, and the society that is being shaped is not a pretty one; we need look only at the increasing violence and antisocial behaviour in our communities. When I was growing up, people used to leave their back doors unlocked—and I am not that old! I cannot recall anyone in my class throughout my primary school years having his or her home burgled. No-one in the circles that I moved in ever had his or her car stolen. The notion of teachers being attacked by students was just unthinkable.

During the election campaign I personally doorknocked around 1 500 homes, and from the feedback that I got it was very clear that law and order was the number one issue in everybody’s heart and mind. Everyone was keen

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to see more police on the road. I endorse that but, as I said to my electors, that would address the consequence of a far deeper issue. We must address the root cause as well; that is, to return to instilling values into our children, which must begin in the home. However, in so many homes there is little or no teaching of values, and so children grow up thinking that the world must revolve around them. I believe that we are actually reaping the harvest of an era when the educational fad was to have so-called value-free education. By having so-called value-free education we were sending the message that values did not matter. Then there was the era of so-called values clarification when teachers were supposed to not say that anything was right or wrong; their role was supposedly to clarify for kids the values that they were choosing to adopt. Too bad if the value was that graffiti was fun rather than criminal damage. Thankfully, times have changed a little. More parents and schools are teaching values to guide their children's personal actions and teaching them personal responsibility to the community of which they are a part. I believe there has been so much emphasis on rights that people have lost sight of the fact that every right has a commensurate balance of responsibility. I am delighted to see that several schools in my electorate are actively teaching values to their students and that their teachers have abandoned the foolish notion of the 1970s and the 1980s that education should be value free. We need to encourage a focus on values. I have written to every school in my electorate and have offered to sponsor a community values award in each.

One thing that I will bring to this chamber is a strong sense of justice and of right and wrong. Whether that was something that God endowed me with in my mother's womb or whether it was something that my parents and teachers instilled in me, I do not know, but I do know that as a four or five-year-old I took on a bunch of teenagers who were up to no good. I cannot remember the incident, but my mother did tell me that I came off slightly second best. Members of the chamber may be pleased to know that I have learnt to choose my battles a little more wisely since that time! I can assure members that I find it impossible to stand idly by when I see others treated unfairly or unjustly. The many migrants and refugees that I have advocated for over the years can testify to the fact that the fire of justice burns very brightly and strongly within my heart.

Since being elected on 6 September, I have been amazed at how many constituents are being forced to live with the consequences of poorly thought-through decisions made by governments or bureaucrats, and the despair and powerlessness that that generates within citizens. A case in point is the compensation issue related to the Bush Forever program, which is a big issue in my electorate. I will certainly be working hard to reform the current system of compensation.

Holding a degree in agricultural science, I hope to bring to this chamber a rational and analytical approach to any legislation that will come before it. My strong interest and my long involvement and experience with environmental issues, particularly sustainable farming, along with my experience of running a small business for a number of years, I am sure will be a great asset. My strong interest in agriculture will also cause me to keep a close eye on the activities of Biosecurity Australia, which all too often has been willing to recommend that our disease-free status should be sacrificed on the altar of free trade. At the same time, my pastor's heart will always be asking: What impact will this legislation have on families? What impact will it have on the weak and the vulnerable? What impact will it have on individual freedoms? Will it help to build the community or will it damage the community? What impact will it have on future generations? I see these questions as a practical outworking of my campaign slogan, which was "Putting People First", and that is something that I will seek to do at all times.

[Member's time extended.]

**Mr P. ABETZ:** As an ordained minister, some people have asked me how my faith will affect the way that I function as a parliamentarian. I would like to answer that question for the benefit of all here tonight. I believe in the first place that every human being is made in the image of God and therefore is precious to him, and therefore I believe that every human being must be treated with absolute and utmost respect, and with integrity and dignity. Mr Speaker, I believe that future generations will judge this current generation on the way that we treat the weak and the vulnerable in our society. Furthermore, I believe that, within the creation, God has also given us moral laws, just like there is the law of gravity and if you deny the reality of the law of gravity, it does not stop you from falling over or hurting yourself if you jump off a high-rise building. I believe that we should not ignore those moral laws, which are commonly known as the Judeo-Christian ethic. Any society that chooses to ignore that ethic does so to its own detriment; therefore, I will also be seeking to promote those values in this chamber.

I love the words of the prophet Micah that he wrote some 700 years before the birth of Jesus Christ. He asks the question: What does the Lord require of you? Then he answers it and he says, "To act justly, to love mercy and to walk humbly with your God." It is my prayer that I will be able to do that throughout my term in this Parliament and indeed for the rest of my life. My pledge to this Parliament, to the electors of Southern River and

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to the many people who assisted me and worked so hard during my campaign is simply this: I will continue to put people first. I will continue to be a strong advocate in this chamber for the values that have made our nation and state the envy of the world.

[Applause.]

**MS L.L. BAKER (Maylands)** [7.34 pm]: I begin by acknowledging the traditional owners of the land and pay my respects to their elders. I also formally congratulate the Speaker on his appointment to the position of Speaker of this house.

Mr Speaker and fellow members, to stand here today as the member for Maylands is an immense honour. Of all the speeches I will make in this place, I do not think I will ever forget how proud and privileged—and nervous—I feel at this moment, giving this, my inaugural speech.

The first thing I must do is thank the people of the Maylands electorate for placing their trust in the Australian Labor Party and in me to represent their interests in state Parliament. It is a responsibility which I take very seriously and a job I promise to undertake with commitment, enthusiasm and integrity. I wish to thank the many volunteers who worked so hard to ensure the success of my campaign; my friends, family and supporters who attended countless campaign meetings, hand-delivered letters and brochures and then, still smiling, turned up on election day to staff polling booths across the electorate. In particular, I would like to thank my campaign manager, Linda Savage, and others who helped. I thank Fiona Sassenfeld, Jessica Shaw, Tessa Hopkins, Jenny Taylor and the many community workers, a number of whom are members of the Liquor, Hospitality and Miscellaneous Workers Union, who helped me through my campaign. Thanks to my brother, James, his wife, Stacey, and little Thomas, the youngest campaigner on my team, who was not quite one at that time. To my sister, Marianne, and Rob; Nic and Kanica, thank you all for your support. My parents are gone now, but I dearly hope that they would also be proud and pleased to see me in this new role. A very, very special thankyou to my partner of 20 years, who has been incredibly supportive and has managed to keep smiling for the duration of all of this—so far!

I must also take this opportunity to thank the previous member for Maylands, Hon Dr Judy Edwards. Judy served in this Parliament for 18 years, including five years as the Minister for the Environment. I imagine that those of you who have had the privilege of knowing and working alongside Judy regard her, as I do, with great respect and warmth. My journey representing Maylands is just beginning, but I look to Judy as a model of leadership, integrity, excellence and tenacity that I really wish to emulate. I thank Judy for leaving the people of Maylands with high expectations of their member and I am certainly going to work hard to ensure that I can fulfil their expectations.

Maylands was first named in 1896. Maylands is one of Western Australia's oldest electorates. The new boundaries include the suburbs of Maylands, Bayswater, Bedford, Embleton, a good proportion of Inglewood and a small sliver of Morley. The electorate is a combination of all that is great in lifestyle and community in Western Australia. Winding through the electorate we have the amazing Derbal Yerrigan, our Swan River, which is a natural resource and a source of life, history, leisure and tradition. The people in my electorate regard the Derbal Yerrigan with great pride and are committed to protecting it for generations to come.

Maylands represents all the complexities and potential of a diverse city electorate. Traditionally, the electorate has been characterised by blue collar and low-income workers, many of them from non-English speaking backgrounds as well. Today, however, the electorate is home to more white-collar workers and more professionals, although income levels remain surprisingly modest. The medium household income in my electorate is just \$928 a week—not a lot when you place that in the context of today's cost-of-living pressures. The Maylands electorate has a high proportion of residents who were born overseas; almost 6 000 of them speak a language other than English at home.

In terms of our built and cultural environment, Maylands electorate includes everything from traditional architecture and historic sites like Tranby House and the brickworks on the peninsula, to vibrant cafe and restaurant strips like those on Beaufort Street in Inglewood and Eighth Avenue in Maylands. We also have modern commercial developments like Centro Galleria. It is home to many strong and established community, cultural and ethnic groups. Throughout the electorate young families are moving in, renovating older properties, raising young children and settling into their neighbourhoods and the wider community.

Community is something I personally feel very passionate about and it is a subject I will return to time and again in this place. Community is that sense of involvement and closeness that comes from knowing and trusting people in your neighbourhood. In my view, it is the heart of civil society. It makes and sustains us as human

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beings; it creates opportunities and helps individuals to realise their potential; and, during times of hardship, it provides a safety net for those less fortunate.

It was not until I started campaigning in Maylands electorate that I realised how much things have changed in recent years. People do not think of us, their local members, as being part of their communities, unless, of course, they have had direct dealings with us on any issues; then it can be a different story. Worse than people not regarding us as part of their communities is the fact that if they do think of us, it is generally in the negative or about how little they trust us. When I spoke to people on their doorsteps, in schools, community organisations, sporting groups, retirement villages and shopping centres, the message was the same: people are disillusioned with politicians, and it does not matter which party we represent. I am sure that, in holding this view, the people who I spoke to are no different from people in other members' electorates. When I realised the disillusionment held by the community, it became very clear that I have two goals to pursue in my new role. The first is to ensure that I set clear and public standards for my work. My personal values give me the framework for my standards, and these are honesty, integrity and loyalty. Through this public commitment and my subsequent work for the community, I hope that my constituents will find the confidence they need to trust me as their member. My second goal, which I will go on to discuss a bit later, is to know what the key issues and messages are that the people of Maylands want me to take forward as their elected representative.

On that first goal, the question I ask is: how can we endeavour to restore in people a confidence and a trust in their elected members of Parliament, and indeed in our democratic processes? I believe that for this to happen, we, as members of Parliament, must be seen to contribute directly to our communities and to ensure that their interests are always our priorities. We must be involved and engaged, and hold high standards for our own personal behaviour.

A fundamental objective of any modern, effective government must be to find new ways to engage people so that they feel motivated to become more involved in their community and more a part of the democratic process. The constituents of Maylands have made it clear to me that my work must include increasing both the government's and the opposition's focus on building trust, as well as encouraging more active citizenship. People want to live in a society that puts equal value on social, environmental and economic progress. They want to live in a community that values the work of voluntary organisations and provides opportunities for people to act together, and where civil values and skills are developed, where there is space for argument and deliberation in which people can express different points of view and negotiate a sense of common interest. I will be aiming to provide that space for Maylands residents so that whether they are in their families, their schools or their workplaces, they can talk, think and deliberate on what good society or good community means for them, and how social, economic and political progress might be defined.

The community is sick and tired of being consulted. By "consulted" I mean having strangers turn up in their neighbourhood, ask them questions and write down their answers, all the time knowing that nothing is going to change, let alone improve. Aboriginal people in our communities only have to be asked about how consultation has impacted upon them to understand what I mean. To quote Hon Fred Chaney —

... radical change is needed to give communities real decision-making power. That does not mean, as so often has happened in the past, flying in to communities to tell them what is going to happen to them.

I believe that to build trust and faith in the community our first step should be to work with individuals and communities, not by consulting them and then doing things for them, but by doing things with them. People must feel empowered to participate in building their own futures.

My second goal is to deliver the key issues and messages that my constituents want me to take forward as their member of Parliament. The first significant issue they have raised with me is their concern for the environment. To quote 1998 Economics Nobel Laureate Amartya Sen —

Development cannot be divorced from ecological and environmental concerns. Indeed, important components of human freedoms—and crucial ingredients of our quality of life—are thoroughly dependent on the integrity of the environment.

The environment is already a key platform for the Australian Labor Party. The federal government and the Western Australian Labor Party have put forward significant policies and programs on climate change and to protect our own local environment. Indeed, our WA Labor government was the first government in Australia to develop a state sustainability strategy to guide work on this important agenda. In Maylands, the Swan River and its foreshore are precious to our community, especially some of the more natural and untouched aspects of the river. In particular, I will be focusing on protecting the unique birdlife, maintaining and preserving the valuable



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wetlands, preventing pollution in the river and its networks, and balancing the demand for housing and the river's protection. I believe that the ALP policies are premised on achieving the right balance between environmental protection and meeting social and economic demands.

Related to their concerns for the environment, many people in my electorate have spoken to me about their concerns about transport, particularly public transport. Our Maylands electorate is home to many Perth-based workers, but is also a major thoroughfare for people living further afield in the eastern and northern eastern suburbs who must traverse our electorate to get to their jobs in the city. The Midland-Perth railway winds through the heart of Maylands electorate and carries thousands of these workers every day. Maylands residents recognise the need to promote good public transport and are environmentally conscious enough to want to do their bit in terms of lowering carbon emissions; they are committed to minimising their impact, or footprint, on the environment. The transport issues that they have raised with me include things like the inadequacy of the existing train service to meet the increasing demand from commuters; the need to improve the safety of train travel, particularly for the frail or aged and those travelling outside the busy times of day; the need to increase the number of car parking bays for park-and-ride patrons and local residents; the need to expand and improve the local bicycle path, as an increasing number of people are cycling as a key means of transport, which should be encouraged; and investigating the possibility of introducing bus services to transport people across the electorate to the railway line.

The need to improve our public transport system is a subject members are sure to hear more about from me over the next four years. The Maylands electorate has great diversity in culture, heritage and economic circumstances. This creates a unique set of challenges. The people I have met over the past few months in shopping centres, at train stations, in parks and in their homes have reinforced my need to be responsive to this diversity. Before the election I spoke to a homeless man at Maylands shopping centre and I asked him where he finds help, whether for medical treatment, a bed for the night or a meal. He told me that most nights he sleeps in vacant doorways or under benches as there are simply no beds available for people like him. This man's experiences are repeated far too often in our community. His comments reaffirmed to me that poverty is not only alive and well; it is growing. To borrow some words from the International Labour Organization, "poverty anywhere constitutes a danger to prosperity everywhere". Poverty is complex, not least because people who find themselves impoverished often suffer from more than one problem. Mental health problems may be combined with drug addiction, unemployment with alcohol dependency or domestic violence with homelessness. It is a complex mix. The solutions we need are more complicated now than ever before, and it is my belief that the first step is to focus on the way that poverty interacts with other forms of disadvantage to produce deep and persistent social exclusion, sometimes over generations. It is also my firm belief that governments working in isolation are incapable of solving these complex problems. Governments need to work with business and, more importantly, the community sector to find solutions and mobilise resources, and this is where community organisations offer great support, particularly those organisations that assist vulnerable people in our neighbourhoods. Often locally based, these organisations are doing it tough and are unable to keep up with the number of people who need support. Many of them are struggling to recruit and retain staff to deliver services. In many communities this means that safety nets are no longer in place, or are collapsing, leaving people in crisis with nowhere to go to get help. One of my key goals as the member for Maylands therefore is to work with community organisations in my electorate to ensure their viability.

[Member's time extended.]

**Ms L.L. BAKER:** As many members will appreciate, people can suffer disadvantage regardless of health, wealth, family or position. Issues such as domestic violence, mental health, substance abuse or child abuse are not confined to one level of our society; they are found in the wealthiest of homes and in the poorest of families. I will raise these issues with our state government, always with a focus on looking for solutions. As the representative of the people of Maylands in this Parliament, I will be guided by the principles of social inclusion and economic justice. The recent boom has been of great benefit to those fortunate enough to profit directly from growth in the mining sector and its allied industries. However, there has been another side—a darker side. A greater number of people are experiencing unprecedented levels of poverty in Western Australia. Between 2006 and 2008, household costs increased by a staggering \$132 a week; that is an increase of 23 per cent in basic living expenses. During the same period, average weekly wages in Western Australia increased by \$61, or 10.7 per cent. Increases such as these put pressure on individuals, families and some small businesses not directly associated with the benefits of the boom. Is it any wonder that almost 10 000 Western Australians were turned away by community service organisations in 2006-07? Community organisations reported that although 81 per cent of the people seeking help were eligible—meaning that their need was real—the organisations simply did not have the resources to help. Add to this the fact that rental prices have gone through the roof in our

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state over the past few years, and the picture becomes very dark. I ask members to consider this: in June 2005, the median rent was \$189 a week. In June 2008, the median rent was \$330 a week, which is an increase of almost 60 per cent. I wonder how many members have experienced these pressures.

Creating opportunity for all lies at the heart of social and economic justice; indeed, my work in Australia and overseas developing policies to support the growth of small and medium-sized businesses, and setting up programs that make these policies real for people, taught me the value of creating opportunities for all, especially people who are marginalised from the mainstream of their communities. My work has taught me that to improve their lives, people need the opportunities provided by education, training, jobs or self-employment; but to take advantage of these opportunities, the first thing people need is hope. People need hope to be able to see the way forward, to get out of poverty, or to become resilient and strong enough to battle the demons they are facing. Hope is the strength that enables people to help themselves.

During the past six years, as the Executive Director of the Western Australian Council of Social Service—the peak body representing community sector agencies in WA—I have advocated on behalf of vulnerable Western Australians and the agencies that work for them. They work in our neighbourhoods, supporting people in crisis and bringing hope and opportunities to families who are doing it tough. Although I have come to politics from a career that was heavily focused on economic and social development, personal experience has been equally valuable in shaping my values and aspirations. I think hope is realistic and I think it is a great driver. It is the wave of energy that mobilises people to act and to build a better future. To appreciate what hope is about, one has only to look at the millions of Americans who turned out last week to elect the first ever African-American President. I believe in hope because of the positives I see every day.

I have a friend who is a great example of what I am talking about. Statistically, my friend Jim should be dead. He is a 54-year-old Nyoongah man. His paid work is in policy development, but outside his working life he deals nearly every day with life-and-death matters involving his family and friends. He has told me that over the past year he could have been at a family member or friend's funeral every week of the year. He takes late night calls to talk friends out of suicide and makes trips to police stations to help young family members who have fallen foul of the law. His volunteer work with his community is in itself a second full-time job, and in his spare time he has successfully raised three wonderful boys. He is tireless and selfless in his commitment to his family and his community. My friend Jim gives me hope.

My role in this place will be to influence our state's policies and programs so that they deliver both hope and opportunity to the people of Maylands and all Western Australians. We are living and working in strange and uncertain times. Western Australia's economic boom cycle is faltering as the fragility of the global market economy is exposed. Words I used to understand and relate to, words such as "social" and "human", are now coupled with words such as "capital". Politicians now talk about "social capital" and "human capital". The world is struggling to shoulder the burden of America's financial collapse and to manage debts so great that the numbers are almost meaningless. What is a one with twelve zeroes behind it? Much of this seems to me to be unethical, immoral and just plain wrong. We must now ask ourselves whether we wish to continue along this path, or if it is time to reassess and create a future based on principles of economic, social and environmental inclusion.

I look forward to working with Eric Ripper's team to provide a strong and credible alternative government in Western Australia. My contribution to this work will be to keep the focus on community—that sense of trust, support and connectedness that comes from strong relationships between peoples and groups and forms the bedrock of civil society. It makes and sustains us as human beings, creating opportunity, helping individuals to realise their potential and, during times of hardship, providing a safety net for those less fortunate.

[Applause.]

**MR A.P. JACOB (Ocean Reef)** [8.00 pm]: It is with significant honour that I rise to make my first speech in the Western Australian Legislative Assembly. Mr Speaker, may I begin by offering my congratulations to you on your election to the office of Speaker of the Assembly, and I wish you well. I extend my congratulations to all members elected on 6 September; in particular, those elected for the first time. I also extend my appreciation to the Clerk of the house and to his staff for their assistance and advice since my election.

I also thank the people of the electorate of Ocean Reef for the faith that they have placed in me by electing me as their representative. Ocean Reef is a brand-new seat. I am deeply honoured to be the inaugural member of an electoral area that I have had a strong affinity with my whole life. The seat of Ocean Reef follows approximately 10 kilometres of the northern metropolitan coastline. The electorate is located within the City of Joondalup and runs up the coast from Pinnaroo Point in the south through to the local government boundary with the City of Wanneroo north of Burns Beach. In many ways Ocean Reef is a coastal electorate and much of the lifestyle is

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based around the beach and marine activity. Boat ownership is high, and there is a strong need to develop better facilities to accommodate this. In particular, a statewide shortage of boat pens is being felt strongly in the seat of Ocean Reef. A range of other facilities will also need to be provided, not only for boat owners but also for the broader community in how they interface with the ocean. A particular project that has the support of the majority of the Ocean Reef community and one that I will continue to strongly champion is the redevelopment of the Ocean Reef marina. This facility can produce solutions to both of these challenges and provide a world-class development for the residents of Ocean Reef and beyond while meeting the current and future needs of the broader boating community. Boating can often be a hazardous activity, and it requires extra precautions to ensure public safety. In providing for this, Ocean Reef is proudly home to the Whitfords Volunteer Sea Rescue Group, which is the largest metropolitan volunteer sea rescue group in the state. Whitfords performs nearly 400 vital rescues a year on an entirely voluntary basis.

Issues with the fishing industry are also particularly relevant to the seat of Ocean Reef and often form a big part of coastal and boating activity. I recognise that there is a need to not only protect ecological fish stocks, but also accommodate recreational fishermen. Recreational fishing needs to be balanced with the livelihoods of commercial fishing operators. Geographical locale and an affinity with the coast aside, what makes Ocean Reef an electorate is the uniqueness of the people who live there. Every person who resides within those boundaries gives the seat its identity, and it is the trust that they have placed in me that allows me to be here today. I once again thank my electors for their confidence in me.

Both my wife and I grew up in and around this area and have attended numerous local groups and functions, including the sea sports club, the Mullaloo Surf Life Saving Club, local church events, sports associations and senior citizens groups. In recent years as the local ward councillor I have also enjoyed the privilege of attending and speaking at many school graduations as well as meeting local P&C presidents and other local community representatives. These opportunities have given me the chance to not only meet many people within the electorate of Ocean Reef, but also gain an insight into the concerns and issues of the area and an appreciation and affection for my electors, who are also my neighbours.

It would not be possible to generalise on the communities that I represent. Many people have come to Western Australia from overseas and many were born here. The electorate includes people of all ages, walks of life and backgrounds. Similarly, my electors have already begun to highlight to me many varied concerns and issues, and I look forward to working with them to meet these challenges. One thing that is of particular note is that the people of Ocean Reef are quick to give up their time as volunteers. Having mentioned the volunteer sea rescue group, I also wish to pay credit to our other volunteers. Indeed, we have seen such a volunteer turnout that some groups, such as the Mullaloo Surf Life Saving Club, have to put prospective members on a waiting list because there are more people who want to join in than the club has the capacity to accommodate. Ocean Reef has a wealth of volunteers in just about every area imaginable. The spirit in which so many residents of Ocean Reef give up their time to be available wherever there is a need is something that I would like to pay special tribute to today. To the people of Ocean Reef, I once again affirm that I will work tirelessly as your local representative in state Parliament to combat crime and hoons in the local community and to ensure that our hospitals, schools, transport and other infrastructure projects receive much-needed funding. I look forward to working to ensure the electorate of Ocean Reef continues to be the best place in Australia to live, work and raise a family.

In speaking to the Assembly today, I have the opportunity to share a bit about myself and the circumstances and choices that have led me to be here today. At 28, I am the youngest member of the thirty-eighth Parliament and the youngest Liberal elected to the Western Australia Parliament in over 50 years. I initially grew up in rural Wanneroo, where my parents were small business owners, running a successful machine tools business that mainly serviced the mining industry. The demands of the business meant that the daily upkeep of our small citrus farm was often the responsibility of my six siblings and me, which gave me an appreciation of the value of hard work, cooperation and discipline from a very young age. After finishing high school I worked as a tree surgeon and horticulturalist for a number of years. It was during this time that I met my wife, Cecylia, who is now a clinical nurse in the critical care unit at Joondalup Health Campus. After we married I returned to study as a mature age student, completing a Bachelor of Environmental Design at the University of Western Australia. While undertaking my studies, I realised that if I wanted to see my community change for the better, I needed to stand up to effect that change. This motivated me to successfully stand for the City of Joondalup Council in the North Central Ward. The philosophy of standing up to be part of the change that I wish to see is what motivated me to successfully stand for both my local council and as a candidate for my state electorate.

In sharing my own history, I am especially honoured that today, Remembrance Day, is the day that I have the opportunity to give my first speech in this house. This is a day that holds two separate meanings for me, both deeply personal, yet both meanings have profoundly shaped who I am. The first is the meaning that I share with

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the rest of our community, that today is a day to commemorate the sacrifices of members of the armed forces and civilians in times of war, specifically since the First World War. On my mother's side, my Australian heritage goes back to the convict Cornelius Crawley, who was shipped to Australia in the early days of settlement. Successive Crawleys have proudly served our country as Anzacs throughout our nation's conflicts, including both world wars. This day is an opportunity for me to remember and acknowledge them, none more so than my uncle Paul, who was killed in action in Vietnam on 6 June 1970 while serving with the 7<sup>th</sup> Battalion, Royal Australian Regiment. The liberties that they stood for are the very freedoms that allow me to stand here today as a member of this Parliament. Today being Remembrance Day brings to mind for me the motto of the Returned and Services League of Australia that the price of liberty is eternal vigilance, and this is no less true here in Parliament. Our liberties and freedoms depend on men and women of good character who will stand in these chambers and fight for those liberties.

We are a nation that was founded on principles; a peace-loving nation that was formed with a vote and not a war. I believe this to be a fundamental foundation by which we can claim to be a peace-loving nation. However, returning to that motto, I am profoundly humbled that my forefathers were prepared to do whatever it took to maintain and defend this liberty. I am deeply thankful that the fruits of their sacrifices can be enjoyed by us today. I believe this to be the conviction that we should carry forward as members of Parliament who will often be faced with difficult decisions. As a member of this Parliament, I will endeavour to remain true to my core values and make my decisions because I believe them to be right, whether or not they are popular. The results of the decisions that we make today will be measured in the decades to come. It is incumbent upon us to maintain this perspective as we grapple with immediate challenges.

For me, the second meaning of Remembrance Day is the more personal of the two, but equally significant. In the Flanders poppy, the icon of this day, there is for me the symbolism and synergy of my Flemish ancestry. I am the first of the Jacob family to have been born in Australia. Before this the Jacobs have lived in Flanders as far back as we can trace. I honour the courage that it took my father to relocate his young family to Western Australia, knowing nobody and speaking very little English. He came searching for a way of life and the opportunities that a growing and diverse state could offer. Whilst he embraced citizenship as quickly as he could, as with most migrant families we retain a strong sense of pride and connection with that heritage we share with other parts of the world. So for me the Flanders poppy not only represents the remembrance of our Australian Anzac heritage, but also recalls the Flanders fields, which much of my family has called home for many generations, and is in remembrance of my father, a Flemish serviceman who has since passed.

As I begin to serve Ocean Reef as a state member of Parliament, I believe that I have been well prepared as I have been very privileged to have represented much of this electorate in recent years as a local government councillor. My time on council has been an honour. The opportunity to make a difference in my local community has been an experience that has instilled in me the value of local representation. I have been amazed at how the responsibility of being a local elected representative has become such a passion and the driving force of motivation in my life. I have learnt the importance of having elected representatives who are there first and foremost to make decisions in the best interests of their electorate and not themselves. My time on council has given me an appreciation of the principles of good governance. I will commit myself in this role to growing in both my understanding and implementation of governance principles.

I would like to use this opportunity today to also acknowledge and thank my fellow elected members and the staff of the City of Joondalup for their friendship and for everything that I have learnt from working with them. As I now embark on the new challenge of state Parliament, I am grateful for the foundation and the invaluable education that I have gained through my work on the Joondalup City Council. They have been the experiences that have helped to shape and prepare me to work for the seat of Ocean Reef and the state of Western Australia and to face the challenges that lie ahead.

Other experiences that I believe will serve me well in this place are my background in architecture and planning. Having studied architecture at the University of Western Australia, worked for an architectural firm and through my role in local government, I bring to the Parliament particular technical skills in the areas of architecture, planning and development. I hope to use these skills to assist in the future growth and development of well-planned and sustainable urban communities across Western Australia and look forward to working in close association with key industry groups, including the Urban Development Institute of Australia, the Housing Industry Association and the Master Builders Association to ensure that quality affordable housing is available and that more efficient systems are in place for processing development approvals across all government agencies. This is a key area through which we can begin to address many of our urban sustainability challenges. Greater implementation of environmentally sensitive and sustainable design principles in both architecture and planning can help deliver a quality way of life that is far more energy efficient and environmentally responsible.

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In speaking specifically to Perth, our climatic conditions present opportunities to build smarter and more efficiently, with structures that respond to our local climate and reduce our reliance on artificial heating and cooling. Similarly, in urban planning, by creatively addressing our densities and zonings, we have the opportunity to achieve diverse yet quality planning outcomes that will also lead to a more sustainable city and state. However, as we strive for better outcomes, we must also ensure that supply meets demand and that homeownership remains an achievable target for everyday Western Australians.

Whilst my background is more in the area of urban development, I would like to touch briefly on the development of our resource industry and the need for government to ensure reliable supplies of energy and water. Although I have limited involvement in this field, I realise the economic importance that the mining and resource industry has for the prosperity of Western Australia. As a person starting out in my parliamentary career, I will endeavour to develop a better understanding of the key issues by working closely with industry bodies, such as the Chamber of Minerals and Energy, the Australian Pipeline Industry Association and the Association of Mining and Exploration Companies. As a government, we need to work to remove the red tape and bureaucracy restricting the development of our resource industry, in particular the North West Shelf, to enable the development of additional gas fields such as Browse Basin.

Another crucial responsibility of government that is of particular focus for me is the integrity of our society and the importance of promoting family values in public policy. I firmly believe that the strength of the traditional family unit is the best means by which our social fabric can be maintained and restored. I am deeply blessed to have grown up in a strong family unit. It was not perfect, because there are no perfect people, but my parents maintained a strong marriage, which, in turn, fostered a healthy family environment for me to grow up in, giving me the best possible foundation on which to build my life. I thank them for that. As a government, when faced with matters of social policy, we need to ensure that our decisions always foster and encourage the healthy family unit.

As I begin to draw to a close, I express my appreciation to the many friends who volunteered their time and support so that I could be successfully elected and stand here today. I also take particular note of those people who have joined my wife in the public gallery tonight. Cecylia and I consider ourselves truly blessed that there are too many of you to name, but we will always remember and value the individual roles that each of you have played, and we are forever grateful.

I would like to use this opportunity to briefly make some specific acknowledgments. Firstly, I would like to thank God for what I believe to be a divine opportunity. While I stand charged with a measure of authority, I will endeavour to exercise it with humility and in a considered manner. Secondly, I thank my beautiful wife, Cecylia. We have partnered in everything that we do and so much of my being here today can be attributed to you. I cannot thank you enough for the sacrifices that you have made so that we could be here today. Thirdly, I thank David and Cindy Harding, who first believed in Cecylia and me for this path and followed through with their support all the way. Fourthly, I acknowledge the wonderful friends we have made over the years in the Liberal Party who have supported us to be here today, in particular members of the Moore Division and its president, Councillor Ian Goodenough and his family. Fifthly, I thank both Cecylia and my family, in particular my mother, Julia, who constantly lives an example and is a great hero in my life. Finally, to my late father, Marc Jacob—your principles and your passion for WA politics have become my inheritance. My only regret is that you could not be here to see us today. I will always endeavour to heed my lessons, stay true to the principles that you instilled in me and be a son who you would be proud of.

I will conclude with a quote from Abraham Lincoln that I believe will be relevant to my role as a member of the Legislative Assembly. He said —

I never had a policy; I have just tried to do my very best each and every day.

I wish all my fellow members well and I thank you, Mr Deputy Speaker, for this opportunity.

[Applause.]

**MR W.J. JOHNSTON (Cannington)** [8.18 pm]: Mr Deputy Speaker, I would like to congratulate you on your election and look forward to working with you as we learn how to participate in the processes of the Parliament.

I feel very privileged to rise in this place today to make my inaugural speech. As today is 11 November, I should make comment on the contribution to Australia of our service personnel. There is no doubt about the importance of our service personnel to securing our nation. It is true that the price of freedom is eternal vigilance and the sacrifice of our service personnel is a mark to that vigilance. I recall the striking feeling of walking into the commonwealth war cemetery on Ambon Island in eastern Indonesia to view the thousands of graves of

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Australian and allied service personnel; many of them died so very young. There is no doubting the sacrifices these people made and the loss to their families, but our freedom is the reward for their efforts.

I commence my speech by recording my heartfelt thanks to the people of the Cannington district for supporting me to be their representative in the Parliament. I am proud to be the first member for Cannington.

Cannington is a community of people who are making their own way in society. It is a community with many migrants and Indigenous Australians. It has families that are contributing to our nation's future as well as many people who live alone before raising a family or after having raised a family. There is no greater honour in life than to be granted the privilege of parliamentary service. I am very grateful to the people of Cannington for placing their trust in me to represent them in this place and to fight for their rights and benefits. My number one task is to provide the electors of Cannington with the representation that they deserve. I promise to do my best to work on their behalf in all that I do.

I would like to thank a number of people who have assisted me on my path to Parliament. I start with my campaign team, particularly Scott Cowans, Pablo Campilos, Fiona Sterle, Vivianne Truscello, John and Helen Bissett, David Ashton and the Rowe family, as well all those who helped in hundreds of ways on so many occasions. I would not be here today without their support and assistance, and I thank them all for their help.

I also thank my kids—Rebekah, Zoe and Liam. They have put up with a lot and I hope they understand that I love and care for them deeply. I must give special thanks to my most special friend—namely, my wife, Kate. Of course, we have a unique partnership, and I want to record how much I appreciate her love, encouragement and support. I also thank my extended family, particularly my sisters and brothers—Mary, Andy, Margaret, Stephen, Clare, Bert and Jo—and their respective partners, children and grandchildren. We are a big clan that is spread out over the whole of Australia. Despite the fact that they could not be physically present today, I know that every one of them is here with me in spirit. On that score, I must single out my nephew Albert Eichholzer, who followed in his uncle's footsteps by becoming president of the ACT Young Labor. He flew all the way to Perth to hand out how-to-vote cards on election day. I also thank my wife's family.

I acknowledge Keluarga Sumawiganda, the family with whom I lived in Bandung, Indonesia, during my AFS exchange in 1981-82 and the friends I made both at SMA2 and among the exchange students. It was a powerful experience for a young bloke and it still lives with me today.

I also thank the people with whom I have worked at the party office over the years, including former secretaries Mark Cuomo and John Halden, former assistant secretaries Hon Dr Sally Talbot, Ruth Webber, Lois Anderson and Simon Mead, and the various staff with whom I have worked, particularly Hon Carolyn Burton, Sue McGiveron, Fran Laine, Sam Rowe, Charlene Farmer, Graham Pearson, Fiona Henderson and Ron Sao.

I would not be standing here today if it were not for the support of the Shop, Distributive and Allied Employees Association, the union that represents workers in the retail industry. It was a rare privilege to work on their behalf over a nine-year period. It was a very enjoyable and rewarding experience working to achieve fairness. I have very fond memories of good wins in workers' compensation and unfair dismissal cases and of ensuring that employers who had treated their employees unfairly gave them proper restitution. I would particularly like to thank Joe Bullock, Mark Bishop, Martin Pritchard, Bill McIntosh and Stuart Mclean, with whom I worked closely during my extended time at the union. All of them remain my friends.

I must say a special thank you to Jim Maher, who invited me to work for the SDA and who led me to Western Australia 20 years ago. On that score, I want to thank the unions of Western Australia, whose support for the ALP generally and me in particular is so important. In particular, I specifically acknowledge the Transport Workers Union, the Australian Workers' Union, the Construction, Forestry, Mining and Energy Union, the National Union of Workers and the Food Preservers Union, all of which have backed my activities in the party.

I also thank many Labor members of this and the federal Parliament with whom I have been privileged to work during my 11 years of working full-time for the Labor Party and during my 25 years of party membership. It is always difficult to thank some and not others; however, I particularly thank Dr Geoff Gallop, Senator Glenn Sterle, Stephen Smith, Gary Gray and the member for Willagee, Alan Carpenter.

Finally, on what seems like a shopping list of "thankyous", I thank my good friend Senator Stephen Conroy, his wife Paula Benson and their special daughter, Isabella. Stephen and I have been friends since 1974, before we became pimple-faced teenagers and long before we believed it was possible to enter Parliament. That we are still mates after all that time is an important part of my life. I thank him for more than 30 years' of friendship, support and encouragement.

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I am very proud to stand here as a member of the Labor Party. There is no doubting the enormous privilege that is granted to anyone who receives the support of the Labor Party to enter Parliament. I despair sometimes when I hear a Labor member of Parliament complain that he did not get a certain benefit or that he missed out on a certain advancement. We always owe the party more than it owes us, and we should not despair when we are not granted an extra opportunity; rather, we should rejoice in the incredible privilege that we have received.

It is no surprise that I stand here representing Labor—it is the way I grew up. I remember in 1992 when the leader of the federal Liberal Party, John Hewson, told Australians that one could tell rental homes because they were the ones with unmowed lawns. I grew up in a house with long grass, a rough garden, plants recovered from the tip and a couple of cars parked in the front yard. I was one of those kids who would play out in the street. It is not that my mother was not house proud, because she was. Rather, it was that she did the best that she could. Renting a “govie” house—what Western Australians know as a Homeswest house—was my mum’s only option. Using flower cuttings scavenged from the tip was the only way she could have a garden. I received a considerable education on flora and was told which plants she wanted and which ones were not worth taking home from the tip. Every Labor MP is supposed to be able to tell a story about growing up poor. That is a cliché. I grew up with great privilege. I had the privilege of having a father who proudly served Australia in the Royal Australian Navy in World War II. I would have liked to have known him, but he died when I was two. I had the privilege of taking turns wearing his medals on Anzac Day. I also had the privilege of Legacy every second Friday night at Legacy House and every Easter at the four-day camp. I always had a great time. I had the privilege of growing up with seven older brothers and sisters. They all gave me their love and support, except when they were picking on their youngest brother! I had the privilege of being raised by a strong woman who did her best with her eight kids on the war widows’ pension and the low-paying jobs she could find. I had the privilege of receiving a good education at a Catholic school, because my mum wanted us to hear about the God to whom she prayed while getting the education that she missed out on. One of my great regrets is that Carmel Johnston, my mum, did not live to see me enter this place.

I simply cannot understand why anyone would criticise people who try to make their best of what life has given them. Sometimes Labor loses its way. Sometimes we do not do our best. But at heart, we on the Labor side are always in favour of those who are trying to make the best of the hand that life has dealt them. I intend to use my time in Parliament to represent all people who are prepared to have a go with the opportunities that life presents them and to ensure that the state grants ordinary working people every opportunity. That is what Labor is about. Politics is a noble cause. We always need to consider how we can improve the circumstances of our constituents. We should be prepared to examine how politics is conducted. We are very blessed to have inherited the Westminster system of parliamentary democracy. Sometimes the process of government itself is attacked, often for narrow, sectional interests. Some people say that democracy would be better if other people did not vote. I find it strange when people argue that too many people participate in our elections. Compulsory voting is the process through which we make it clear to all citizens that we want them to participate. It says that we value everyone’s views and that we are a better democracy because everyone participates. I support compulsory voting because I want everyone to participate and because I value everyone’s views.

We should rejoice in the strength of the system of representative democracy. No-one here received the unanimous support of his or her community. However, we are all here with majority support. We are our constituents’ representatives. There are other alternatives, such as citizen-initiated referenda. Supporters of CIR would have us believe that that system is about empowering the community to make laws when we, the elected representatives of the community, fail to adequately perform our function. There are successful examples of citizen empowerment. The example most often quoted is that which exists in Switzerland. However, the Swiss style of government is very different from ours. It is not about grafting CIR onto the Westminster system; rather, it is about a whole structure of citizen engagement.

I am happy to have more engaged citizenship, but citizen-initiated referenda are not part of that actual debate. The most well known examples of CIR are in various states of the United States. However, CIR in the US is actually an advertisement for our current Westminster system. CIR in the US is the preserve of special interest groups that have the resources to organise the very expensive campaigns that are involved. The role of the ordinary citizen is to be a bystander in the CIR process, not to gain empowerment from it. The actual involvement of ordinary citizens in CIR is no more than their involvement in the successful Westminster system. It is not as though the laws that result are somehow superior or better than the laws created by a Westminster representative system. There is no better example of the problems of CIR than the Seattle monorail project. This was a worthy idea to extend public transport to more areas of the city of Seattle in Washington State. The project commenced in 1997 and died only at the beginning of this year. Although well-intentioned, the monorail proposal is a demonstration of the pitfalls of a simple yes-no CIR vote. The process included half a dozen votes,

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hundreds of thousands of dollars of campaign expenditure and millions of dollars of wasted taxpayers' funds to develop a proposal that would never be financially viable. Despite all the pitfalls of the proposal, it won a very narrow vote in 2002 in a campaign funded by merchant bankers and construction companies. When the original supporters of the project came to realise that it could not proceed in the manner originally conceived, they could not change the project to better meet the real world situation because they could not amend the proposal except by further citizen-initiated referenda, which were defeated. The reality is that representative democracy serves our community very well. Opponents of our system of decision making need to make a case for how things will be better; not just how they will be different. I hope that I will be part of addressing that challenge in this Parliament.

A genuine issue for democracy is how to expand the talent pool available to form cabinets. I suggest we have a system that would allow ministers to be selected from outside Parliament. It is very rare for anyone to go into politics and directly into cabinet. On the other hand, there are many capable people in our community who would be open to the idea of contributing to Western Australia as a minister but cannot or equally will not make the 10 or 20-year commitment that the ordinary process of Westminster politics would require. I imagine that most ministers would continue to be parliamentarians but this proposal would allow an expanded gene pool to form our cabinets, and the state would benefit. Not everyone who is able to be elected to represent a single-member constituency is ready to be a minister. Equally, everyone able to be a minister is not automatically ready to be elected to a single-member constituency.

Another suggestion to improve our democracy is to expand the scope and authority of committees. Committees in the United States play a much more active role in the process of governing. Partly, this is a response to the fact that government is not formed in US parliaments, but it is also a different attitude to the conduct of politics. It is true to say that much of the affairs of any government occur without the intervention of politicians. Committees with a wider brief to review the operations of this vast set of processes without ministers automatically entering defence modes would be of benefit to the community. For example, there is no regular parliamentary process to scrutinise the hundreds of millions of dollars of expenditure conducted by local government. This massive bureaucracy, which spends Western Australian taxpayers' money on the authority of this Parliament, does not receive anywhere near the level of accountability that it should. Also, committees could provide a forum for ordinary citizens to have a greater say on the agenda of government. In the lead-up to each year's budget, committees could take direct submissions from citizens and special interest groups as to their expectations. After budgets, further hearings could be held to allow proper review of the government's expenditure priorities. This would also allow the committee members to question the expectations and assumptions of the people making input to the committees. This would mean that not only the committee members and the government, but also the interest groups and other citizens would have to explain themselves. It would provide an opportunity for genuine discussion about the policy agenda of the state, rather than the facsimile debate that takes place through the eight-second media grab that occurs today. Committees could hear the view of academics and other experts, such as market economists. They could challenge assumptions of the bureaucratic advice to government. This is particularly important given the comments of the former Under Treasurer that Treasury deliberately provides government with false assumptions. It would also grant a greater direct role for ordinary people in the process and it would allow a greater involvement of the members of this Parliament in the process of policy development and government. The process of open committees reviewing every aspect of the community's expectations and responses to budgets would mean that sometimes members of Parliament would disagree in public with their government. It would be interesting to see whether the media would have the maturity to deal with that greater autonomy for members of Parliament.

Finally, I would like to turn to the issue of caucus voting. It is often said that because only the Labor Party has a specific rules undertaking to vote together, somehow it is the only party that imposes voting discipline. That is simply not true. All parties that form government in this state impose party discipline. The Labor Party and the Liberal Party are not particularly different.

[Member's time extended.]

**Mr W.J. JOHNSTON:** However, this party discipline, in my view, is coming to a point of change. I do not believe that party discipline will end; it will morph into a new phase of its development. We have already seen an increasing range of conscience issues arise as medical technologies expand to make the very question of what is human life become even more relevant. Also, a wider range of issues is being legislated on. Communities now expect much more action by Parliaments than they did in the past. In the United Kingdom, members of Parliament are not expected to vote for every single piece of legislation that is brought forward by their party. Members are expected to vote in favour of legislation that is included in a party's manifesto, but other issues that arise during the term are matters for negotiation between the cabinet and its own backbench. In the United



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States, party Whips exist but are effectively the party leadership's chief negotiators with their own members. Each and every vote has to be negotiated separately, and party affiliation is no more than a guide to the legislators' general direction in politics. It is only appropriate, however, that electors know what to expect from a particular government, so it is important that members support their party's election commitments. If they did not, citizens may vote for one outcome but actually get something completely different, which is, of course, the fundamental weakness in US politics where nobody knows what they will get after they vote. However, as society becomes more complex and the issues that confront the community more nuanced, my view is that there will increasingly be a greater variation in voting patterns by all members of the community and that will be reflected in the voting patterns of members of Parliament. This change will happen gradually; it is not a question of a revolution. The daylight saving vote in the last Parliament is an example of the thoughts I am exploring. This was a free vote on an issue that did not relate to conscience. The biggest challenge with this development will not be to the established parties which will find many ways to increase their flexibility. The biggest challenge will probably not be for electors either who will be able to be increasingly involved in the process of governing, particularly if it is combined with an expanded role for committees so that electors had a much more direct say in the agenda of government. The biggest challenge, I believe, would be for the media, which would suddenly have to analyse political discourse on the basis of the underlying values of the argument. The media would not be able to resort to stereotypes—there would no longer be good guys and bad guys, there would not be right and wrong. There would simply be valid competing interests on issues that need to be properly considered and conclusions reached. What is more, the media would have a responsibility to present all views on issues in a fair and balanced manner so that citizens could decide issues for themselves. It would be raw politics and the real art of the possible. It will be an increasingly interesting time to have the honour to sit in this chamber.

[Applause.]

**MR B.S. WYATT (Victoria Park)** [8.38 pm]: I congratulate the Deputy Speaker on his election to his position and to the Speaker, who is not in the chamber at the moment, on his election to the Speaker as our representative in the big wide world. I congratulate all the new members of Parliament who are in the chamber this evening. There are a lot of new faces and I congratulate everybody, not only those who have already given their first speech today but also those members of Parliament who now find themselves in this place. It was not that long ago that I was elected in 2006 and I recall those first few weeks of sitting: the uncertainty, the rules of the Parliament and the nervousness before giving my first speech. However, I am aware that members have had some briefing, some training and some education from the Parliament. They are therefore streets ahead of me; I certainly received nothing like it. I congratulate the member for Cottesloe on becoming the Premier of Western Australia, all members who are now ministers of the state, and the National Party—my friends!

**Mr D.T. Redman:** Speak up!

**Mr B.S. WYATT:** It could have been beautiful; it could have been so wonderful; if only! However, I congratulate National Party members for running a very good campaign over an extended period. I refer not only to their royalties for regions campaign, which was obviously the centrepiece of the campaign, but also to National Party members being everywhere in the regions, particularly in the north, where they made great inroads in areas where traditionally there was not much of a National Party vote. I cannot do anything but congratulate National Party members, certainly on that effort, and I stand in this place ready to welcome them with my open arms should the need arise in the future; and I will if I can!

I know that this is the Address-in-Reply debate and we have the flexibility to perhaps be a bit more friendly and a bit more verbose than we would be otherwise. I acknowledge the new Attorney General, a person whom I have known a long time. We went through university together and I can tell him that no-one is more surprised than I am that he is in his position and I am in my position. A few of our colleagues who went through university said, "Surely you've got some incriminating photos of the Attorney General." I said, "I do; unfortunately I'm in most of them with him, so the value of them perhaps isn't terribly high." However, I extend my congratulations to the Attorney General. We did work together, not just study together—we worked together at the Director of Public Prosecutions on confiscations—and I know that he will do his job well. My only hope is that he does not go as far to the right as I know he is sometimes pressured to go. I know where he stands on some issues and I hope he stays where he wants to on those issues.

I also congratulate the members for Belmont and Kwinana on their election to Leader of the Opposition and Deputy Leader of the Opposition. I have not sat on this side of the chamber before; it is new to me.

**Mr B.J. Grylls:** It looks good though! It suits you!

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**Mr B.S. WYATT:** Mr Deputy Speaker, it is new to me and it is new to many new members of Parliament. However, I hope I will not spend years and years over here and that it will be a short spurt of time before I cross back to the other side of the chamber.

**Mr B.J. Grylls:** Do it now!

**Ms A.J.G. MacTiernan:** All we need is the Leader of the National Party!

**Mr C.J. Barnett:** I believe he was a good man, your father!

**Mr B.S. WYATT:** Contrary to what some people may think, Mr Premier, my father was disappointed about the defeat of the Labor Party at the last election, in particular that I now sit on this side of the chamber.

Two things have struck me in the past few months with the defeat of the Howard federal government and the defeat of the Western Australian Labor government in September this year. Those events indicated the strength of our democratic system in that a long-serving Prime Minister, and long-serving governments at both federal and state levels, can lose elections and that there was no dispute about the outcomes. There was some uncertainty with our election for a little while, but there was no dispute about the outcome, and we in both government and opposition are getting on with doing our jobs. We should all be very proud of the democratic system not only in Western Australia but also in Australia.

It would be remiss of me not to note in passing—the Prime Minister and the federal Leader of the Opposition have spoken at length on this issue—the election of President-elect Barack Obama of the United States. It is obviously something of enormous consequence, not only for the people of America but also for all those people around the world who have such a massive interest in the United States election; it will obviously have a massive impact on us as we go forward. It is an interesting time to be the shadow Treasurer, the shadow Minister for Culture and the Arts and the shadow Minister for Federal-State Relations. After the election, in the fit of my depression at losing the election, my wife was kind enough to buy me a book to try to take my mind off the election. Unfortunately, the book she chose was *The Age of Turbulence: Adventures in a New World* by Alan Greenspan. I started to read it. Then when I got the call from the Leader of the Opposition that he wanted me to fulfil the role of shadow Treasurer, it sent me further into the depths of depression. However, I am in the process of moving my way through that book, and I note that Mr Greenspan, the former chair of the Federal Reserve Board of the United States, has since confessed his sins to Congress as a result of what have been quite amazing economic times.

I am aware that this is not my first speech to the Parliament. I will not be reading my speech. However, if Mr Deputy Speaker gives me a bit of flexibility, I want to reflect on some of the consequences of the global financial crisis, which requires me to read a few statistics. Members can go to sleep now and I will wake them up at the end of the speech when perhaps it may get at least vaguely interesting again!

I am not an economist. There are not many economists in this place. I know that the Premier is an economist, I know that the Treasurer is an economist and I think the member for Riverton is an economist. However, one thing I am very aware of is that economists love a crisis. I have not before seen such pontification from economists as I have seen in the past four to five weeks since Lehman Brothers so rapidly disappeared off the face of the earth. The various dire warnings of economic Armageddon have certainly reverberated around not only Australia but also the world. It is certainly clear that collateralised debt obligations, or CDOs, of which I was only vaguely aware up to about six weeks ago, are front and centre in what the world is considering now and what is driving our current financial crisis. Over an extended period the housing bubble in the United States, largely driven by low interest rates and cheap credit, has resulted in organisations, usually second-tier financial organisations, securitising mortgages, bundling them up and selling them on; and on they went in a largely unregulated way. Alan Greenspan, interestingly enough in his book *The Age of Turbulence*—I am looking forward to his update post the past two months—acknowledges the fact that when markets, after experiencing extended periods of euphoria, find that replaced by fear, usually without a basis of reasoning, it is very difficult for governments and markets to slow down, catch their breath and deal with things on a rational basis. That is certainly what we are seeing and what has become known as the global financial crisis. Greenspan notes the fact that for a long period there has been an underpricing of risk, and that is really the fundamental problem that has led us to the position we are in. It is not that long ago that the Commonwealth Bank was kind enough to invite me to hear the international economist David Hale speak. He noted that the underlying assumption behind the securitisation of sub-prime mortgages was that property prices would increase at an undefined rate indefinitely. This assumption, and the fact that those mortgages were securitised and sold around the world, were the assumptions upon which the sub-prime mortgage market was based. What is even more disturbing is that rating agencies throughout the world were willing to use that assumption to give those sorts of securities very credible credit ratings.

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It is generally agreed that this global financial crisis started back in April 2007 when BNP Paribas froze a number of mutual funds on the basis that the assets that were underlying those funds had simply disappeared. The funds had no value, the market had gone and the assets could not be sold, so BNP Paribas did not know what it was holding. That has been the fundamental cause of the freezing of the short-term credit market. It is something that the Western Australian Department of Treasury and Finance had been aware of for some time. In budget paper No 3 for the 2008-09 budget, *Economic and Fiscal Outlook*, the Department of Treasury and Finance assessed the risks that may impact on the major economic parameters that underlie the assumptions made in the budget for the current financial year. At page 49 it states —

The primary risks are: a more severe and widespread worldwide economic slowdown than is currently expected; falling commodity prices; a sharper than expected downturn in the Western Australian housing market; a drop in consumer spending and confidence; strong growth in wages and prices; a decline in business investment (if the credit squeeze, risk aversion and falling share prices impede business capacity to raise capital); and unfavourable movements in exchange rates.

What has happened is that all those potential risks that Treasury and Finance were worried about back in May, other than the unfavourable movement in exchange rates, have come to fruition. Therefore, at the moment the one income base for Western Australia that remains strong appears to be payroll tax. However, unemployment is a lag indicator, so we may not see a softening of payroll tax until mid to late 2009.

The encouraging aspects of the global financial crisis have been twofold. Firstly, the response from the international community to act in a coordinated, intelligent and concerted way to deal with this contagion that has spread quite dramatically has been encouraging. Contagions that spread through the financial systems tend to spread a lot quicker than if they spread through the market. We are seeing the implications of that on a daily basis not just on Australia, but on Western Australia. Secondly, what I think is even more encouraging is that the global financial crisis has highlighted the strength of Australian banks and it has highlighted the strength of our prudential regulators in the Australian Prudential Regulation Authority. That is something that our regulated market economy should be very proud of, and countries around the world have taken a keen interest in exactly how it is that the Australian system has worked so well.

Despite the fact that there did not seem to be any threat to depositors' savings in banks, the federal government did move to guarantee those deposits, as well as wholesale funding. That was uncapped, but subsequently there has been a fee imposed on deposits greater than \$1 million. I must commend the Prime Minister and, to be fair, the federal Leader of the Opposition, who have done a very good job not just in holding the government to account but reacting in a strong, quick and concerted manner to ensure that Australia deals very well with this issue. The federal government also turned to fiscal stimulation with a \$10.4 billion economic security strategy representing about one per cent of gross domestic product; the intent of which is to provide a quick, short stimulatory impact.

Over the past two months we have seen the Reserve Bank of Australia reduce interest rates by two per cent with quite dramatic cuts of one per cent and 0.75 per cent. From the RBA's latest quarterly report, it looks as though interest rates are going to be on a strong downward trend for a period of time yet; however, monetary policy does take time to work its way through to the pockets of consumers. The federal government did respond with an aggressive and, I think, well considered fiscal strategy to go with that. That will impact in this quarter of December and the March quarter of next year, which is about the period of time it will take for monetary policy stimulation to flow through.

The impact that this may have on Western Australia is that there is no doubt that this century is going to be the "Asian" century. We are seeing fundamental realignments in the political and economic face of our globe. We have China, the world's largest saver, and we have the United States, the world's largest borrower; and we are seeing a shift happening as the world waits, with bated breath, to see what China's fiscal stimulation to its economy, and therefore our economy, will be. I note that China's stimulation package was announced yesterday, and I will come to that in a minute.

Whilst at the moment revenue flows continue into Western Australia based on the fact that many of our contract commodity prices are locked in for a period of time yet—in particular iron ore—the Australian dollar is still considerably depressed, and I will say artificially depressed, because we cannot rely on the low Australian dollar to fund recurrent or capital expenditure going forward. It is providing us with a buffer; that automatic stabilising effect. The commonwealth government's midyear economic and fiscal outlook revises down expected taxation receipts by \$4.9 billion in 2008-09; \$12.2 billion in 2009-10; \$12.4 billion in 2010-2011; and \$7.9 billion in 2011-12. We are seeing that largely in lower returns from capital gains and company taxes. That document shows how much of the federal government's revenue stream has come from Western Australia over the past

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four to five years. It certainly adds credibility and strength to the argument that any return on investment in infrastructure that is sought by the federal government means that such spending in Western Australia certainly has high merit. However, as the Treasurer recently noted in *The West Australian*, it appears that slowing growth will have a dramatic impact on the level of goods and services tax revenue that will come to the states in 2008-09 and 2009-10. The Department of Treasury and Finance has apparently advised the Treasurer that we will lose about \$700 million in GST payments from the commonwealth over the next three and a half years, which is not an insignificant amount. Going forward, economic growth and demand for our commodities will slow. WA will receive a double hit, with slowing growth occurring at the same time that returns from the commonwealth grants process will be reduced over the next few years because of the horizontal fiscal equalisation process, which I think will put significant pressure on our revenue stream.

There has been some debate of late about the three per cent efficiency dividend, which was front and centre of the election policies of both major parties. This is a very important strategy for the government to successfully reduce growth in government expenses. However, it needs to be done in a considered way; that is, not with a hammer but with a surgical knife. As the Leader of the Opposition said earlier today, shortly after its election, the Geoff Gallop Labor government was faced with a situation in which the state's AAA credit rating was under threat. The percentage of revenue going into paying off interest was approaching three per cent. There was significant pressure on the revenue stream from increasing debt. The equivalent of the efficiency dividend was applied and was successful in implementing savings of about \$850 million over the forward estimates of that government.

There has been some discussion across the chamber about the use of cash surpluses. I note that, in response to a question I put today to the Treasurer, he said that cash surpluses had been used to fund recurrent expenditure. That is not the case.

[Member's time extended.]

**Mr B.S. WYATT:** It is worth spending some time to consider the impact of using cash surpluses to fund capital expenses and to pay down debt, which is what happened under the Labor governments of both Geoff Gallop and Alan Carpenter. A good example of the policy of avoiding debt to fund capital works was paying off the residual rail freight debt, which provided annual interest savings of \$16 million. Fully funding the New MetroRail gave annual interest savings of \$76 million. The just over \$1 billion already in a special account for the Fiona Stanley Hospital will save us interest of \$64 million. The government is facing tough economic times but it is in a very strong position, with net debt at a very low base. It is worth noting that. That is something of which I am particularly proud and which all members of the former government as well as new Labor members ought to be particularly proud.

Western Australia is the place to be during the current financial crisis, which is something that all members of Parliament are particularly aware of. The Asian century approaches. Growth in China is slowing. However, the general expectation is that Chinese demand for our commodities will increase again in late 2009-10. Western Australia is well placed. Our exports are at a massive level. Commodity prices are at a record high. There will be some coming off from that, as evidenced by spot prices coming down about 50 per cent below the contract prices in the space of two months. What impact the current financial crisis will have on Australia seems to be up for debate at the moment. The International Monetary Fund recently changed its forecast in the space of a month to 1.8 per cent growth, federal Treasury is working on two per cent growth and the Reserve Bank of Australia is working on 1.5 per cent growth. It is clear that things are slowing down. Certainly, things are under pressure in Western Australia, but they remain a lot more positive at this stage than perhaps in other parts of our country. Again, I emphasise that the vertical fiscal imbalance that underlies our federal structure needs to be addressed and considered. If in both my capacity as shadow Treasurer and shadow Minister for Federal-State Relations I can assist the government in addressing that issue, I certainly will do all I can, because we are about to see the double hit of slowing growth and reduced commonwealth returns to Western Australia. In light of the fact that, in 2007-08, 39 per cent of our revenue base came from commonwealth grants, whether it was the goods and services tax or other payments, we are particularly susceptible to a reduction in commonwealth grants. It is worth noting, and it is something that has given me some thought in my role as shadow state Treasurer, that independent revenue-raising sources are rare; there are not a lot of independent revenue means to turn to. We are not like the commonwealth. State and territory revenue sources are particularly subject to commodity prices and asset bubbles, and we are now not as independent as perhaps we would like to be. This is not news to most members of Parliament; however, it is something that I do not think can sustainably underlie our federal structure going forward.

In last weekend's *The Weekend Australian* Imre Salusinszky considered this issue and stated that a state's revenue base is much more dependent on the business cycle and asset prices. His article reads in part —

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The limited fiscal wriggle room enjoyed by the states is another way of saying our federal system misaligns revenue-raising capacities and spending responsibilities: the states raise 16 per cent of national taxes but are responsible for 40 per cent of public spending. The term the pointy heads use for this is vertical fiscal imbalance.

Where the slowing growth and lower returns from our commodities and from our company tax revenue, or income tax revenue, will be felt is at the state and territory government level, which provides the majority of services to citizens of not just Western Australia, but all of Australia. It is there that we will feel the most dramatic impact.

I will come back to the issue of China, because over the last few years everything in Western Australia has been related to China. The member for Maylands mentioned this issue, but I am excited, given some of the figures that have been thrown around in the last six weeks, because China has announced a four trillion yuan—\$A885 billion—stimulus package to be spent between now and 2010. That is a huge, huge stimulatory package. The Chinese are the world savers; they have an extraordinary capacity to stimulate their domestic economy, which accounts for a significant part of their gross domestic product. It is something that I think we will see flow-on to demands for our resources, in particular iron ore. Both Rio Tinto and Fortescue Metals Group have pressures on the demand for their products, and the stockpiling in China is not now flowing into the steel mills; it is doing exactly that; it is stockpiling. There will be some tight economic circumstances going forward for our state.

I would like to draw to the government's attention—in particular the Premier, who is also the Minister for State Development—after today's debate about the first 100 days of the new government that one thing I was surprised to not see on the government's list was an intention to bring to the Parliament the amendments to the state agreement acts that had been agreed with our major iron ore producers and the government under former Premier Alan Carpenter during the previous budget estimates discussions. When those amendments were brought in, it was estimated that they would bring in just shy of \$550 million in extra revenue to the states in consolidated revenue over the next four years. Obviously, the amount of revenue may have changed now, but it will clearly increase the revenue coming into Western Australia. The new government needs to implement those amendments as a matter of urgency, because when economic times going forward are tough, we need to consolidate our revenue base. One of the ways we can do that is to implement an agreement that has been reached with the major iron ore producers. It is something that the state government will appreciate if it does that sooner rather than later.

I quickly note that my role as shadow Treasurer will clearly be to hold to account the Treasurer, the government's spending plans and the commitments it made in its election promises. However, as I said before, I have been considering the role of the state Treasurer. Is it no more than a glorified project manager these days, as the revenue-raising capacity of states seems to diminish and decline into areas well beyond the control of a particular government? However, state governments need to focus on the productive outcome of each dollar that is spent. I will be interested to see how the royalties for regions program works, how investment flow will be triggered from the three funds that are to be set up, what that will mean and what economic benefits will be provided to regional areas as well as to the state. All the state can do is to make sure that each dollar that is spent is spent well, because our independent revenue-raising capacity is limited and we need to make sure that each dollar is stretched to its maximum capacity.

Finally, I turn to a topic that is not, you will be delighted to know, Mr Acting Speaker (Mr P.B. Watson), economics! I wish to comment on the passing of a very close friend of mine on 5 July this year. Members may know Father Michael McMahon from Trinity College. Before he spent the past six years at Trinity College, he spent 25 years in the Kimberley. He was a Pallottine priest and a wonderful man. In the book on the Pallottines, *Nothing is wasted in the household of God*, there is a short quote about Father Mac. According to the recently released Trinity College newsletter, it states —

Father Michael leaves Broome after 25 years of Ministry, 1992.

A farewell get together was held on January 24th 1992. Father Mac was leaving Broome to consider his future in Perth after nearly 30 years of dedicated service to the Broome community. Gardeners, musicians, the Press, pensioners and public servants mixed with the present and former shire councillors to offer heartfelt testimonials to the man who influenced so many lives. Special concern was voiced regarding the future of ...

It then refers to one of the many things that Father Mac was involved with —

to provide reasonably priced food to low income families.

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After 100 years of service and of building up the Kimberley Church, the Pallottines as a group knew they owned not a block of land, nor a building of their own.

In the Trinity College newsletter, there is page after page of testimonials from students. The eulogy from Father Mac's brother has also been reproduced. It is a wonderful reflection of a man who had a dramatic influence on the Aboriginal people in the Kimberley and who certainly lived a wonderful and very committed life not only to God, but also to making sure that the people he came across had strong and fond memories of Father Mac.

In conclusion, I look forward to the next four and a half years. May it be shorter! I return to the comment I made at the beginning of my remarks. My good friends in the National Party know where they perhaps, but probably, belong. I am pleased with my new role, although the word "shadow" leaves some bitterness in my mouth! However, it is a responsibility that I take seriously, and I will spend all of my time working on ensuring that I do a very good job.

I thank everybody in this place and the people who have called and provided me with gifts and cards on the birth of my daughter, Matilda, five weeks ago. I think everyone knows that my wife and I lost a baby last year, so this has certainly been a highlight of my life and is something that I intend to take even more seriously than anything else I will do in my life.

[Applause.]

Debate adjourned, on motion by **Mr R.F. Johnson (Leader of the House)**.

*House adjourned at 9.09 pm*

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