

Legislative Assembly

Tuesday, 11 August 2009

THE SPEAKER (Mr G.A. Woodhams) took the chair at 2.00 pm, and read prayers.

TELEVISION FOOTAGE AND PHOTOGRAPHS

Statement by Speaker

THE SPEAKER (Mr G.A. Woodhams): Members, I wish to advise that as this is the first sitting day after the winter recess I have approved the presence of television and still news cameras in the north and south doors of the chamber to the public and press galleries for the first 10 minutes of this day's sitting.

MEMBER FOR NORTH WEST — SEATING ARRANGEMENTS

Statement by Speaker

THE SPEAKER (Mr G.A. Woodhams): Members, further I have advised, and I do advise, that I have approved changed seating arrangements for the member for North West and the opposition.

THE CLIFFE — LETTER FROM CORRUPTION AND CRIME COMMISSIONER REFERRING COMPLAINTS

Statement by Speaker

THE SPEAKER (Mr G.A. Woodhams): Members, I table a letter dated 29 June 2009 from the Corruption and Crime Commissioner, Hon L.W. Roberts-Smith, forwarding a complaint regarding the Premier and the member for Midland in relation to a residential property called The Cliffe in Peppermint Grove. Copies of the complaint letters are attached to the commissioner's letter.

I also table a copy of my response dated 6 July 2009 to the commissioner. The commissioner advises in his letter that as the commission cannot investigate these allegations without breaching parliamentary privilege, it has decided, pursuant to section 33(1)(d) of the Corruption and Crime Commission Act 2003, to take no further action.

Mr Roberts-Smith also writes that, given the nature of the allegations, the commission has decided, pursuant to section 152(4)(d), to disclose to me, as Speaker, a copy of the complaint for my information and consideration of any possible further action by the Procedure and Privileges Committee. My view is that section 152(4)(d) allows only for disclosure to either house of Parliament or the Joint Standing Committee on the Corruption and Crime Commission and, consequently, the appropriate course of action for me is to table the letter in this house. It is for the house to decide what action, if any, should be taken in the matter. I table that particular letter.

[See paper 1132.]

PARLIAMENTARY SECRETARIES — CHANGES

Statement by Premier

MR C.J. BARNETT (Cottesloe — Premier) [2.05 pm]: I take this opportunity to inform members of the following changes to parliamentary secretaries, which came in into effect earlier today. In the Legislative Council, Hon Helen Morton has been appointed Parliamentary Secretary to the Treasurer and the Minister for Commerce; Science and Innovation; and Housing and Works, in addition to her role as Parliamentary Secretary to the Minister for Water and Mental Health. Hon Wendy Duncan is the Parliamentary Secretary to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; and Minister Assisting the Minister for Transport. In addition, Hon Michael Mischin has been appointed Parliamentary Secretary to the Attorney General and the Minister for Corrective Services.

In this house, the member for Darling Range is the Parliamentary Secretary to the Minister for Child Protection; Community Services; and Seniors and Volunteering. The member for Murray-Wellington is the Parliamentary Secretary to the Minister for Transport. The member for Nedlands has been appointed Parliamentary Secretary to me as the Premier and the Minister for State Development, and Parliamentary Secretary to the Minister for Mines and Petroleum.

For the information of members, I table a list of the new administrative arrangements for the representation of ministers between the houses.

[See paper 1133.]

CHINA VISIT

Statement by Premier

MR C.J. BARNETT (Cottesloe — Premier) [2.06 pm]: During the week 19 to 26 July 2009 I visited China. It was my first visit to China as Premier. I visited Hangzhou, the capital of Zhejiang province; Shanghai; Beijing; and Liaoning province.

Western Australia and Zhejiang province have had a sister-state relationship for 22 years. Zhejiang is one of China's wealthiest provinces, with a strong private sector in which textiles and electronics manufacturing are the dominant industries. This long-standing relationship has been and continues to be an important relationship for Western Australia.

I was pleased to co-chair with Vice-Governor Gong Zheng the third meeting of the Western Australia—Zhejiang Exchange Committee. At that meeting we witnessed the signing of five memoranda of understanding between Western Australia and Zhejiang organisations relating to areas as diverse as the development of a new strain of barley, expanding cooperation in police training, water management and protection, disability services and land information management. I also had the pleasure of joining the party secretary of Zhejiang Province, Mr Zhou Hongzhu, at the award ceremony for the 2009 "Experiencing WA" Zhejiang High School students English language competition. The competition is now in its fifth year. Almost 300 000 students entered this year, and the 25 first-place winners spent six days in Western Australia earlier this month.

From Hangzhou I travelled to Shanghai, where I met with the president of major iron ore customer, Baosteel. I also met with the Mayor of Shanghai, Mr Han Zheng, who briefed me on preparations for the Shanghai World Expo 2010—Better City, Better Life. Shanghai is where Australian citizen and Rio Tinto employee Mr Stern Hu is currently detained. I raised with the mayor our concerns that Mr Hu have access to Australian authorities and to his family, and that the matter be resolved as quickly as possible.

In Beijing I met with the steel mill and energy companies that are both customers and investors in Western Australia's iron ore and liquefied natural gas industries. In particular, I met the chairman of Chinalco, who advised me of that company's continued interest in Western Australia, despite Rio's withdrawal from a deal earlier this year. I also met the president of Sinosteel Corporation, whose involvement in the Channar joint venture with Rio dates back to 1987. Sinosteel is already a major investor in Western Australia's developing mid-west region.

I met the president of PetroChina, China's largest oil and gas producer and distributor. PetroChina has entered into sales and purchase agreements for five million tonnes of LNG from the Gorgon project and has the potential to become the largest importer of Australian LNG.

I am pleased to report that relations with China's oil and gas sector are very strong and that there is considerable support and enthusiasm for Gorgon and other Western Australian LNG projects.

In the iron ore sector, however, there are issues, with tensions between China and Western Australian industry in areas of iron ore pricing, contract negotiation and the proposed joint venture between BHP Billiton and Rio Tinto. There is also some concern about where Australians stand on Chinese investment. It was, therefore, an important opportunity for me to stress that Chinese investment is welcome in Western Australia.

In Beijing I met the chairman of the National Development and Reform Commission, Mr Zhang Ping. The NDRC is China's premier economic planning agency and its functions include approving foreign investment by Chinese corporations. We had a lengthy discussion about economic relations between China and Western Australia. In relation to the mid-west Mr Zhang advised me that China actively wants to explore involvement in the mines and construction of infrastructure.

Following Beijing, I travelled to the north-east province of Liaoning. Liaoning province has a rapidly growing economy based on heavy industry and manufacturing, resources, agriculture, technology and tourism. Western Australia exports iron ore and barley, and, in future, LPG, to Liaoning, and it imports from Liaoning steel and aluminium for shipbuilding and heavy equipment for the mining industry.

In Shenyang, the capital of Liaoning, I met the Liaoning party secretary, Mr Zhang Wenyue, and signed a memorandum of understanding and cooperation with the governor, Mr Chen Zhenggao, with the aim of furthering trade and economic cooperation.

Liaoning is also home to Ansteel Iron and Steel Group, which is a major investor in, and customer of, Gindalbie Metals' Mt Karara project in the mid-west of Western Australia. I met the president of Ansteel and was very pleased to witness the signing of a memorandum of understanding between Ansteel and the Department of State Development for a joint feasibility study into the possibility of establishing a hot briquetted iron/iron making plant, steel making plant and rolling mills at the Oakajee industrial park. While it is early days, it is encouraging that one of China's leading steel makers is examining such opportunities.

In conclusion, my visit was an important opportunity to promote Western Australia as not only a supplier of raw materials but also a place for Chinese investment. There is considerable interest on the part of Chinese enterprises. China is a major trading partner in Western Australia and we need to continue to work to ensure that we develop a mature economic relationship. I table a copy of my itinerary.

[See paper 1134.]

PUBLIC SERVANT NUMBERS — CEILING

Statement by Treasurer

MR T.R. BUSWELL (Vasse — Treasurer) [2.11 pm]: In February this year I announced a ceiling on public servant numbers to stem years of runaway growth in the number of Western Australian public servants. Under Labor, the state government's salary bill nearly doubled, rising from less than \$4 billion in 2000-01 to around \$7.5 billion in 2008-09. The number of full-time equivalents grew in one year by 5 000—100 a week, or 20 a day. The FTE ceiling is providing the government with a dynamic management tool to restore control and discipline to the public service.

Ms A.J.G. MacTiernan interjected.

Mr C.J. Barnett: Oh! The member for Canning!

Several members interjected.

The SPEAKER: Order! Thank you, members! The Treasurer.

Mr T.R. BUSWELL: When we announced the policy in February this year, the FTE ceiling for the general government sector in 2008-09 was set at 99 155. In calculating the figure of 99 155, we relied on the estimates of public service numbers as published in the final budget of the previous Labor Government—the 2008-09 budget. Unfortunately, we have since discovered that some of those estimates in Labor's last budget were wrong. Several agencies, including health and planning and infrastructure, provided incorrect data to the 2008-09 *Budget Statements* which failed to count 799 FTE positions that were, for example, vacant or belonged to officers on leave. Adjusting last year's ceiling for those errors in Labor's budget, the actual ceiling for 2008-09 should have been set at 99 954.

Turning to the actual result for last year, the 2009-10 *Budget Statements* show an estimated outcome for 2008-09 of 100 996 FTEs, an excess of 1 042 over the adjusted ceiling. The major proportion of this disappointing increase was due to some departments, including health and education, not having adequate controls in place to ensure compliance with the ceiling or with expenditure limits. Unfortunately, we seem to have inherited a culture that has ignored direction from government on budget and head count, and I, along with a number of ministers and directors general, am focused on turning this culture around.

Today I announce that the new ceiling for 2009-10 is 101 803 FTEs. The ceiling has been adjusted upward to cater for government priorities such as providing extra police, health, education and child protection personnel. But we are able to deliver on these commitments with a projected growth of less than two per cent in public service numbers. Agencies that surpass the FTE ceiling now come to the attention of government and are asked to account for the breach or propose remedies to it. The outcomes of our analysis of the result of the 2008-09 FTE ceiling include asking the Department of Health to provide monthly reports on its FTE levels to the Economic and Expenditure Reform Committee to ensure it remains within its approved FTE ceiling and expense limit. The Department of Education and Training has also been asked to report quarterly on its progress. Our work includes closer scrutiny of agency data and collection methods to ensure that we are constantly improving our management and measurement of the Western Australian public service.

May I conclude with a caveat about comparing the FTE ceiling numbers against quarterly public sector numbers published by the Public Sector Commission. Firstly, the commission's numbers include not only the general public sector but also employees at government trading enterprises, such as Western Power and the Water Corporation, which are not subject to the FTE ceiling. Secondly, the commission's numbers are a snapshot of staff numbers on four particular pay days over the year and can therefore be affected by seasonal factors, whereas the FTE ceiling is an average over the whole year. DFT and PSC are working to align these figures, but it is simplistic and wrong to take one quarter of PSC numbers and compare them with the annual FTE ceiling.

Given the continued loss of royalty revenue through exchange rate and commodity market movements, I can assure the house that I am more determined than ever to work with my ministerial colleagues and directors general to bring some newfound discipline and rigour to public sector management in this state.

LEGISLATIVE ASSEMBLY — ADDITIONAL SITTING DATES

Statement by Leader of the House

MR R.F. JOHNSON (Hillarys — Leader of the House) [2.17 pm]: For the information of members I advise that the Legislative Assembly will now sit for an extra week during the 2009 spring sitting. The dates will be

Tuesday, 8 September 2009 to Thursday, 10 September 2009. For the information of members I table a copy of the new 2009 parliamentary sitting dates for the Legislative Assembly.

[See paper 1135.]

Points of Order

Mr M. McGOWAN: Was that a short ministerial statement by the Leader of the House?

The SPEAKER: Yes.

Mr R.F. Johnson: It was an extremely short ministerial statement.

Mr M. McGOWAN: I seek a point of clarification on it, because ordinarily it would be something that would be discussed with the opposition so that we could reach agreement on it.

Mr C.J. Barnett: You wanted additional sitting dates. You have got them.

Mr M. McGOWAN: The Premier does not have to be so arrogant.

In your statement, Mr Speaker, at the commencement of today's sitting you indicated a matter of some moment relating to the Premier and the member for Midland. You indicated that if a document was tabled, it would be a matter for the house to decide what action may be necessary. I am seeking some guidance from the government on what the government proposes to do on this matter. It would be appropriate for the government to provide us with that guidance. Our view is that both the Premier and the member for Midland should make statements to the house on the issues involved. At some point subsequent to that we could then have a debate on the issue.

The SPEAKER: I advise the house that any member in this place might wish to move a motion to the effect of the words that the member for Rockingham has elaborated. Papers have been tabled. There will be an opportunity at some stage going forward in this house if someone from either side wishes to move a motion that the Premier or the member for Midland make an explanation to this house. That is an opportunity that the house has.

QUESTIONS WITHOUT NOTICE

REDRESS WA — PAYMENTS

575. Mr E.S. RIPPER to the Premier:

Before I ask my question, I acknowledge Leonie Sheedy and the supporters of the Care Leavers of Australia Network and other organisations, who attended today's rally on the steps of Parliament House and who have joined us in the public gallery.

I refer to the Premier's government's decision to cut by almost half the maximum amount payable through Redress WA to some of our most vulnerable community members who have suffered abuse in state and non-government institutions.

- (1) Does the Premier support the view of Michelle Stubbs, a member of the government's Ministerial Advisory Council on Child Protection, that these people should be entitled to claim up to \$80 000, as they were originally promised?
- (2) Will the Premier now reverse this heartless decision?
- (3) Will the Premier allow these people to receive what they were promised in return for not suing the state, so they can deal with the past and hopefully move forward with their lives?

Mr C.J. BARNETT replied:

- (1)-(3) I think the final comment of the Leader of the Opposition is pertinent: they will not receive what they were promised. Is the Leader of the Opposition suggesting that the previous Labor government promised these people \$80 000?

Mr E.S. Ripper: It was a maximum payment of \$80 000.

Mr C.J. BARNETT: Having talked to a large number of people outside, and chatted with them for about half an hour, I am sure that no amount of money can make up for the abuse and the harm that they suffered as children. This Parliament during the time of the Court government, on a motion moved by the then former Labor opposition, formally passed a motion of apology for the neglect and abuse, including sexual, mental and physical abuse, of many children who had been in the care of the state. There were some 54 000 children in the care of the state between 1947 and 2006. Of those, it is thought that perhaps 10 000—an extraordinarily large number—suffered some form of harm or damage. Following the motion of apology moved in this house, the Redress WA scheme was developed and announced publicly by the previous government in late 2007. Under that scheme, the previous government allocated \$90.2 million as a fund for ex gratia payments, and additional money was made available for administration and for the provision of counselling where it was required, which came to a total

sum of \$114 million. When that was announced, it was also announced that a cap of \$80 000 would be set; in other words, no payment to any individual would exceed that amount. If we do the sums—the basic arithmetic of \$90 million divided by 9 700 applicants—we can see that the result would be on average no more than about \$10 000 for each applicant. There will be all sorts of different circumstances.

The previous government promised \$90.2 million, and this government is honouring that pledge. There is \$90.2 million available. Each one of the 9 700 applicants will be assessed individually. To this point, about 114 of them have received payment. They are elderly people, or people with serious health issues. Those payments will be made as promptly as possible. I anticipate that as the applications are assessed and the payments are made, the \$90.2 million set aside by the previous government will prove not to be adequate. The government will add additional funding when that point is reached. I do not know what that quantum will be, but in an effort to be absolutely open, upfront and honest, we have simply made the point that the cap of \$80 000 set by the previous government unfairly raised the expectations of many people that they would receive \$80 000 or something in that vicinity. I do not in any way dismiss the horrible and cruel abuse that these people suffered as children. However, the previous government created an expectation that payments for a large number of applicants might be in the region of around \$80 000. If that is what the previous government believed, it would have allocated far more than \$90.2 million—probably closer to double that amount. The opposition should not come into Parliament and say that the government has cut the scheme in half. We have set a cap of \$45 000 so that all applicants will receive some level of ex gratia payment.

As I tried to say to the people outside, this is in no way compensation. No amount of money can make up for the abuse that they suffered as children, and this generation is simply making an ex gratia payment as a form of apology to a previous generation. I will also add the point that while these children were in the care of the state, this was an agreement that was negotiated between the British and Australian governments. They arrived here as child migrants and many of them—the majority—were placed in non-government institutions; they were placed in churches and missions.

Ms M.M. Quirk: Blame the churches!

Mr C.J. BARNETT: I am not shifting the blame; I am simply recording the facts.

We are relying on those institutions to provide us with information and, as the minister and I said as we were talking to some of the people outside, if evidence comes forward that can identify and substantiate criminal acts, the people responsible will be prosecuted—after all those years, they will be prosecuted.

A number of people made the point to me today that the money does not matter, and I can understand that after their experiences perhaps the money seems almost irrelevant. They made the point that they want counselling and that they want a sense of finality. All that this generation and Parliament can do is apologise and make some gesture, and that is what this is. The gesture is at least \$90 million plus counselling, plus what it takes to provide a fair and equitable outcome, subject to a cap of \$45 000. For the Labor Party to continue to suggest that people are going to get \$80 000 is basically misleading. It raised expectations way beyond anything that could ever have been achieved. Had members opposite believed that people were going to get \$80 000, they would have put twice the amount of funding into it.

Several members interjected.

The SPEAKER: Order! Member for Mandurah!

REDRESS WA — PAYMENTS

576. **Mr E.S. RIPPER to the Premier:**

I have a supplementary question. Considering that these people who would receive the maximum payment are by definition those who suffered the most serious abuse, will the Premier maintain the maximum payment and offset the budget impact by staggering that payment over several financial years?

Mr C.J. BARNETT replied:

We will maintain a \$45 000 cap. We will supplement the \$90 million to make sure that everyone gets the amount they are assessed to be due.

Mr P.B. Watson interjected.

Mr C.J. BARNETT: Had the member for Albany cared he would have done the maths two years ago!

The SPEAKER: I would like to draw members' attention to the presence in the Speaker's gallery of a delegation of members of the National Parliament of the Democratic Republic of Timor-Leste. The delegation is led by His Excellency Manuel Tilman, President of the Committee on Economy, Finance and Anti-Corruption. On behalf of all members in this Parliament, I welcome the delegation to the Legislative Assembly of the Parliament of Western Australia.

[Applause.]

URANIUM MINING — LAKE MAITLAND PROJECT

577. Dr M.D. NAHAN to the to Premier:

I refer to the recent signing of a joint venture between Mega Uranium and the Japan Australia Uranium Resources Development Company and Itochu Minerals Energy of Australia for a stake in the Lake Maitland project, and ask the Premier to inform the house of progress in the development of uranium mining in Western Australia.

Mr C.J. BARNETT replied:

I thank the member for Riverton for the question. As the member said, last month Mega Uranium signed a US \$49 million joint venture agreement with the Japan Australia Uranium Resources Development Company—a bit of a mouthful!—and Itochu Australia for a 35 per cent stake in the Lake Maitland project. It is near Wiluna. This project is proceeding at a fairly rapid pace and Mega expects to be the first uranium mine in Western Australia and to be in production by the end of 2011.

The signing was a significant step in the mining history of this state. I was in China at the time that the Chinese Deputy Premier took part in that ceremony. He also welcomed the federal resources minister, Martin Ferguson, who signed that agreement to set in place a commonwealth and a state agreement for the development of the uranium mining industry.

Members on this side of the house support the mining industry, and we support uranium mining. This was the issue that the Australian Labor Party campaigned on most strongly at the last state election. People had leaflet after leaflet stuffed into their letterboxes about the dangers of uranium mining. Fortunately, the federal resources minister, Martin Ferguson, is a little more enlightened than members opposite and he supports it.

I happened to notice a newspaper headline “Labor heat from inside to hold line on uranium”, with an accompanying photograph. The caption read: “Tough line: Alannah MacTiernan has signed the anti-uranium plea”. The articles stated that a letter signed by Ms Alannah MacTiernan was sent out the previous week calling for delegates at the ALP national conference to oppose the approval of new uranium mines. Where is the would-be member for Canning going to stand now? She is still a frontbench member of a party that opposes uranium mining. She aspires to be the member for Canning to join Kevin Rudd in Canberra. He supports uranium mining! Where does the member for Armadale stand? Is she now supporting or opposing it? Come on, tell us! The member should let us out of our misery. Is the member for uranium mining or anti-uranium mining?

Several members interjected.

Mr C.J. BARNETT: This article was published a couple of years ago.

Mr D.A. Templeman: A couple of years ago you were going to retire!

Mr C.J. BARNETT: And I am back; I am here! I am being fair. In 2007, the member for Armadale signed the anti-uranium plea. Two years on, she is now going to stand as a candidate in Canning. She wants to be part of Kevin Rudd’s federal government. I will give the member 24 hours to answer this question: the public of Western Australia need to know whether she now supports uranium mining, or will I have to tell my friend Kevin, “Don’t rely on Alannah. You can’t trust her; don’t rely on her”? I would hate to have to do that, but if I must, I must!

There are other issues, too. The member for Armadale and candidate for Canning has argued against Oakajee. She has argued against public investment in Oakajee. My friend Kevin has put \$400 million into Oakajee, as we have. Where will the member stand on that? Will she be for public investment in Oakajee or against public investment in Oakajee?

The SPEAKER: Premier, thank you —

Ms A.J.G. MacTiernan: Sorry; is that a question? Would the Premier like me to get up and answer it?

Mr C.J. BARNETT: I would love the member to, in a minute.

Mr D.A. Templeman interjected.

The SPEAKER: I would like to hear from the member for Mandurah, but not in this forum. I formally call the member for Mandurah to order for the first time.

Mr C.J. BARNETT: We wait with bated breath for the candidate for Canning to declare her hand on uranium and to declare her hand on Oakajee. If she gets elected—a remote possibility—what will she take to Canberra? Will she take the lead on road safety? That will be interesting. We will have more to tell our federal colleagues. Will she take the key policy of Labor at the last election? Do members remember the policy that shattered the world? Remember the policy: we will close the bar at Parliament! Will the member take that policy to Canberra? Will that be part of her plan? We can only wait and see.

Ms A.J.G. MacTiernan: You're pathetic! I ask you to check Don Randall's record, mate. You'd better check it before you open your big gob!

Several members interjected.

The SPEAKER: Members on both sides, I realise you have had a chance to be invigorated over the winter recess and are back full of enthusiasm, bright-eyed and bushy-tailed. Some of you have too much enthusiasm. I give the call to the Leader of the Opposition.

WESTERN AUSTRALIAN EMPLOYMENT — SKILLED MIGRANT VISAS

578. Mr E.S. RIPPER to the Premier:

They are running scared in Canning already!

Several members interjected.

The SPEAKER: Thank you, members.

Mr E.S. RIPPER: I refer to the Australian Bureau of Statistics figures released last week that revealed an unemployment rate of 5.7 per cent, the worst unemployment rate recorded in Western Australia for five and a half years, representing at least 68 000 Western Australians now out of work.

- (1) How will the Premier's plan to get more relaxed rules on skilled migrant visas to allow specialist Chinese workers and managers to take up employment in engineering, construction and mining in Western Australia impact on the plight of Western Australians looking for work?
- (2) Why is the Premier planning to invest time and taxpayers' resources into importing Chinese skilled labour when he could be investing in long-term sustainable solutions to possible future skills shortages through training and education?

Mr M.J. Cowper: We do not have Chinese nuclear specialists.

Mr E.S. RIPPER: The government will have Chinese nuclear specialists; is that what it is doing? That will be interesting! My question continues —

- (3) What new training programs and employment opportunities, if any, are planned to address these disastrous figures and to help employ Western Australians across the state who need help and support today?

Mr C.J. BARNETT replied:

First, on the unemployment figures, there was a jump —

Mr E.S. Ripper: The sharpest spike of any state.

Mr C.J. BARNETT: Yes. I would take some care in interpreting the unemployment series on a month-to-month, state-by-state basis. The figures are inherently volatile.

Mr E.S. Ripper: Unemployment is rising, is it not?

Mr C.J. BARNETT: Unemployment is rising across the country. Nationally, I would expect —

Mr E.S. Ripper: And sharply in Western Australia?

Mr C.J. BARNETT: Does the Leader of the Opposition want to answer his own question? If he wants to jump over here and answer it, I am fine with that.

Mr E.S. Ripper: That's my objective!

Mr C.J. BARNETT: The numbers keep growing on this side. I do not know what is going on! I do not know whether swine flu is spreading over there, but they are all coming over here! We are going to run out of seating here soon. We will have to build a balcony!

Mr J.R. Quigley: You can have custard guts; we don't want him!

The SPEAKER: Member for Mindarie, whether that was unparliamentary or not I am yet to determine, but I am going to formally call you to order for the first time.

Mr C.J. BARNETT: I have consistently said that in my view the worst of the economic news for Western Australia would be in the first half of 2009. I think that is proving to be the case and I expect to see some very positive news for this state over the coming weeks and months. Unemployment as an economic indicator is always a lag indicator, so even though the economy will improve, we will still probably see a trend of rising unemployment. I believe that that will be limited in Western Australia; I have a genuine concern about the level of unemployment nationally. I think at the national level there is a fair bit of bad news to come on the unemployment front.

Getting back to the question of Chinese technical people and the like, I do not know what it is—that there is almost an anti-Chinese sentiment in elements of our community. I can actually recall as a very young boy in the 1950s my parents lamenting the fact that America would take over Australia and we would just become another state of America. I can then remember in the 1960s and 1970s the fear that Japan would take us over and then a fear now that somehow China is going to take us over. I suggest that none of them have happened or will happen.

Several members interjected.

Mr C.J. BARNETT: How can I compete with the intellectual giants opposite? I can only try to carry on.

Several members interjected.

The SPEAKER: Order, members!

Mr C.J. BARNETT: Let us take one scenario: we have a project being developed in the Cape Preston area—Sino Iron—which is interesting because it is processing not haematite but magnetite iron ore; lower grade, quite different chemical and physical properties. We have not processed magnetite ores in this state in our 150-odd years of mining. We have not done that and yet there are very large magnetite iron ore resources. There are large magnetite iron ore resources in the mid-west region. Most of the iron ore to be developed ultimately will be magnetite in conjunction with the Oakajee port and rail project. Therefore, we are hopefully not just going to export relatively lower grade but very abundant magnetite iron ore; there is an economic imperative that that be upgraded. To upgrade magnetites, and bear in mind we have never dealt with magnetites in this state before, requires a very different type of iron ore processing. If we can get a group like Ansteel to come here and set up a processing operation in the mid-west using magnetite not haematite iron ore, whether it is producing a pellet, a hot briquetted iron, a pig iron or ultimately steel, we would need its expertise. Ansteel has been processing magnetite ores in China for more than 100 years. This is technology and experience that we simply do not have. What does it mean? It means that we might get not only some technical skilled people from China to come over for the design and operation of the plant, but in addition literally thousands of jobs for Australians.

The other point I make to the question is that I do not know what the Leader of the Opposition was doing when the Treasurer delivered the budget—a payroll tax exemption for small to medium business for 12 months. The implicit deal is keep people employed and businesses will get a refund, a rebate on workers' compensation for first-year apprentices and also an offer for not only young people unemployed, which was the national deal, but in this state an offer for all unemployed people in Western Australia to have a free training place. Therefore, the Leader of the Opposition is wrong to suggest that we are not addressing the training needs of young people, of anyone unemployed and the economic prospects for future employment.

WESTERN AUSTRALIAN EMPLOYMENT — SKILLED MIGRANT VISAS

579. Mr E.S. RIPPER to the Premier:

I have a supplementary question. Does the Premier not agree that his priority should be, firstly, Western Australian workers and, secondly, Australian workers from other states; and what is he doing to help them now when unemployment is rising more rapidly in this state than in any other state?

Mr C.J. BARNETT replied:

Perhaps the Leader of the Opposition was not listening, but I just said what was in the budget. This state is the only state that has given a significant tax cut in this round of budgets—\$100 million. No other state has done it; this is the only state that has given a training place to anyone who is unemployed. No other state has done that. Therefore, in answer to members opposite when they ask what we are doing, I say we are doing that. The best thing that we can do in this state is make sure we maintain the momentum of investment in major projects. We have been working extremely hard, for example, on the Gorgon project. I acknowledge that the previous government played a role in the Gorgon project and I will in future acknowledge that. However, the Gorgon project will create 10 000 jobs when it comes to fruition. We will struggle to find the people from within this state and even across Australia to man that project. Firstly I hope that Western Australians work on the project and that skilled people from the other states then move across to work on the project. However, in reality—for personal, family, education and other reasons—many people will not want to relocate to the Kimberley. I am very optimistic and confident about employment prospects in this state; I am less confident about the country as a whole.

ROAD TRAFFIC ACT AMENDMENTS

580. Ms A.R. MITCHELL to the Minister for Police:

The government is set to introduce some of the toughest antihoon laws in the country. In the meantime will the minister outline the changes to offences in the Road Traffic Act relating to a driver's licence and the impact these changes have had?

Mr R.F. JOHNSON replied:

Mr Speaker —

An opposition member interjected.

Mr R.F. JOHNSON: He does not know anything; that is his trouble!

For the benefit of the house I will give the latest figures that relate to the power to impound a vehicle for an offence relating to a driver's licence—namely driving while under suspension—which came into effect on 1 July this year. As at 6 August this year 1 158 vehicles had been impounded. Out of the 266 vehicles eligible for release, 144 vehicles—or 55 per cent—have not been collected. It concerns me to some extent that Western Australia Police now tell me that half the number of vehicles that have not been collected, and that it appears will not be collected, are in the view of the police of enough value to be sold to cover the costs of towing and impoundment. Unfortunately, the other half are of very little value and some will in fact cost the police service some money because the police must pay the towing and impounding costs on those vehicles that have not been collected. Of course, someone who has run up a bill of \$900 is unlikely ultimately to collect the vehicle and will just leave it with the police. That does leave us with a problem. I can say that I actually support the antihoon legislation; I always have done. However, the problem we face is that the previous government had no funding whatsoever in its forward estimates for this eventuality.

Several members interjected.

Mr R.F. JOHNSON: The previous government had no planning whatsoever.

Mr F.M. Logan: You could set up a second-hand car yard!

Mr R.F. JOHNSON: If I did, my friend the member for Cockburn would be the top salesman, because he matches the description!

Ms M.M. Quirk interjected.

The SPEAKER: Order, member for Girrawheen!

Mr R.F. JOHNSON: I just wonder whether the former Minister for Police included in his cabinet submission any funding allocation that was necessary for these vehicles—which were identified at that time, I am told—or whether there was a funding allocation and the previous government took it out. Who knows? If there was an allocation and it was taken out, it is a bit of a surprise to some people today that there is no funding whatsoever in those forward estimates. It is a very interesting scenario. I would be very interested to know from the previous government whether the scenario I have related is true; that is, funding implications were highlighted but they were not put in the cabinet submission because it was close to the death knell of the previous government's time in government. The previous government probably said, "We'll talk tough on crime, we'll talk tough on antihoon laws and we'll talk tough on unlicensed drivers, but we won't implement them until 1 July next year. Then if we are lucky enough to gain government again, we will try to address them; if not, we will leave them to the other side." That, therefore, is the sort of problem we face. However, we will do the planning and we will cover those costs. It is so important that that legislation —

Several members interjected.

Mr R.F. JOHNSON: —which goes hand in hand with —

Mr J.R. Quigley interjected.

The SPEAKER: Take a seat, minister. Member for Mindarie!

Mr J.R. Quigley: Yes, sir.

The SPEAKER: I formally call the member for Mindarie to order for the first time.

Mr J.R. Quigley: Yes, sir.

The SPEAKER: If you continue in that particular manner, I will call him to order for a third time. You have been called formally for the second time.

Mr R.F. JOHNSON: I will conclude my remarks. I want to make it quite clear that we will ensure that those vehicles remain off the road. People who drive while under suspension have usually been given a court order because they have previously been caught for either drink-driving, driving recklessly, dangerous driving or having earned too many demerit points to keep a valid licence. They represent 20 per cent of the drivers involved in fatal and serious crashes throughout our state. We will deal with those people who thumb their nose at the law, at this Parliament and the legislation that we put through. If we cannot stop them from getting behind the wheel, we will take away their vehicle for 28 days. I hope that with the toughest hoon law legislation —

Mr P. Papalia: What did you say?

Mr R.F. JOHNSON: The member for Warnbro is a leader in waiting. He does not need to say too much at the moment. I hope that members of the opposition will act as tough as they tried to sound when they were in government and that they will support the hoon legislation we will be debating today. It will be very interesting to see whether their rhetoric matches their actions.

AAA CREDIT RATING

581. Mr B.S. WYATT to the Treasurer:

The 2009-10 budget indicated that the state's net-financial-liabilities-to-revenue ratio would be 85.6 per cent by 2011-12. Standard and Poor's has indicated that the state's AAA credit rating could be revoked if the ratio breaches 90 per cent. In light of the significant spending announcements made by the state government since the tabling of the 2009-10 budget —

- (1) Has the government had any recent communication with any credit rating agency on the impact of this additional spending on the state's credit rating?
- (2) Is the Treasurer confident that the state's net-financial-liabilities-to-revenue ratio will not breach 90 per cent?
- (3) Is the Treasurer confident that the estimates of debt levels that are outlined in the budget are still accurate?

Mr T.R. BUSWELL replied:

(1)-(3) I thank the member for Victoria Park, the shadow Minister for Culture and the Arts, for that question.

Mr B.S. Wyatt: I am not the shadow Minister for Culture and the Arts.

Mr T.R. BUSWELL: Have we had communications with the ratings agencies? Yes.

Mr B.S. Wyatt: I have not had that portfolio for months.

Mr T.R. BUSWELL: Has the member not?

Mr B.S. Wyatt: No.

Mr T.R. BUSWELL: Sorry, I had not noticed. I thought that the member must have been flat out in the arts portfolio because of the paucity of activity in his economics portfolio.

Several members interjected.

Mr T.R. BUSWELL: Have we had any contact with the ratings agencies? Yes. The Premier and I met last week with Standard and Poor's as part of our trip around Australia, and I met with Moody's sometime before that. We went over in some detail information contained in the budget and over a range of volatile factors that have impacted on the state's finances. As the member rightly pointed out, the estimated surplus for 2009-10 contained in the budget was \$409 million and the net-financial-liabilities-to-revenue ratio was 85 or 86 per cent. Obviously we are operating in a very dynamic environment. A number of volatile international factors are impacting on the state's economy.

Mr P. Papalia interjected.

Mr T.R. BUSWELL: It is a bit like that, member for Warnbro. We are judging a range of very volatile factors, many of which are beyond our control, including the exchange rate —

Several members interjected.

Mr T.R. BUSWELL: I know what it is like to be in the position of the Leader of the Opposition. I know what it is like to be under pressure as Leader of the Opposition. I will give him a tip. I am very interested in the four out of 20 people in the Hay Street mall who recognised him when they were shown his photo.

Point of Order

Mr B.S. WYATT: I always find it interesting that a man who gets sexual gratification from the humiliation of women is the first person to come in here —

Several members interjected.

Withdrawal of Remark

The SPEAKER: Member for Victoria Park, I do not think that comment is appropriate in this place, and I ask you to withdraw it.

Mr B.S. WYATT: Mr Speaker, if you find the truth of that comment offensive, I withdraw the comment, but further to the point of order —

The SPEAKER: Member for Victoria Park, I suggest you withdraw the comment without any further comment—simply withdraw.

Mr B.S. WYATT: I withdraw the comments I directed towards the Treasurer's behaviour.

Point of Order Resumed

Mr B.S. WYATT: My point of order is that my questions to the Treasurer about his activities were very specific, and I ask that you, Mr Speaker, direct the Treasurer to answer the three specific questions I asked him.

The SPEAKER: Thank you, member. If I might draw an analogy, with the greatest respect, it is a bit like Melbourne versus Richmond—we are halfway through and we have hardly made any progress. That applies to both sides. Treasurer, I ask you to hasten with your comments.

Questions without Notice Resumed

Several members interjected.

Mr T.R. BUSWELL: Has everyone had their say? As I was about to say, I was most impressed by Kiera Zawal, who thought the Leader of the Opposition was Dr Phil.

Mr T.G. Stephens interjected.

Point of Order

The SPEAKER: I call the member for Pilbara to order for the first time. I believe the member for Victoria Park has asked for a point of order.

Mr B.S. WYATT: Mr Speaker, you asked me to withdraw comments about the Treasurer's sexual gratifications, and I have done that, and I now ask you to direct him to answer the question. I ask again that you bring him back to focus on the three specific questions I put to him about the state's finances.

The SPEAKER: I indicate to all members that this question time is going to reach a very rapid end. I urge the Treasurer to get directly to the questions that the member for Victoria Park has asked him.

Questions without Notice Resumed

Mr P. Papalia: Stop clowning around.

The SPEAKER: I did not want any more interjections, either. Perhaps I should have added that, member for Warnbro, and I formally call you to order for the first time.

Mr T.R. BUSWELL: One day I will get a question from this side. We have had contact with Moody's and Standard and Poor's. We ran through a number of these dynamic factors. The opposition interjected, suggesting that those dynamic factors were within my control, claiming that the Premier was one of those non-volatile factors. The Premier is doing a great job, but he cannot influence the price of iron ore, and unfortunately he cannot influence the exchange rate. I know that the Premier in China did a great job stimulating demand for our exports. We are dealing with a range of volatile factors. If we did nothing else, a number of those volatile factors would impact on the budget bottom line. A change in the exchange rate would erode revenues. It would have an impact. Government capital expenditure announcements that we make because we are a government of action have an impact on the government's bottom line. However, I can give the member an undertaking that we do not hand down the budget in May and then go to sleep. We manage the state's finances on a day-by-day basis —

Mr E.S. Ripper: You make it up as you go along.

Mr T.R. BUSWELL: We do not make it up as we go along. We manage the state's finances on a day-by-day basis, dealing with the range of volatilities. When will that be brought to account? As it always has been in this state, when we hand down the midyear review. If we have to take corrective measures to maintain the financial discipline on which we are building a record, we will do so. If we have to take corrective measures to protect our surplus position, keep our ratio of net financial liabilities to revenue within the parameters set by Standard and Poor's, we will do so. We did it at the time of the budget, and it was difficult, but we will do it again, and we will continue to manage the finances of this state in a way that protects our underlying strength while importantly focusing on Western Australian jobs.

AAA CREDIT RATING

582. Mr B.S. WYATT to the Treasurer:

I have a supplementary question. Does the Treasurer reject the notion that the state is now on track to breach the 90 per cent net-financial-liabilities-to-revenue ratio?

Mr T.R. BUSWELL replied:

I reject that absolutely, because we have a range of tools available to us to deal with the volatile factors that impact on the state's finances, and we will do it! We did it at budget time, and we will do it at midyear review

time. The shadow Treasurer did not mention his favourite term—mini-budget! We will do it without recourse to the thing he has a fascination with—a mini-budget! A mini-budget is a process-driven outcome that will never deliver a job. The mini-budget is a mini-tool for the mini shadow Treasurer.

Several members interjected.

The SPEAKER: Members, I give the call to the member for Kalgoorlie.

ROYALTIES FOR REGIONS — GRANTS SCHEME

583. Mr J.J.M. BOWLER to the Minister for Regional Development:

During the winter recess, 320 projects in regional Western Australia received over \$32 million in the first round of regional grants. Will the minister state how the royalties for regions program will continue in the coming years, and how the program has been received in the community, particularly with regard to community safety?

Mr B.J. GRYLLS replied:

I thank the member for Kalgoorlie for the question and his great interest in regional Western Australia.

We announced the regional grants scheme after the Albany cabinet meeting, and the news was very warmly received. Across regional Western Australia, 322 projects received funding under that grant funding round. The most important thing about that regional grants round was that the decisions were made and prioritised at the local level. The development commissions' boards prioritised those decisions across the regions and have funded projects that they believe will deliver a regional benefit and regional action. Most importantly, in reply to the question raised by the Leader of the Opposition earlier in today's question time about jobs and the creation of jobs in Western Australia, the regional grants scheme is a very important part of the state government's plan to create more jobs not only in the metropolitan area, but also right across regional Western Australia. One of the most important parts of this process was to have projects that were shovel-ready—projects that could be up and running quickly, and that would bring into play the local community, local builders, and the new jobs created out of that process.

It has been very interesting that members opposite, whilst critical of the regional grants scheme, have been very supportive of the scheme at the local level. I draw attention to an article in the *Pilbara News* in which the member for Pilbara was very supportive of the decisions made for the Pilbara community.

Mr T.G. Stephens: Supportive of the ones that Alannah was about to deliver!

Mr B.J. GRYLLS: It was always “gonna”—“gonna” being the operative word! I hope that if the member for Armadale ever makes it to Canberra, she does more than gonna! Gonna is not good enough for country Western Australia. Country Western Australia wants people who do things.

The member for Pilbara was very complimentary about the regional grants scheme in his area, but was opposed to it everywhere else. I am happy to report that all members of Parliament seem to be very excited about the potential to partner with local community organisations and local businesses looking for headworks assistance to deliver projects at the local level. More importantly, these projects are partnership projects between the government and the local organisations that have submitted them. They have leveraged many more dollars from councils, private organisations, Lotterywest and other sources. Therefore, for every dollar we spend, we get a far greater outcome.

One of the main focuses of the regional grants scheme has been community safety, about which everyone is very concerned. I am very happy to say that the regional grants scheme has assisted in the provision of better footpaths, increased street lighting, and, importantly in Port Hedland, upgrading the town's closed-circuit television system. It has also provided funding for a number of youth programs, as well as assisted with the upgrade of town facilities for young people to keep them off the streets late at night. This funding is for volunteer programs, including Scouts, performing arts, sporting groups and driver education.

I am very happy to say that those projects are now up and running, and I am happy that we have had feedback from both government and opposition members about the importance of local decision making and the importance of getting money back to local community groups. I have travelled around regional Western Australia and talked to those community groups, and I have found that the issue is about recognising that without pay and without the support of government, it makes their job so much harder. We are now partnering with those local community groups, recognising the great job that they do at the local level delivering to the people in their communities. The new government will partner with them to continue to deliver that outcome.

The SPEAKER: Before the member for Midland asks her question, I formally call to order for the first time the members for Girrawheen and Albany.

DEPARTMENT OF EDUCATION AND TRAINING — EMPLOYMENT SEPARATION OFFERS

584. Mrs M.H. ROBERTS to the Minister for Education:

I refer to the latest Australian Bureau of Statistics figures that reveal that since the election of the Barnett government, the unemployment rate in Western Australia has almost doubled, with 68 000 Western Australians now out of work.

- (1) Can the minister confirm, in a bid to achieve the three per cent cut to the education budget, how many departmental employees have been targeted for a so-called employment separation offer?
- (2) Which categories of staff and how many people have been targeted to lose their jobs?
- (3) What details can the minister provide to the house of the termination offer?

Dr E. CONSTABLE replied:

- (1)-(3) It is a great pity that I was not given some notice of this question, because it is asking for a great deal of detail. If the member for Midland had given notice, I would have been able to give her specific answers to those questions. I certainly will undertake to find the answers to those questions for her. However, I can say to her, and as she is well aware, that the three per cent efficiency dividend or cutback in Education has in fact still not been reached, because we know that we must be very careful to make sure that we do not make cuts in classrooms, in face-to-face instruction of students, and that the main cuts in staffing in the education department will be in central office and in the district offices—most of those through retirements and redundancies. That will be a process over a long period. I am quite prepared, of course, to get for the member the specific information that she has requested.

DEPARTMENT OF EDUCATION AND TRAINING — EMPLOYMENT SEPARATION OFFERS

585. Mrs M.H. ROBERTS to the Minister for Education:

I have a supplementary question. Is the minister aware that correspondence has gone out to all schools regarding the termination offer; and, if so, can she provide any details—even a guess or a rough number—of how many people it is? Is it 500, 1 000, 1 500, 2 000? How many of the minister's employees will lose their jobs?

Dr E. CONSTABLE replied:

It is standard procedure for employees in the public sector to receive such information. I will get for the member the detail she has requested.

FIONA STANLEY HOSPITAL

586. Mr J.M. FRANCIS to the Minister for Health:

I note that during the parliamentary recess we have finally seen some work underway at Fiona —

Several members interjected.

Mr J.M. FRANCIS: He is not the sharpest tool in the shed, but he is the biggest, is he not?

Mr M. McGowan: He's not going to make you a minister; he's not going to. I wouldn't.

The SPEAKER: Member for Rockingham! I would like the member for Jandakot to ask the question, not make a statement.

Mr J.M. FRANCIS: Thank you, Mr Speaker.

I note the work that is finally underway at the Fiona Stanley Hospital site, and I ask the minister whether he can advise —

Several members interjected.

Mr J.M. FRANCIS: I ask the minister whether he can advise the house what progress is being made with Fiona Stanley Hospital.

Dr K.D. HAMES replied:

I thank the member for Jandakot for the question. I think he used the word “finally” extremely well. Obviously, he has a personal interest in the construction of Fiona Stanley Hospital, which is in his electorate. Recently, I was very pleased to go out there for the opening of the offices, accompanied by the member for Alfred Cove, who always finds a way to have something to do with Fiona Stanley Hospital. It really was good to see something finally happen. Members will recall that during the lead-up to the last election, we went out to that site because the government of the day had announced that finally construction of Fiona Stanley Hospital was starting. We went out there and all we could see was bush—just bush; nothing whatsoever had been done.

Mr C.J. Barnett: A sign?

Dr K.D. HAMES: There was a sign, yes! There was a magnificent sign.

Mr R.F. Johnson: There's always a sign.

Dr K.D. HAMES: Yes; "It's gonna happen; the great new hospital of Western Australia is gonna happen!" Finally, something is happening on that site. If members go out to the site, they will notice that all the bush has been cleared and the sandpit is ready. The office for the staff who will undertake all the work has been constructed. I was pleased to do the official opening. Up to 120 staff will be working on the construction of the hospital, including a lot of engineers, design operators and project managers.

Ms A.J.G. MacTiernan: A great Labor project.

Dr K.D. HAMES: It is a great project. As I said when we were in opposition, when the Labor Party took over in government, built some of the things that we funded and then took the credit for them, we would be very happy getting into government, completing the construction and making the announcements. I will ask the former Minister for Health to be part of the opening; I will be very pleased to have him there. We are finally seeing something happen on that site. Twelve hundred staff will be located on that site. Before the end of this year we will see the first load of concrete. It is a great step forward. This is a government that gets on and does things. Unlike the other side that was always gonna do things, we are finally getting things started.

MINISTER FOR REGIONAL DEVELOPMENT — FREEDOM OF INFORMATION REQUEST FROM
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

587. Mr T.G. STEPHENS to the Minister for Regional Development:

- (1) Can the minister confirm that his office has submitted a freedom of information application to the Department of Environment and Conservation?
- (2) Can the minister detail the information he is seeking?
- (3) Why does a minister of the crown have to FOI a government department to obtain information?
- (4) Has the minister's relationship with the Department of Environment and Conservation become so bad that he now has to rely on the FOI process to obtain information that everyone else would expect to be shared across government?

Mr B.J. GRYLLS replied:

I thank the member for Pilbara for the question and for his great interest in the FOI process. There are many questions that he could ask me but this is an interesting one.

- (1)-(4) I am not aware of the FOI application. I work very closely with the Minister for Environment, Hon Donna Faragher. We are and have been working very closely on a big agenda in regional Western Australia, including the Gorgon project in the past couple of weeks, which will be of great interest to the member as he is the member for Pilbara. I will continue to work closely with the Minister for Environment. I am unaware of the FOI process. I will seek information on that.

MINISTER FOR REGIONAL DEVELOPMENT — FREEDOM OF INFORMATION REQUEST FROM
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

588. Mr T.G. STEPHENS to the Minister for Regional Development:

I ask a supplementary question. Following the earlier involvement of the minister's office in undermining the chief executive officer of the Department of Environment and Conservation, is this process of positioning an FOI application from the minister's office part of that process of undermining the Minister for Environment or that department?

Mr B.J. GRYLLS replied:

As I said, I am unaware of what the member for Pilbara is talking about. I am aware of the need for the Minister for Environment and I to work very closely with the rest of cabinet and the rest of government to deliver on the government's regional development agenda, and we are doing just that.

INFILL SEWERAGE PROGRAM — SPEARWOOD

Petition

MR F.M. LOGAN (Cockburn) [3.09 pm]: I have a petition with 107 signatures, which complies with the standing orders of the house, in the following terms —

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned express our outrage and disgust with the decision by the Minister for Water and Mental Health to cancel the in-fill sewerage program for Spearwood, 28A, 3N, 16AB, 12P, 16PP.

These in-fill areas were designated high-risk by the Department of Health in 2006 and were given priority for completion by Watercorp and the previous Labor government.

Now we ask the Legislative Assembly, To call on the Liberal Government to honour previous commitments made to complete the Spearwood in-fill sewage program by 2010.

[See petition 91.]

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

RECREATIONAL FISHING — FEES

Notice of Motion

Mr E.S. Ripper (Leader of the Opposition) gave notice that at the next sitting of the house he would move —

That the house condemns the Barnett government's unjustified attack on recreational fishing and calls upon the government to withdraw the huge fees it is imposing on ordinary Western Australian families.

ELLENBROOK SHOPS — RESTRICTIVE COVENANT

Notice of Motion

Mr M. McGowan gave notice that at the next sitting of the house he would move —

That the house condemns the Premier and the member for Swan Hills for breaking their election promise to remove the restrictive covenant over "The Shops" at Ellenbrook.

THE CLIFFE — LETTER FROM CORRUPTION AND CRIME COMMISSIONER REFERRING COMPLAINTS

Notice of Motion

Mr M. McGowan gave notice that at the next sitting of the house he would move —

That the house calls upon the Premier and the member for Midland to provide an explanation to the house in relation to the matters advised by the Corruption and Crime Commission and tabled by the Speaker.

**EDUCATION AND HEALTH STANDING COMMITTEE — INQUIRY INTO NICKEL LOADING
LIBERAL PARTY LAW AND ORDER ELECTION PROMISES
LIBERAL PARTY HEALTH PROMISES AND PLAN FOR BETTER HEALTH SERVICES**

Removal of Notices — Statement by Speaker

THE SPEAKER (Mr G.A. Woodhams): I advise members that private members' notices of motions 2, 3 and 4, notice of which was given on 2 December 2008, will be removed from the next notice paper unless written notification is provided to the Clerk requiring that the notices be continued.

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

*Inquiry into the Adequacy of Services to Meet the Developmental Needs of Western Australia's Children —
Extension of Reporting Time — Statement by Speaker*

THE SPEAKER (Mr G.A. Woodhams): I further advise that the Community Development and Justice Standing Committee has resolved to extend the reporting date for its inquiry into the adequacy of services to meet the developmental needs of Western Australia's children to 13 August 2009.

ECONOMICS AND INDUSTRY STANDING COMMITTEE

*Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in
Western Australia — Extension of Reporting Time — Statement by Speaker*

THE SPEAKER (Mr G.A. Woodhams): I also advise that the Economics and Industry Standing Committee has resolved to extend the reporting date for its inquiry into the provision, use and regulation of caravan parks (and camping grounds) in Western Australia to 15 October 2009.

REDRESS WA*Matter of Public Interest*

THE SPEAKER (Mr G.A. Woodhams): Members, today I received within the prescribed time a letter from the Leader of the Opposition in the following terms —

I wish to raise the following as a matter of public interest today, Tuesday June 16, 2009.

“That this House urges the Government to support the original Redress WA Scheme and ensure the benefits available to victims not be reduced.”

It is signed by the Leader of the Opposition.

The matter appears to me to be in order, and if at least five members will stand in support of the matter being discussed—I note that there are—the matter can proceed.

MR E.S. RIPPER (Belmont — Leader of the Opposition) [3.17 pm]: I move —

That this house urges the government to support the original Redress WA scheme and ensure the benefits available to victims not be reduced.

It is the financial decisions that reveal the true character of a government. It is always possible for a government to appear to be all things to all people until it comes to the crunch, until it has to decide where scarce taxpayers' resources are to be devoted. This government has made its financial decisions and the character that has been revealed is mean-spirited, heartless and uncaring—mean-spirited, heartless and uncaring! This group of people who were to be compensated or supported financially through the Redress WA scheme are some of the most vulnerable and disadvantaged people in the entire state. These were people who were taken into care; people who the state thought needed to be looked after because they could not be cared for in their families of origin. These were people whom the state made a promise to. These were people who were abused and neglected—abused physically and abused sexually. These were people who experienced, in many cases, terrible childhoods. These were people who were betrayed by the state of Western Australia. The state of Western Australia—not just the state government, not just the Liberal Party or the Labor Party, but the state of Western Australia—as an institution must make redress to these people whom that institution has betrayed.

The previous government announced the Redress WA scheme. I believe that the Redress WA scheme had the support of the then opposition, the current government. That scheme caused many people to reflect on the original harm and abuse that had been done to them. In some ways, while the scheme has an admirable objective and should be proceeded with, it did cause people to relive and rethink the pain that they had experienced as they decided whether to come forward to make a claim. Many of those people made decisions to come forward on the basis of the original promises made when the Redress WA scheme was announced. It is a double betrayal of those people so cruelly betrayed in earlier decades. It is a double betrayal to then say to those people, “You have come forward, you have been through that pain, you have relived those terrible experiences of childhood, and now we are going to seriously reduce the maximum payment that can be made from \$80 000 to \$45 000.”

I will now quote some of the information—with names deleted—that has been made available to us, to outline to members the circumstances that some of these people had to face. I will not speak at length on this matter, because my colleagues who will be following me will be providing more detail. The first case I cite is —

I was one of many six and seven year old girls who at night were forced to commit sexual acts on the older girls. I was a very brave little person who couldn't believe this was normal behaviour, I tried to stop it, but was punched and bullied, we were not protected at all. I believe all my school mates were forced to do this as we all cried ourselves to sleep each night.

My father was working on the mines, so he was able to ensure that we were housed, fed and educated. Why were we put into care? I lost my innocence and cannot see a reason for this to have happened to me and my brother. I question myself about who I am and I am ashamed of what we went through.

It is terrible that this woman feels ashamed of what she went through. She has no reason to feel ashamed. This is something that the state of Western Australia should feel ashamed of. This is something that we, as representatives of the state of Western Australia, should feel ashamed ever occurred in our state. We all have an obligation to provide redress for these people. The second case I cite is —

I never remember being hugged as a child and was never loved. My childhood was one of torture and slavery and I don't understand why.

I have kept my secrets until just the last six months when I heard about the redress scheme, before that I would only ever say minor things here and there. I still feel the pain very deeply of how I was treated so badly and no amount of money can ever change that. I don't think the pain will ever go away.

The note states that this account is from a 62-year-old lady. The third case I cite is —

From the time I was about 8 years old, I remember . . . sexually abusing me. The abuse ranged from exposing himself to me to actually having sex with me.

The abuse continued until I was about 14 years old.

I remember a lot of times just waking up in the middle of the night to see him sitting on my bed. I knew what this meant, and all I could do was pretend I was somewhere else and wait for it to be over. Nobody else knew what he was doing.

These are the types of events that the Redress WA scheme has brought to light. These are the types of events that people have thought about again since they occurred, encouraged by the promises made by the state. These are the people who will be betrayed once again by the state of Western Australia if the government proceeds with its heartless, uncaring and unthinking decision about this scheme.

I know what the government's rationale is. I heard what the Premier said outside the Parliament. I heard what the Premier said in question time. The Premier's rationale is that the costings were wrong. Well, my response to that is that the previous government took this issue very seriously. Modelling was done in the Department for Community Development. The modelling and the accounts were checked very carefully by the Department of Treasury and Finance. Our government acted responsibly on the very best advice available to us. However, modelling is always only a prediction. Clearly, what has happened is that the scheme has revealed that more people have been more severely abused than was calculated at the time the original scheme was designed. The government knows that more people have been more seriously abused. What is the government's response to that? Is it to increase the budget? No. The government's response is to say, "We know that more people have been more seriously abused. However, we are going to cut the maximum payout so that we can stick with the original budget. That is how we are going to deal with it."

Why does the Premier not respond to the circumstances when he knows the level of serious abuse is greater than was assumed, even by those who are expert in the field, and when he knows that he has a more serious social issue on his hands? It is simply wrong to cut the budget. It would not happen with other programs. Other programs are demand driven. Let us take the first home owner grant as an example. The budget for the first home owner grant is not limited. The grant is not cut in half because the government runs out of money in February; it increases the budget so that all those who apply for the first home owner grant receive the promised grant right through to the end of the financial year. The government does not cut a budget when building a major project. For example, if the Minister for Health found the cost of building the Fiona Stanley Hospital had gone up, would he say that the government will end up with only three-quarters of a hospital? He would not. He would approach the Treasurer to extract the additional money, and he would come up with the additional money. The government finds additional money for major projects of importance when they must be completed. It finds money for demand-driven programs. However, it cannot find the money for arguably the most seriously disadvantaged group in the entire history of the state of Western Australia. Those are the sorts of priorities that the government's budgeting reveals.

There are other ways in which to assess this government's priorities. For example, if the National Party promise is to be believed, this government is prepared to expend \$85 million to pay people to move to country towns. The government has already allocated \$10 million in the budget to pay people to move to country towns. What is the relative priority between paying people to move to Dunsborough and paying some of those people who are among the most severely abused and disadvantaged in the entire history of the state? The government simply has it wrong. The Premier must take a view right across government and right across budget. The Premier must acknowledge that he cannot be running BushChange, and spending \$85 million on it if the National Party promise is to be believed, while imposing a new cap on payments to the most seriously abused people under the Redress WA scheme. Let us be very precise about it: the maximum payment is for those people who have been most seriously abused. If the government is cutting that, it is cutting payments to those most seriously disadvantaged. I will quote to the Premier someone whom I think he knows well, because I think she has been a Liberal Party candidate in the past. Michelle Stubbs is the spokesperson for Adults Surviving Child Abuse. She is also on the Premier's government's Ministerial Advisory Council on Child Protection. This is what she says, according to my notes —

This government cannot, now that they are in receipt of the claims, reduce the amount to \$45,000. Claimants have incurred costs based on the original parameters. **Ten thousand West Australians made a choice to either dig up and dissect the most traumatic periods of their lives or to try to let it go.** The wounds have been opened for 10,000 West Australians and the Government should act swiftly and ethically to address these past wrongs.

That sums up the issue very comprehensively. Shame on the Barnett government for making this decision. Shame on the Barnett government for penalising and betraying these people who have been disadvantaged, abused and betrayed once by the state already.

I know what would have happened had the Labor Party been re-elected to government. I know that our Premier at that time, the member for Willagee, would have insisted that the additional money should be found. I know that our minister at the time would have gone to our cabinet and got that money. I, as Treasurer in that government, would have allocated the money. Had I not made that decision, the member for Willagee would have directed me to make that decision. This Premier should make that decision. He should go to his Treasurer and say that this should be done. This is a matter for the honour of the state of Western Australia. He must erase this shame and compensate these people as they were promised.

MR A.J. CARPENTER (Willagee) [3.29 pm]: I want to read from a press release, bearing in mind the commentary made by the Premier in explanation of his government's position and his criticism of the opposition during question time. The press release states —

Applicants may be eligible for an ex-gratia payment of up to \$10,000 for reasonable evidence of abuse or up to \$80,000 for proof of medical or psychological problems stemming from abuse. Applicants with a terminal or life-threatening illness may receive up to \$10,000 as an interim payment.

The emphases in that press release are “up to \$10 000” and “up to \$80 000”, but the interesting aspect of it in the context of what the Premier said during question time is that that press release did not come from the previous Labor government; it came from Hon Robyn McSweeney—Minister for Child Protection, Community Services, Seniors and Volunteering and Women's Interests—in November last year. The minister responsible for overseeing what is now a tragic outcome is the minister who referred to figures of “up to \$10 000” and “up to \$80 000” in a press release—exactly the same figures that the previous government used. The previous government did not mislead anyone in the announcements it made about this initiative when in government. Any criticism of that nature is shown to be completely false because the current government has used exactly the same figures. The current government told people in November last year that they would be eligible for up to \$10 000 or \$80 000 if they could prove the severity of their abuse.

There are certain things that a government does that can set its tone and say a lot about it, and this is one such thing. I think that it is almost inconceivable, after all the work had been done by the previous government and all the applications had been made, and given the reasons for the Redress WA scheme—the experiences of people who fall under the criteria of the redress program—for this government to announce that the maximum amount payable will be slashed in half. I think it is almost inconceivable; in fact, I could hardly believe it when I heard about it. It speaks volumes about the sort of thinking that goes into this government's decision making. The government is dealing with human beings; it is dealing with people. This is not the same as pouring millions and millions of dollars into wheatbelt towns so that some rocks can get another coat of white paint, or so that some playgrounds, halls or sports ovals can be upgraded, or to pay for reticulation systems that are not connected to the water supply. We are talking about vulnerable human beings who have been shockingly abused as children, at a time when they are at their most vulnerable.

This was an open wound in the West Australian psyche and in Western Australia's communal history. These people, now grown adults, have never been given any sense of redress by previous state governments of Western Australia, regardless of whether they were Liberal governments, Labor governments, or combination governments of parties and Independents, such as we have now. This was an injustice that needed to be addressed. It was clear that there was an injustice that needed to be addressed, and in 2005, the previous government made a formal apology to people who had been abused while in state care, or in care under the auspices of the state.

That was not enough, in my view. We needed to provide some sort of financial support, inadequate as it was, so that these people who were abused either as wards of the state, under the protection of the state, or under the auspices of state regulations, could have their hurt recognised and receive some assistance in putting that part of their lives behind them. The previous government worked extremely hard to develop the program and the strategy; we did not pluck the numbers out of the air. We worked extremely hard through government departments, through the non-government agencies that provide support to these people, and through church groups and a range of other organisations, to get the best possible estimate of the number of people affected, the level of abuse that they had suffered and the consequent level of compensation for which the state might be liable if it decided to go ahead with this initiative.

When we announced the program in December 2007, I think it would be fair to say that it gained universal support. I do not think that there was a voice to the contrary anywhere in Western Australia. It was for people who had been orphans, wards of the state or part of the stolen generation, or people who had been institutionalised for one reason or another and abused in that situation, whether they were in direct government care or in care that should have been overseen and regulated by the state of Western Australia.

Ultimately, it was the state that was responsible for the welfare of those children. The responsible department at the time was actually called the Department of Child Welfare. It was supposed to oversee the welfare of these young people, including migrant children, Australian-born children and Indigenous Australian children. Our

estimate was that there may have been up to 10 000 of them, and there were indeed up to 10 000. The level of abuse that these 10 000 children suffered—so it appears, from what the government's position seems to be—was even greater, more damaging and more traumatic than what we had been led to believe.

Today we saw a relatively small group of people who had the courage to come to Parliament House and publicly expose their grief, pain, hurt and anger to this government. Bearing in mind what has happened to a lot of these people as children, it took a lot of courage to publicly call on the government to change its position and restore the original payment levels. It takes a lot of courage to come out publicly like that, when many of them have been abused and raped as children—men and women, boys and girls. There were people there who I have known all my life because they grew up in the same area I grew up in. There were people I met for the first time who congratulated the Labor Party on the initiative that it put in place when in government. There were people there who were devastated by the fact that they had been given the offer of redress, only to have it swiped away or halved right before their eyes by a government that does not seem to understand the basic humanity at work here.

A gentleman I spoke to today wanted me to reveal his story, so that the severity of the abuse that he had suffered could be accorded a public airing. I am prepared to do that, even though it might be difficult for him. This was a boy who was born in 1944 who found himself on the wrong side of the law as a 12-year-old. The government might bear this story in mind when it considers some of the other legislation it proposes to put through Parliament. This boy was 12 when he first ended up in institutions. By the time he was 14 or 15, he was in an Anglican boys' home in Stoneville, under the auspices of the child welfare department. He was brutally raped there. This gentleman was present out the front of Parliament today with his wife. As a 14-year-old boy, he was brutally raped by another inmate at the same institution. He gave a statement on the day that it occurred, and it is graphic in its detail; I do not intend to read it out in detail, but he had a rope tied around his neck by the other ward of the state, and he was brutally raped—he assumed, under threat of death—by that person. Obviously, he was terrified and traumatised to a great extent. He reported the incident immediately to the first adult who was nearby. That person also made a statement. The statements are here. The very same day he was told to go to bed in the dormitory. No protection was provided against the perpetrator, who actually came into the dormitory that very same day after the incident took place. There was no protection, no counselling and no support—nothing. His parents were not informed until much later. There was nothing done to support that young person. Nothing was officially done about it. Attached to the information that was obtained when he sought his records is what reads as a confession from the perpetrator, but nothing was done about it. Nothing was done to help that young person, who grew into a responsible citizen and I think has led a responsible and successful life. However, he has carried a lot of pain not only from that abuse but from a lot of other abuse in institutional care. When Redress WA was announced, he sought access to his records. He got the records and he was shocked to read the account of the rape because he had blocked it out of his mind. So traumatic had it been that he had blocked it out of his mind. But there it was, in the official documents of his time in institutionalised care in Western Australia, a graphic account of how he was raped.

Can anybody tell me that having gone through this process of having lived a life in which he knew he had been abused but he had suppressed the worst of the abuse, that he had then been offered an apology by me as the previous Premier and the chance at getting some form of manifest redress, that it is acceptable that at the last moment that potential redress is slashed in half? What does that say? It says that it is another injustice; that we do not care. Actually, that is what it says, Premier—we do not care enough.

The Premier would not do it to any business program. He would not do it to the Minister for Regional Development, with his splurging of money into regional Western Australia that has blown the budget completely out of the water, but he is prepared to do it to these people who were abused when they were completely and utterly helpless as young children, relying only on the state of Western Australia in the hope that they might be protected. The Premier would not do it to anyone else. It is a disgrace and a scandal that he has allowed himself to make this decision. I am absolutely sure it was not Hon Robyn McSweeney who made this decision; it would have come from the Premier and the Treasurer because it is purely a financial decision.

I have yet to see the figures to substantiate the need for what the Premier has done. I accept what has been said—that the \$90.2 million allocated was not sufficient. In that case, the amount needs to be increased. The precedent cannot be set by which the government offers redress to a shocking injustice to the most vulnerable children in Western Australia and then, a year or so later, after it has embraced the scheme and the payment levels, it slashes that payment in half. That cannot be the precedent. The Premier has made a terrible decision. He has caused grief and pain beyond what he is capable of understanding and he needs to change his mind. I think any reasonable person would understand that the Premier needs to change his mind.

MR C.J. BARNETT (Cottesloe — Premier) [3.43 pm]: There are quite a few things I have to say but I just want to respond firstly to the claims made by both the Leader of the Opposition and the former Premier. This is a tragic situation. I am not going to play on the emotions of people or their personal circumstances, but sometimes we can be a little bit too self-righteous on reflection. I want to remind members opposite, before they go too far down that path, to reflect on what happened during their administration. I refer to an article in *The West*

Australian on 22 February 2008 under the headline “Ellery rules out increasing abuse compo fund”. I will read one paragraph —

Communities Minister Sue Ellery said yesterday that the \$114 million Redress WA fund was the most generous of its kind in Australia and there were no plans to increase the amount of money allocated to the fund ...

Mr A.J. Carpenter: There was no need to at that stage.

Mr C.J. BARNETT: I make the point that the opposition comes in here and is self-righteous. It has played on the obvious emotion and hardship of the people outside. When the former government was confronted with the issue, its minister, Hon Sue Ellery, said there would be no increase in the fund. Hon Robyn McSweeney, probably in the other place, will also detail how, when money was sought, it was declined. The opposition should not be too self-righteous when it comes in here. That does not discount the problem and the distress of people.

As we know, the previous Labor government announced the Redress WA scheme on 17 December 2007. The scheme acknowledged—as this Parliament had previously, both in 1998 and 2005—the abuse and neglect of children in the care of the state. There is no doubt these children were neglected and a large number were abused physically, emotionally and sexually. While these children were in the care of the state, they were also in a range of institutions—some run by the state, some run by churches, some run by missions, some run by homes, orphanages or even individual family foster care.

To this point, only Western Australia, Tasmania and Queensland have established schemes along this line. The maximum payment in Tasmania is high, at \$60 000; in Queensland it is \$33 000. Queensland has a different structure. It is true the previous Labor government allocated \$114 million to Redress WA. Of that amount, \$90.2 million was committed for ex gratia payments. That is being honoured. This state will keep to that \$90.2 million. As I indicated and said outside to the people at the rally, as claims are assessed individually, in a respectful way, I suspect that even with the lower cap, the \$90.2 million will not be enough. I expect that will be exceeded. I gave a commitment that we will pay what is required—we will. I have also made the observation that many people have said that in a sense money is not the issue for them—not all, but some have—and that they require some assistance. They would like some assistance with counselling to try to come to grips with what happened to them as children. In those cases, we will provide counselling if that is what people want.

As members are aware, we lowered the maximum payment from \$80 000 down to \$45 000 but we have maintained full funding for the scheme. We have given a commitment to increase funding if it is required to meet the claims. In all probability, that will be required. There is no cut in funding. Assertions that we have somehow cut the scheme in half are grossly misleading. The vast majority of people under any scenario would not have got amounts above \$45 000, let alone \$80 000. To suggest that the cap coming down from \$80 000 to \$45 000 has cut the scheme in half is a false assertion. That is not the way it will work. One of the tragedies of this scheme was perhaps not intended—I am not suggesting it was—but there was certainly an expectation amongst many people who had suffered terrible abuse that they would receive \$80 000 or thereabouts. That was not the reality at any stage. Although I accept this government will be criticised for lowering the cap, we have been honest and up-front. We have simply told people how it is.

As I said, Hon Robyn McSweeney received advice that the previous minister, Hon Sue Ellery, not only stated in the article just referred to that there would be no further funding for the scheme under Labor, but also she received advice as a minister that something like \$200 million would be needed to fund the scheme as it was outlined. The opposition should not be so pure after the event. It had a former minister who refused to increase the fund, said Labor would not do it, and also received advice that the total cost of the scheme could be in excess of \$200 million.

There were 54 321 children in the care of the state from 1947 to 2006. Of those, it was expected there may be some 10 000 applications and that forecast proved to be broadly accurate. The sort of analysis that was done suggested that perhaps 8 000 people would ultimately qualify for a grant. If that turned out to be, say, around \$16 000, which might be a typical figure, that alone would run to \$128 million. That is the sort of dimension that we are talking about. So far, 9 708 claims have been received. It is hard to know at this stage, but probably 6 000 or so will be deemed to warrant payment. We just had to make a decision. We had to make a decision about the \$90.2 million allocated and honour the commitment of the previous government. We acknowledge that further funds will no doubt be required. We simply made the decision that we wanted to ensure that all people would share in those payments on a fair and equitable basis. We did not want the scheme to run out of money; we wanted to deal with the fact that there is a higher number of claims and, I accept the point, perhaps a higher number of claims for serious abuse—perhaps more serious than originally anticipated.

I cannot tell the house at this stage how much extra money will be required to simply meet the claims as they are being processed. But I have said, as I said to people outside after the rally, that many people held a false

expectation that they would receive something like \$80 000. That was never the case. I can understand why people feel let down by that, but it is not this government that is cutting the scheme in half; we are simply ensuring that all people who have a legitimate case do receive some compensation. As I think all of us would agree, no amount of money can compensate a child now an adult, now often an elderly person, for the sort of abuse that the member for Willagee just outlined. I have read some of the cases and files too, and they make horrific reading. There is no doubt that the abuse in Western Australia was probably more serious than that in similar situations in other states. Of those who have applied for an ex gratia payment, around half are Aboriginal people. Some may be the part of the stolen generation, but that is not necessarily the case. Thirteen per cent are child migrants who went to institutions such as Bindoon and Fairbridge Farm. The majority of those who have applied are now aged somewhere between 40 and 70 years. Obviously, some are older; some are into their nineties, and some of those people have passed away, unfortunately. Sadly, others are extremely ill and are not expected to have a long life expectancy. In recognition of that, some 112 interim payments have already been made to terminally ill applicants, and the government will continue to try to ensure that those who are in that situation do get at least some payment before they are deceased.

With respect to the child migrants, over that period 1922 to 1967, I guess following both wars, a total of 150 000 child migrants were sent from Britain to Canada, Rhodesia, New Zealand and Australia, and, of course, many of those came to Western Australia. Some were orphans; some were born to single mothers; some were abandoned because of family dislocation, divorce or domestic violence; and some were the result of war service whereby the mother was left as a single parent and could not cope. Those were desperate, desperate circumstances, obviously, in post-Second World War Britain. I think it should be recorded that the British government sent these children under British legislation, principally the Children Act 1948, which gave the British government authority to act in association with the dominion or commonwealth governments and various private organisations. It is interesting that at that time the Australian government actually was the children's legal guardian. The agreement was between Australia at a national level and the United Kingdom. However, the Australian government transferred responsibility to state governments and their various agencies. These children were firstly the Australian government's responsibility and then became the state government's responsibility, and although many were in state care in state organisations, a great many others were in church and mission, foster care and other arrangements, and yet, quite properly, the state accepts a share of the responsibility. It is also an acknowledgement of what happened to these people, and of the sense of regret and sorrow for their experiences. This view has been acknowledged by two motions passed unanimously in this house—one in 1998 and the other in 2005. I do not say this in any way to dodge the issue, but it is intergenerational. It is this generation acknowledging the harm that happened in that period and making some payment in recognition of that. It is not compensation and no-one in this chamber should regard it as compensation; it is simply an acknowledgement of what happened. It is a sad legacy —

Mr E.S. Ripper: Many of these people were our generational peers.

Mr C.J. BARNETT: I know and I went to school with some of them; I did. I went to high school with some of the kids from the Salvation Army. I do not have great experience of the details, but we played footy together; we knew them.

It is a shameful period in our history. It is shameful that these kids were rounded up, I guess, and sent away from Britain. However, it is hard to judge Britain in the post-war era from the safety of 2009. It was a country devastated: hundreds of thousands had lost their lives in the war; cities had been devastated; and many families, single mothers and widows were just unable to care—maybe incapable of caring—for children. The children were sent for a better life to places like Canada and Australia, including Western Australia. Some of them, maybe 10 000 in this state, were betrayed. When they came for a better life they were abused—physically, sexually and mentally. It took place. All this generation can do is acknowledge that and express sorrow, which has been done quite properly, and this redress scheme does have support. The scheme received bipartisan support that this generation would recognise what happened in that period and that we would at least make some gesture of recognition, of sorrow and of regret.

The current government has to deal with the situation whereby there have been more applicants than anticipated and more hardship cases. However, the analysis indicated that very few would have received anywhere near \$80 000. Sadly, in talking to people at the rally after it had concluded, it was apparent that many of them probably had that expectation and now feel let down. I can understand that and I feel sorry for them, because there was an expectation that this \$80 000 was not a cap and that it might somehow be the norm. Every story would be horrific to the person concerned. I do not envy the people trying to assess these claims, reports and accounts—how do we compare one person's experience with another? One might be deemed to be more horrific, but the mental damage done to another for a lesser incident could be just as severe. How do we make those sorts of judgements? I do not know. Therefore, we are not compensating; we are not solving the problem; we are simply making a gesture. Hopefully, by putting the cap in place, we can ensure that all the applicants who are deserving of some payment in recognition of the suffering they endured as children can be paid that and it will

be as fair, equitable and as quick as possible. If it is necessary to add to the \$90.2 million, this government will do it. We will judge people on the same criteria and we will pay them. I do not know what the final figure will be, I cannot even guess at that, but it will be above \$90.2 million and we will have to find the money to do it. To simply have said that we would not adjust that I think would have been a failing on our part. We could have said nothing. This is the essence of it: we could have said nothing and just let the scheme go through. I would not accept that; neither would the minister. We could have notionally ensured that a few people received payments around \$80 000, but I was not going to do that. I do not think anybody would expect us to sort of, if we like, fiddle the scheme. We did what we thought was necessary, up-front and honest and put in a cap and treated everyone within that. The vast majority of people will get—the vast majority—what they would have received in any case. We did not enjoy making this decision, and it has caused a great deal of stress to the minister responsible. It was a very hard decision to make but in the end it is, I believe, fair and equitable. I will conclude on this one point —

Ms A.J.G. MacTiernan: Take responsibility for it; do not blame us for it. I mean —

Mr C.J. BARNETT: We have and at the rally we did. It was a decision that we made. It was a decision that we did not want to make but we made that decision and we believe it will give a fair, equitable and more expeditious outcome for most people—for almost all people—particularly for those who are elderly and in poor health.

That is the situation. There is no solution to the harm done to those children, to the anguish they have suffered and to the loss of quality of life that they suffered as children and throughout their lives. However, we will get on and we will deal with this as fairly and as ably as we can. I think the scheme is to the credit of this Parliament, and I acknowledge the work of the previous Premier, because the redress scheme was set up in the time of the previous government. To the credit of this Parliament and the present government, these payments will be made. It is an indictment that, to this point, only Western Australia, Queensland and Tasmania have addressed this issue in a serious manner.

DR K.D. HAMES (Dawesville — Deputy Premier) [4.01 pm]: It saddens me to have to talk about what this government has found the need to do in managing this issue. As a general practitioner, I have had some contact with patients who have been affected by this issue in the past. As a member of Parliament, I have come across others, and I have read a lot of the stories of the people who were so tragically affected. In August 1998, the current Premier suspended standing orders to allow debate on a motion moved by Hon Geoff Gallop to offer an apology from this Parliament to the people who had been affected. A large amount of the debate on that motion was about those who had come out as so-called orphans from England to Australia and had been mistreated and abused. Beyond that, a large number of Aboriginal people, mostly as a result of stolen generation policies, were sexually and physically abused in exactly the same way as the child migrants from England. A large number of people in this state and across Australia were badly affected in this way.

We fully supported the motion of the previous government for the redress scheme. I do not know where the previous government got the amount of \$81 000, or why it chose that specific amount, but we supported the choice of that amount as being reflective of the need for proper compensation. Many people have said that no amount of money could possibly compensate for the terrible things that occurred, but it is nevertheless seen as a redress amount, particularly for Aboriginal people, for whom it is a large amount of money, given their circumstances. It is very disappointing for me in government to have to defend an error made by the previous government in this scheme.

The opposition says the government has slashed the amount, and that the numbers were anticipated, but that is just not true. I have seen the documentation that went before the former minister, estimating roughly the number of applicants we have now. Based on that figure of \$81 000, there was a need for a significantly increased amount of money. I have only recently seen those figures, but the previous government knew that it was seriously underfunding this issue, based on the expectations that it created in those people.

The government has two options. The first is to live up to the promise of the funds that the Parliament has decided should be the amount allocated. This amount was supported by the former minister in the previous government, who refused to increase it. The previous government, presumably in consultation with the then Treasurer, now the Leader of the Opposition, refused to increase that amount of money. Now, from the safety of opposition it is being holier than thou and saying that the government should fix this. Secondly, we could fix it by significantly increasing the amount of money allocated, but it is a substantial amount of money. As was said earlier by the Premier, the previous government gave the impression that people would get this \$81 000. It was called a cap. I am sure members opposite talked to the people in front of Parliament House today, particularly the Aboriginal people, and listened to them say that their expectation was that they would get \$81 000.

Mr R.H. Cook interjected.

Dr K.D. HAMES: Did the Deputy Leader of the Opposition talk to the people out there? Did they give the impression that they thought they would get \$81 000?

Mr R.H. Cook: They had the impression that you walked away from them.

Dr K.D. HAMES: The Deputy Leader of the Opposition is dodging my question. Did they think they would get \$81 000?

Mr R.H. Cook: They feel pain magnified by your heartlessness.

Dr K.D. HAMES: Again, the member is refusing to answer the question, because the answer does not suit his argument that we are heartless and are not listening. The previous government created the scheme with our support. It did the calculations, and messed it up. The opposition messed it up when in government. The previous government knew how many people there were and how much they were due to get, yet it failed to deliver to those people. It gave them a totally false expectation of what funds they could expect from the money that was provided. It refused to increase that amount and now, from the safety of opposition, calls on the present government to do so at a time of extreme economic difficulty, when the opposition knows that it is a huge increase. Members opposite should be ashamed of themselves. I do not believe that many present members opposite would have known that the minister and the Treasurer in the previous government did not properly address this matter. They would not have seen the submission that was produced or the figures that quite clearly showed that \$200 million was required.

Several members interjected.

The ACTING SPEAKER (Mrs L.M. Harvey): Order! The Deputy Premier has the call.

Dr K.D. HAMES: The figures quite clearly show that \$200 million would be needed to pay people the amount that the previous government had led them to believe they would get, and then it did not provide money. The present opposition bears a significant proportion of the blame in this matter, and it should stand up and wear it.

MS L.L. BAKER (Maylands) [4.07 pm]: I refer back to the comments made by the Premier. We are not playing on emotions in this discussion. This is not about self-righteousness. When this scheme was first released, it was done as a result of financial modelling. There was no need to increase funds when the scheme was first introduced. No-one would do that. The Premier was referring to a comment the then minister made when this fund was first introduced. No-one increases a fund when it is first introduced. However, as the Premier pointed out, money is not the issue here. It is, rather, the government's complete disregard of the value of the suffering that these people have been through. That is what is coming through—the government's complete heartlessness and lack of compassion.

Mr C.J. Barnett interjected.

Ms L.L. BAKER: I would like to be able to reach into the Premier's heart and try to extract an ounce of compassion from it. He is absolutely attacking the most vulnerable people in our state. He can provide no defence that would justify halving the value of the suffering of the people he went out and spoke to today. In good faith, people have come forward to apply for redress. They have placed their trust in the government, and they have suffered another cruel blow from the Premier, who seems yet again to care more about profits than people. The government has an obligation to these people, and if it does not meet that obligation, it is just adding to their abuse and suffering.

Mr C.J. Barnett interjected.

Ms L.L. BAKER: The Premier has the job of responding to these people, not I. He is the one who is not up to the job.

MR P. ABETZ (Southern River) [4.10 pm]: I do not know other members of this house very well because I have been a member only since the last election, but I suspect that I am probably the person in this house who has worked most closely with people who have gone through the very long, dark valley of dealing with sexual abuse in childhood. I have walked beside people who were child migrants and who had been in orphanages. I certainly am one who understands the trauma and the pain that these people have gone through.

One of the things that I particularly want to mention is that of the many people with whom I have had long-term counselling relationships in the area of sexual and physical abuse, I know of only one who wanted money. These people said that money is not the issue. I was able to go with a person to confront that person's abuser and work that through. These people are looking for acknowledgement from someone in authority that it was not their fault. They want someone in authority to say, "What happened to you was terrible." Whether that is with a payment of \$1 000 or \$2 000 or whether it is with a public statement of some sort, it would be a tremendously healing thing.

I certainly know of a number of child migrants who have shared with me the horrific abuse that they experienced and who will not be applying for money because they say that it is not about money; it is simply about recognition that what happened to them was terrible and that it was not their fault. They carry a sense of shame, which often translates into dysfunctional behaviour that damages themselves as well as those around them.

Rather than making huge cash payments, if any money is left in that fund at the end, I would love to see that money set aside in a trust fund for ongoing free counselling for people to help them work through the issues. Even though the maximum funding has been reduced from \$80 000 to \$45 000, I do not believe that in any way that will affect the value of a public recognition by this Parliament that what happened was horrendous and should never have happened.

MS A.S. CARLES (Fremantle) [4.12 pm]: The Greens (WA) support the opposition in calling for this government to support the original Redress WA scheme. The \$80 000 promised payment was not compensation—we have heard that in the chamber today; we are told that it was an acknowledgement. There is no escaping the reality that the acknowledgement of this tragedy has now been halved for the victims.

We have found out that there are more traumatised victims, and so our solution, as a society, is to halve the acknowledgement to them. This decision shows a blatant disrespect for the victims—children who were the most vulnerable in our society. This abuse affects these people for their whole lives. It does not go away. It leaves them damaged, with low self-esteem, and in some cases affects their income-earning capacity. Therefore, in some ways it is about the money. I am getting a bit tired of sitting here hearing that it is not about the money. In many cases, for the most disadvantaged people in our society with no funds, it is about the money. They got their hopes up through promises that under this Redress WA scheme they could come forward, put their cases and get on with their lives. Now half the money for them has disappeared. This is disgraceful, it is heartless, and it is absolutely mean-spirited. I agree with the Leader of the Opposition. He used the same words that I chose.

An amount of \$45 000 is nothing when we consider recent high-profile settlements that have occurred when people in our society have been damaged and have been through the court system. Their compensation runs into millions. One has only to look at the Mallard case to see this. The government's decision is short-sighted, and it will be a false economy in the long run. Lawyers for redress victims have advised the Greens today that claimants will now have to look at criminal injuries compensation and the uncertainty of common law, so our already-overstretched court system will be placed under more pressure as these cases start clogging up our system. Victims will be forced to relive their trauma to prove their case. We are looking down the barrel of a big black hole in the budget here—a black hole that will come to fruition in years to come.

The previous government started something with the Redress WA scheme. I urge the government to finish it for the victims so that they have some respect in this matter. If it is a priority for us as a society, we will find the money, just as we are finding the money for the Royal Perth Hospital that we cannot afford. It is about our priority as a society. I call on the government to bring this scheme into effect in the way that was initially intended.

MS A.J.G. MacTIERNAN (Armadale) [4.15 pm]: I was very much going to make the point that the member for Fremantle made; that is, to say that it is not about the money is ingenuous. We use financial compensation as a fundamental mechanism for recognising injustices and injuries that have occurred to people. That is the mechanism that we use in a wide variety of areas. Whether it is people who have suffered injury by way of defamation or whether it is people who have suffered a physical injury, we provide compensation, and we make financial payment as part of that compensation mechanism. This is particularly the case here, when an undertaking for compensation was made, and not just by this side of the house. That undertaking was reaffirmed by the current government some months after it came to government. It is not that it was a statement made by the minister at a time when she was in opposition; it was a reaffirmation of the commitment to the quantum of money for individual payments to a maximum of \$80 000 that was made in November 2008, after the government had been in office for three months.

Some of these people already feel that they have been dealt with badly by the state—these are people who were wards of the state and whom the state failed at the most vulnerable time of their lives—and for the state to come in now and almost halve that payment is indeed a great insult and is indeed a great injury. What we are doing with this decision is adding to that distress and adding to the very strong belief held by these victims that their pain is not being properly understood. It is not simply about the money, but the money is important.

MR A.J. SIMPSON (Darling Range — Parliamentary Secretary) [4.17 pm]: I cannot imagine what a lot of the people who were at the rally outside Parliament House today went through and were feeling. I could never imagine the process that they went through. Queensland and Tasmania are the only states that offer this sort of compensation. I think it is pretty important for us as a government and as a Parliament to acknowledge in this house today that people who were under state care in former years have the possibility of getting recognition or acknowledgement of the pain they suffered. To that end, I will move an amendment to the motion.

Amendment to Motion

Mr A.J. SIMPSON: I move —

To delete all words after “house” and substitute the following —

supports the fair and equitable distribution of the funds allocated for the original Redress WA scheme to all eligible applicants.

I also say that this redress system that was set up has gone a long way towards addressing the situation. Just last week I was in Port Hedland and met with a lady from the Well Women group there. She spoke about the process that those people had gone through. I guess that is probably part of the process that the member for Southern River raised; that is, when people go through the process of putting in an application, they have to relive all the emotions that they went through previously. I think the member for Willagee raised a classic case that pulled at someone's heart and soul. When these people put in an application, they have to relive their past. I believe that is also another area that has to be looked at. I think the member for Southern River touched on the fact that this opened up old wounds and took them back to that time and the pain they felt, and they have to relive it all over again. I think that is the most important part of healing. I am a big supporter of beyondblue, which deals with men's depression and promotes as part of the healing process people opening up and speaking about their problem. I agree with the member for Southern River that money is not the answer. It is very important for people to undergo a healing process. Most people would agree that money is not the answer to everything.

Mr P.B. Watson: Not when they're on the bones of their backside.

Mr A.J. SIMPSON: I understand what the member for Albany is saying, but the healing process must be considered in this instance.

Several members interjected.

Mr A.J. SIMPSON: The current process was implemented by the former government. Six thousand people have applied for assistance and that illustrates the gap that has been created and how many people have been affected. A whole-of-government approach must be taken on this issue. The government will assist those people who have been affected and the door is open for individual claims. Putting a price on anything will be hard in the current economic climate.

Amendment (deletion of words) put and a division taken with the following result —

Ayes (31)

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

Noes (26)

Ms L.L. Baker	Mr J.C. Kobelke	Mr J.R. Quigley	Mr A.J. Waddell
Ms A.S. Carles	Mr F.M. Logan	Ms M.M. Quirk	Mr P.B. Watson
Mr A.J. Carpenter	Ms A.J.G. MacTiernan	Mr E.S. Ripper	Mr M.P. Whitely
Mr R.H. Cook	Mr M. McGowan	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms J.M. Freeman	Mrs C.A. Martin	Ms R. Saffioti	Mr D.A. Templeman (<i>Teller</i>)
Mr J.N. Hyde	Mr A.P. O'Gorman	Mr T.G. Stephens	
Mr W.J. Johnston	Mr P. Papalia	Mr C.J. Tallentire	

Amendment thus passed.

Amendment (insertion of words) put and passed.

Motion, as Amended

Question put and passed.

BILLS

Assent

Message from the Governor received and read notifying assent to the following bills —

1. Parliamentary Commissioner Amendment Bill 2009.
2. Transfer of Incorporation (HBF and HIF) Bill 2009.
3. Appropriation (Consolidated Account) Recurrent 2009-10 Bill 2009.
4. Appropriation (Consolidated Account) Capital 2009-10 Bill 2009.
5. Loan Bill 2009.

Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following bills —

6. Road Traffic Amendment (Hoons) Bill 2009.
7. Waste Avoidance and Resource Recovery Amendment Bill 2009.

Returned

8. Transfer of Incorporation (HBF and HIF) Bill 2009.
9. Appropriation (Consolidated Account) Recurrent 2009-10 Bill 2009.
10. Appropriation (Consolidated Account) Capital 2009-10 Bill 2009.
11. Loan Bill 2009.

Bills returned from the Council without amendment.

12. National Gas Access (WA) Bill 2008.

Bill returned from the Council with amendments.

ROAD TRAFFIC AMENDMENT (HOONS) BILL 2009*Second Reading*

Resumed from 17 June.

MS M.M. QUIRK (Girrawheen) [4.30 pm]: There is little doubt in the minds of members of the opposition that the so-called hoon laws are a very effective deterrent to persons who are minded to go onto Western Australian roads and break the speed laws, thereby putting at risk not only their own lives but also the lives of other road users. Equally, there is also no doubt that the safety, quiet enjoyment and amenity of many people in our communities, suburbs and towns is being disrupted and trespassed upon by hoon drivers. Those community members demand robust laws that will combat this unacceptable, antisocial and seemingly ubiquitous conduct. What is, however, less clear is whether the existing laws, including those that came into force on 1 July, already pose a sufficient deterrent. How can we be sure that further laws need to be introduced? Having said this, no doubt the opposition will have to wear the claim that we are soft on hoons. Far from it. We in fact first introduced the hoon laws in Western Australia. As I will explain later, we are far from soft on hoons.

The fact of the matter is that death and serious injury on our roads has a disproportionate impact on young men in the 17 to 25 age bracket. These young men tend to make up the profile of hoons on our roads. However, it is clear from recent events that it is not exclusively young men who make up the profile of hoons. In saying that, I am thinking of the freelance journalist who was picked up by the police recently for driving a Ferrari at speed near Gingin, and also of Mrs Wyllie, the A-lister who was also caught driving at a speed that would categorise her as a hoon.

The statistics that the minister's office has been able to provide me with indicate that since the hoon laws have been introduced in this state, although a large number of people have been convicted of a first offence, only a small number of people have been convicted of a second and subsequent offence. The only figures that I have been able to get are for the number of vehicles impounded, but I think they will also reflect the number of convictions. In 2004 there were 150 impoundments, but there was only one second or subsequent offence. In 2005 there were 388 impoundments, and there were only four second and subsequent offences. In 2006 there were 337 impoundments, and there were 16 second and subsequent offences. In 2007 there were 927 impoundments, and there were 19 second and subsequent offences. In 2008 there were 1 634 impoundments, and there were 157 second and subsequent offences. To date in 2009 there have been 1 422 impoundments, and there have been 107 second and subsequent offences. It can be seen from those figures that there is quite a disparity between the number of first offences and the number of second and subsequent offences.

The conclusion that I would draw from those figures is that the existing laws are a good deterrent for repeat offenders. To support this proposition, I will refer to the situation in Queensland. The Queensland hoon laws were introduced in 2002. The Queensland Minister for Transport indicated in a press release about a month ago that although the Queensland police have impounded more than 12 000 vehicles, Queensland has an extremely low rate of recidivism, with only about four per cent of people reoffending.

Therefore, the first point that I need to make, reasonably forcefully, is that the laws that the minister is seeking to introduce today are not only harsh and far reaching, but also may have a disproportionate impact on the very small band of second and subsequent offenders whom this legislation is purporting to target.

I want to refer now to the Liberal Party election policy titled "Liberal Plan for Hoons and Young Drivers". In that document, the Liberal party makes the following commitment —

A Liberal Government will implement a comprehensive package that strikes the right balance between community values, enforcement and education.

This package includes:

- Improved 'anti-hoon' measures;
- New measures to deal with P plate speeding;
- Harsher 'anti-hoon' penalties targeting repeat and serious offenders; and
- Investigation of Power to Weight restrictions.

The policy goes on to say —

Hoon behaviour has exploded in the past several years of Labor government.

In order to help reduce hooning in residential areas, a Liberal Government will provide funding to install mobile speed humps and mobile CCTV cameras . . .

The policy says also —

We believe that fighting crime at a grass-roots level is the best method of dealing with the growing problem of hoons.

The initiatives would be funded from the Liberal's Western Australian Community Crime Prevention Fund which is designed to give local communities access to funds to improve safety in their community.

The policy further provides —

A Liberal Government will introduce harsher penalties that target repeat and serious offenders who place themselves and their community at risk.

This will ensure that the penalties associated with hoon behaviour reflect the seriousness with which the community views the offence.

A Liberal Government will legislate to hit hoons with:

- One week impoundment of a vehicle for a first offence;
- Three months impoundment for a second offence; and
- Vehicle confiscation after a third offence. . . .

The problem with this policy is that it is based on the false premise that people do not get it the first time around. Clearly the figures I have cited from both WA and Queensland suggest that repeat offenders are a particularly small group of individuals. In terms of meeting the government's election commitments on this policy, I note that the minister has announced that one mobile speed hump has been placed in the suburb of Kingsley. I hope this unit will be mobile and not just stay in Kingsley, and that other mobile speed humps are also being rolled out. I hope also that the widespread rollout of CCTVs for the purpose of catching hoons is in place, and that the minister will be able to tell us in his reply where the funding for that will come from.

There is no doubt that this bill does purport to enshrine the election commitments made by the Liberal Party. However, we would argue that this legislation, in its attempt to impact more harshly on a small number of repeat offenders, will significantly change the balance and focus of our existing laws. We would argue also that these laws will be expensive to enforce and administer, they are not proportional, and they are not evidence based. By evidence based, I mean that there needs to be a real nexus between the penalties in this bill and the road safety outcomes. The Liberal Party policy does not cite any such evidence. Also, my inquiries have failed to disclose that the existing penalties are not adequate, that they are not acting as an effective deterrent, and that they are not leading to fewer instances of hooning and loutish behaviour on our roads.

Part of the rationale behind the existing penalties is that the impounding periods are of sufficient length to act as a real deterrent, they will get offending drivers off the roads immediately, and they will give them time to reflect upon and re-assess their conduct; however, the impounding periods are not so long as to encourage protracted battles in the courts and vexatious challenges to police conduct, and, most importantly, they conform to the doctrine of proportionality. The doctrine of proportionality seeks to limit arbitrary and capricious punishment to ensure that offenders are punished justly. Proportionality goes some way towards achieving this balanced approach by requiring a court to consider various and often competing interests when formulating a sentence commensurate with the seriousness of the offence and the culpability of the offender.

I will address some of the specific clauses with which the opposition takes issue, and which I believe fall short of the basic concept of proportionality. It is the opposition's intention to introduce some amendments—not, as the minister might say, to go soft on hoons, but to get the balance right.

Mr R.F. Johnson interjected.

Ms M.M. QUIRK: I thank the minister.

Mr R.F. Johnson interjected.

Ms M.M. QUIRK: I look forward to seeing them, and I can assure the minister that if they are not what we expected, I will also draft some amendments.

Since the new traffic laws came into force on 1 July 2009, and despite the long lead time, there seems to have been a lack of preparedness for the volume of vehicles that have been caught in the net, and there have been attendant problems with processing the many seizures. There have also been problems with storage and associated administrative tasks; the minister admitted as much today during question time.

An article that appeared in *The West Australian* on 7 August revealed that fewer than half of the people whose cars had been impounded had bothered to retrieve them, and it was predicted that the ongoing storage of impounded cars would cost approximately \$100 000 a week. Similarly, during the estimates hearings in May, the minister predicted that 15 000 cars would be seized per annum. I think that figure relates to the legislation that came into force on 1 July. The minister might be able to tell me by way of interjection the predicted number of impoundments under this bill.

Mr R.F. Johnson interjected.

Ms M.M. QUIRK: I thank the minister very much.

During the estimates hearings, the minister conceded that no business case had been prepared on the cost implications for this legislative regime, and that he was not able to indicate how the \$8 million a year saving to the police had been calculated. The opposition wanted to know whether the revenue would come from the sale of confiscated vehicles, or whether the government was forgoing the costs ordinarily incurred by the police. If it was the latter, I think the somewhat rubbery figures have been offset by what will be needed in an escalated enforcement effort, if the minister's account is to be believed.

On 26 May, during the estimates hearings, the minister had a reasonably robust discussion with the member for Midland. She, in fact, introduced the first hoon legislation; I should give her credit for that. In reply to a question from the member for Midland, the minister stated —

Mr R.F. JOHNSON: As the member is aware, under the hoon legislation the amendments come into effect on 1 July.

Mrs M.H. ROBERTS: I do not want general dialogue. I want to know whether a business case has been prepared. Has there or has there not been a business case done for each of those?

Mr R.F. JOHNSON: A business case in relation to hoon legislation has not been done yet. WA Police is working on that now and working through what will happen with the towing and storage of the vehicles and the cost implications. We are looking at something I favour: so that there will be no cost to the police in future, that will be contracted out.

Mrs M.H. ROBERTS: Does that rely on legislative changes?

Mr R.F. JOHNSON: I believe there will be some legislative changes for towing contracts and people who are involved in the towing industry. I want to try to ensure that we keep organised crime gangs out of the towing industry. As the member knows, the police have a contract with the company that, if we like, oversees the towing of vehicles. The police officers phone a number and the person who runs the company phones a tow truck operator.

Later during the same hearing, the minister stated —

I have already said that a business plan has not been put in place yet. The police will be working on that. As soon as they have finished, we will highlight it to members opposite in the Parliament. The member asked whether there would be a need for legislation for this to be put in place. There will be a need for legislation, and it is being worked on at the moment. The first drafting is being put in place at the moment and that will come to the Parliament. Regulations will probably need to be attached to that legislation. That legislation is in relation to the hoon legislation, but it will be separate legislation.

The member asked me a question and I am trying to give her an honest answer. The hoon legislation and the activities of the hoons will reflect on costs and cost savings within the police department. The member would be aware that as from July this year there would be a minimum of 15 000 vehicles a year being towed from the roadside. The reason for that is the legislation that the member's government put in place.

I cannot speak for other members, but I am certainly none the wiser about the financial arrangements after hearing that explanation. I am very pleased to hear that the minister will, once and for all, enlighten us, after the

many questions we have put to him on this issue. Are these costs forgone or, conversely, are these laws going to be an “earner” for police, to use the minister’s parlance? If that is the case, of course the opposition will ask the perennial question that oppositions always ask: “Is this about revenue raising, or is it about making an appreciable difference to the improvement of safety on our roads by deterring repeat offenders?”

I refer to the budget papers; I will not labour this point too much. One of the savings listed under the three per cent efficiency dividend was a saving associated with the hoon legislation. It was predicted that a total of \$32 million would be saved over four years, including \$8 million for this year. It is still pretty unclear as to how that figure was arrived at. As we have already heard, there was no business case and it is by no means certain what the financial relationship is.

It will be attempted under the legislation to try to shift costs to the contractor; implicit in these back-of-the-envelope calculations is the assumption that the cars will be of sufficient value, will not be subject to finance and that recovery efforts will be cost effective. I hope that the minister will, in his response, address some of these issues. We heard again during question time today that many of the cars are lemons and are possibly unlikely to recoup much in the way of funds. The minister’s catchcry in the coming months might be, “When fate hands you a lemon, make lemonade”!

Given the huge impost of storage and towing, and the volume of vehicles that will potentially be caught under this legislation and the existing laws, I wonder whether consideration was given—as it has been in other jurisdictions—to clamping or immobilisation? They would seem to be other options that could readily be explored.

I want to talk a little about the contract. As I understand it, the proposed amendment contained in this bill will increase the scope of the tasks that the contractor can undertake on behalf of the Commissioner of Police, which includes the disposal of uncollected vehicles. The current towing and storage contract is with AAAC Towing, and it has been extended for 12 months, as is permitted under the terms of the existing contract. Had the current contract not been extended, it would have expired on 18 August 2009. If this bill is passed and comes into effect, an addendum to the contract will be issued and AAAC will undertake the disposal of uncollected vehicles until the expiry of its contract in August 2010. At that time a new contract will be necessary. It is envisaged that WA Police will then have to put out tenders for a new towage and storage contract in February next year. The successful contractor will commence operations in August 2010.

I will digress for a minute. Ordinarily I am not a conspiracy theorist but I am concerned about some of the government’s activities in regulating the towing industry. The Minister for Police and the Minister for Transport have set up something called the roadside towing removal advisory committee. As I understand it, this committee is charged with the role of commenting on new tow truck regulations to replace the existing and outmoded towing regulations. The opposition has no problem with that; however, the expressed intention is that that committee will also address the exorbitant prices charged by tow truck drivers. This all sounds relatively non-contentious if it is about protecting the Western Australian public from being exploited or being exposed to unscrupulous operators. Despite this, when the Minister for Transport was asked a question about this committee in the upper house recently, he refused to provide any details. I have, however, received complaints that this committee is far from representative. It is made up principally of representatives of insurers with little representation from the industry itself. The meetings are even held at the offices of the Motor Trade Association and are chaired by an MTA representative. Members need to appreciate that it is in the insurance industry’s interests to reduce its overheads and to screw down prices.

On receiving complaints from the industry association about the lack of meaningful representation, the minister’s office provided a written response outlining that it had decided not to seek input from any other parties. Members should be mindful that these discussions are taking place in an environment where in excess of 15 000 tows a year are being commissioned by police through tenders to a private contractor. There is an opportunity to influence the whole market conditions for drivers. In the context of the tender next year, we need to scrutinise the process extremely closely because the current negotiations on changing the regulations seem to be clouded in some level of secrecy.

The Road Traffic Amendment (Hoons) Bill also makes provision for profits from the sale of vehicles to go into the road trauma trust fund, which we commend. At present, one-third of the proceeds of speed and red-light camera fines go into this fund. The previous government undertook to top this up to \$15 million a year. As I understand it, the present government is not topping this fund up in the same way; the shortfall is going back into consolidated revenue. Whilst the payment of the net proceeds of car sales under this bill goes into the road trauma trust fund, which is clearly welcomed, it disguises the fact that more revenue from red-light and speed camera fines is not being diverted to road safety. We need to be mindful that this revenue is likely to increase substantially when there is a doubling of speed camera capacity when new cameras are introduced in 12 to 18 months.

There has been much publicity by the minister about the possibility of crushing vehicles. I ask the minister: is there a firm policy when to crush and when not to crush impounded vehicles? How will that be arranged? Will it just be when the minister needs a photo opportunity, or will there be some published policy on when it is deemed appropriate to crush vehicles?

The opposition will seek amendments to this bill because there are a number of provisions that we are concerned about. Some of these provisions are in fact in the existing legislation, but, now that the impoundment period has extended substantially, we believe that the balance has changed. The level of potential injustice to someone—that is, the loss of financial opportunity by not having a car and a number of other factors—means that some additional checks and balances need to be put in place.

The first amendment sought will be to clause 7, which amends section 78A of the Road Traffic Act. This clause actually removes the so-called “circumstances of aggravation”. The rationale for doing that was expressed by the Minister for Police in his second reading speech —

One of the offences that trigger police impoundment of a motor vehicle is reckless driving whereby the offence is committed in “circumstances of aggravation”—that is, racing, excessive noise or burnouts. These circumstances have to be proven in court in order to trigger the impoundment or confiscation of a vehicle. These circumstances of aggravation create significant logistical problems in respect of the confiscation of vehicles as it is extremely difficult to establish whether these circumstances were proven in court because they are not elements of the actual offence of reckless driving. In addition, behaviour such as being involved in a pursuit with police or doing wheelies on a motorcycle does not fall within the current definition of circumstances of aggravation and therefore would not trigger the impoundment or confiscation of a vehicle.

The bill removes the circumstances of aggravation in respect of reckless driving offences. The effect of this will be that all reckless driving offences will now trigger the impoundment or confiscation of a vehicle.

Again, this broadens the offence. The opposition considers that this amendment effectively lowers the bar. This clause is more about making the life of police easier rather than closing a technical loophole. We will seek an amendment that retains the “circumstances of aggravation” but also expands those circumstances to include the omissions that the minister referred to—wheelies on a motorcycle and being involved in a pursuit.

Mr R.F. Johnson: Is the opposition going to support the legislation?

Ms M.M. QUIRK: We are going to support the legislation, with amendments.

The second amendment sought will be to clause 8, which amends section 78C. This clause would permit a police officer to enter premises without a warrant to seize a car or keys when a surrender notice has been ignored. The opposition certainly does not consider that the exigency is so compelling that this needs to be done without a warrant. We would seek an amendment that permits entry with a warrant when the circumstances exist. There are all sorts of issues about whether, for example, the notice of surrender was in fact received in the first place. I do not think giving police licence to enter premises, even if it is for ignoring a notice, is sufficiently compelling. I might add that the obtaining of a warrant is not an onerous thing. Police should be able to readily justify if those circumstances exist.

The third amendment sought will be to clause 11, which I regard as a little bit of a sleeper. That clause amends section 79. I think this is really the crux of the legislation. The definition of “previous offender” is changed so that it includes persons who have been charged with an earlier offence but have not yet been convicted. Again, this widens the net considerably. We seek an amendment to define “previous offence” to be an offence for which a conviction has been recorded. Clause 11 is a very clumsy clause. I recall a couple of cases in which a person had allegedly committed a second offence before a first offence had been dealt with. That is an issue about process in the courts. It is not about a person being deemed to have a conviction when in fact that person has yet to have the first offence adjudicated upon.

The next amendment is to clause 13, which amends section 79B. This clause deals with the requirement to give a notice of impounding as soon as practicable after the vehicle is impounded. This notice has to be in an approved form. When we asked for clarification, we were told that that was to be approved by the commissioner or someone in traffic but not necessarily provided for by way of regulation. I think it should be set out in the regulations and the form approved in that way. Secondly, but I think more importantly, it would seem that under this notice no reasons need to be given for the basis of the police officer’s reason for suspecting that the driver committed an offence that warranted impounding the vehicle, nor does the notice need to set out that there is in fact a right of review. We think that both of these requirements should be mandated and should be put in an approved form as a notice that is set out in the regulations or as a schedule to the legislation.

In the proposed regime, under section 79C, a senior officer, whom I understand is at inspector level, is orally informed of the reason that the police officer intends to impound the vehicle but nowhere is that reason required to be written down or produced to the alleged offender. As I said, if the approved form included that information, it would get around this situation and may well save police resources because if that is subsequently contested, it may well be that an inspector has to be taken offline to give evidence in court about what he was told by the officer on the roadside. It seems to be a very clumsy way of dealing with this matter.

Clause 20 amends section 80G. Under new subsection 6A confiscation is mandated, but it states in part —

...unless it is satisfied that the order would cause severe financial or physical hardship to a person, other than the driver of the vehicle, who has an interest in the vehicle or is the usual driver of the vehicle.

I think in the recent roll out of legislation on 1 July there has been a number of highly publicised instances in which innocent third parties, such as small business owners, have in fact been caught in a similar net. This may be in circumstances whereby the third party has made every endeavour to ascertain the driver's status, did not authorise the driver to drive in the manner alleged or did not consent to the use of the car, and this seems unjust. We believe that severe financial or physical hardship should be defined or alternatively a clause could be included that specifically excludes confiscation or impounding occurring where reasonable efforts have been made by a third party to prevent the driving conduct complained of or to make enquiries of the driver's history. Again, one would say, and I suspect the minister's advisers will tell him, that has been the form for the legislation for some time and that is the same form of words that is in the Queensland legislation. However, again we are talking about a much more extended period of impoundment and the bar has been lowered for when confiscations can occur, so in those circumstances we think there needs to be further clarification of the circumstances in which third parties can legitimately reclaim the vehicle.

The next amendment is to insert new section 79F. Given the lack of checks and balances under the new regime and in particular that impounding can occur for an extended period without any conviction, we believe that it is necessary for a provision to enable the court to order compensation when a person has been acquitted of all outstanding charges and—I stress the word “and”—in which the police were found not to have acted in good faith. I expect the occasions on which this would arise would be very rare, but I think it is an incentive for people to act within the terms of the legislation and to ensure that the act is complied with fully. I think it is in the spirit of the legislation whereby the balance, as I said earlier, has changed to being very much in favour of police with very little additional oversight and the potential for misconduct is much greater than in the previous legislation, so we need to insert some additional checks and balances.

I want to raise a couple of other issues and the minister might need to get some instructions from his advisers. The first issue is that I understand there might be some difficulties in getting arrangements for towing or towing contractors in the regions, so we would like some information about what is intended to be done in the regions. Also, and this is consistent with the Liberal Party policy that there will be some form of education as part of its crackdown on hoons, what proposals are there for an education campaign around this new legislation? What lead time does the government anticipate, given the problems that have been raised today about the implementation of the legislation that came in on 1 July? I am curious to know what lead time the minister anticipates for the introduction of this legislation. What money will be set aside for implementation of the legislation, for any changes that need to be made to computers and so on, and for any public education campaign?

To conclude, the overriding concern with the bill is that with the potential for a greater period of impounding and the trigger for confiscation also being lower, there is not the corresponding increase in obligations and responsibilities on police. We believe there is some potential for injustice, so although we support the bill, we believe amendments need to be made and we will move them at the appropriate time.

MR D.A. TEMPLEMAN (Mandurah) [5.06 pm]: I am pleased to make a contribution to the debate this evening on the Road Traffic Amendment (Hoons) Bill 2009. I acknowledge the opposition spokesperson's contribution and particularly her articulation of a number of concerns and issues of clarification, which I am sure the Minister for Police will be able to address in his response to close the second reading debate. The member for Girrawheen has highlighted to this place some of the implications of the bill as they were articulated in the minister's second reading speech.

I, too, am interested in a couple of key areas. One area that I am particularly interested in is the impact, of course, of these new laws on police resourcing. I have looked at the statistics—the minister would know this, and the opposition spokesperson would also know this—which show that Mandurah, unfortunately, and the Peel police district have a fairly dubious history of having some of the worst hooning offences in the past few years. In fact, the Peel police district has had a number of incidents in which hoon activity has been prevalent and indeed has caused, and continues to cause, a great deal of concern for my constituents and indeed for constituents in the wider Peel area. I have highlighted this to the minister as well and it relates to not only resourcing but also how we continue to, if we like, bring in new laws and ensure that our police service is able to be resourced adequately to respond to challenges, such as in the bill we are debating tonight.

Very soon we will see the opening of a major highway system in the Peel region; namely, the Perth-Bunbury highway. It is over 70-odd kilometres of additional road network extending from the current Kwinana Freeway through the Baldivis area and, of course, skirting, if we like, the eastern side of the Peel-Harvey inlet and then joining the current dual carriageway that comes up from Bunbury in the south. I have raised in this place—I have written to the minister and he has responded to me; I am waiting on one letter but I am sure that is being processed—the ongoing concerns I have about that road when it is open because it has been said by various people in my electorate that there is concern about the potential for it becoming a hoon's highway. We will have a very long stretch of road that will attract those people in our community who we are very, very despondent about —

Mr J.E. McGrath: Which road is that?

Mr D.A. Templeman: The Perth-Bunbury highway.

We are concerned about those people who decide that they will put not only their own lives in danger, but also the lives of community members as well. Quite frankly, I have had a gutful of hoon's in my community. I am sick of hearing about and seeing the damage they have done to road infrastructure, and the close shaves they are responsible for. I get reports, as I am sure do many other members in this place, of people hearing at night their unacceptable and abhorrent behaviour. I have had a gutful of it.

Mr R.F. Johnson: Have you had a gutful of it?

Mr D.A. Templeman: I have had a gutful of it. I am very serious about this. I have had a gutful of these people in my community, or travelling through my community. In the south of the Peel region, in the electorate of the member for Dawesville, the Old Coast Road has an abhorrent history of fatalities and injuries. It is a terrible road with a terrible history that has caused massive tragedy and great pain for so many families in Western Australia—many of them from my area. I know that the member for Collie-Preston is also concerned about the number of deaths in his community. He has told me that, when he travels from Perth to Collie along the section of Old Coast Road near Lake Clifton, he dreads coming across another tragedy involving people from his electorate. I know that he feels very strongly about this issue, and he has raised it in the house.

I support laws such as this one because I have absolutely had a gutful of the people responsible for hoon behaviour in my community, but I also want to highlight to the minister and to other members that there are implications for these laws, including adequate resourcing of the Western Australia Police. I will be a strong and forceful advocate for police officers in my community when resources are taken away. I will give a recent example. The Peel police traffic unit used to have five motorcycles available to it. At the stroke of a pen, only a few months ago, the government took not just one or two of them off the road; it took the lot of them. There are now no police motorcycles in the Peel police district. This is at a time when one of the most important pieces of road infrastructure in the state is due to be opened in a few weeks, straight through the middle of the Peel region. I would have thought that the government would want to make sure that when the road is opened the police traffic unit has at its disposal the capacity to respond rapidly to issues on that busy road, but one very important resource—the motorcycle unit—has been taken away. I am concerned that we introduce these laws and say why they are so important but on the other hand we take away an important part of the armoury for combating this problem.

The Perth-Bunbury highway is over 70 kilometres of additional road through the Peel region. The two main key connector points to the highway in the northern end of the Peel-Harvey Estuary system are Pinjarra Road and Lakes Road-Gordon Road. These are the only existing east-west roads that will allow people in my electorate of Mandurah and in the Deputy Premier's electorate of Dawesville to connect to the Perth-Bunbury highway. Therefore, the traffic volumes on those two roads will become absolutely critical. The local police service must have the capacity to police those two connector roads. People who have been through Mandurah will know that there is very high traffic congestion at peak periods. At certain times of the day, traffic is at a standstill in Mandurah. In considering the capacity of emergency vehicles, particularly police, to get out onto that highway, one would think that motorcycles would be an important part of the armoury, but they have been taken away. My concern remains that, while we introduce important laws such as this to address the clear concerns of people like me, who have had a gutful, we then take away at another level the financial resourcing of the service that we are asking to police it appropriately.

Mr R.F. Johnson: Those officers are driving cars now.

Mr D.A. Templeman: I am talking about the capacity of police officers to get through some of the congested areas quickly and effectively. I would say that there is a good argument for having at least one or two police motorcycles in the district. They should not all be taken away. To support that, the Mandurah branch of the Western Australian Police Union, which is a very strong and active branch, proposed a motion that I understand was debated at the recent union state conference, calling on the government, through the Commissioner of Police, to reinstate at least two of those motorcycles. I thought they were being a bit lenient—

they should have asked for the lot back—in asking for only two. I cannot emphasise too much why I understand the men and women of the Mandurah branch of the police union advocating such a move. There is traditionally a high volume of traffic within the Peel region anyway, because of the growing population, but we must also respond to the large volume of traffic that moves through our communities towards the south west for recreation and, of course, the trucks and heavy haulage vehicles that will also use the Perth-Bunbury highway to access markets in the south west region. I support this legislation, and the minister knows why.

Mr R.F. Johnson: Because you have had a gutful?

Mr D.A. TEMPLEMAN: I have had a gutful of it—absolutely—but I am also very serious about the implications of this legislation, some of which have been mentioned by the member for Girrawheen, because I want to make sure that the police, when they are given these powers, have the resources to do effectively what they are being asked to do. I use the example of the removal of the only five motorcycles from the Peel police district to question whether that can be done effectively. I also wanted to mention that when the Perth-Bunbury highway is opened—I will be interested in the minister's comments on this—I will be interested to know what mechanisms will be put in place to monitor speeds and inappropriate driving behaviour along that road. It is more than 70 kilometres long. I mentioned the two main connectors that influence Mandurah, which are the Pinjarra Road and Lakes Road-Gordon Road access points. There are a couple of others further to the north, including, of course, the connectors at the Pagononi Road interchange—I think the Pagononi interchange is in the member for Peel's electorate —

Mr P. Papalia: Warnbro.

Mr D.A. TEMPLEMAN: Warnbro; I am sorry.

Mr R.F. Johnson: He looks a lot like Norm Marlborough, doesn't he?

Mr D.A. TEMPLEMAN: He looks nothing like him! Just south of Kwinana I think there is another interchange connection also. If police resources are to effectively and adequately police this new, long road, I would like to know what the strategy will be, because I want to articulate that appropriately to my community. The last thing I want to see is a shift of the terrible tragedies that we have seen on Old Coast Road down to the Lake Clifton area, which have been appalling and very tragic. I would hate to see that simply shifted onto a new road that, as I mentioned, some have said will potentially become a hoons' highway, with the capacity for high-speed racing down an open area of road. Therefore, I am pleading, as I do in this place many times, with the minister to take this seriously. I think he will.

Mr R.F. Johnson: I do take it very seriously.

Mr D.A. TEMPLEMAN: I think he understands where I am coming from. I am looking to him for some assurance that —

Mr J.E. McGrath interjected.

Mr D.A. TEMPLEMAN: We probably need to keep some of the member's constituents off the road. They would whisk down there in the plush, sporty Mercedes Benz that all of them in the leafy parts of South Perth seem to have, after they have zoomed past and scared the arachnids in the Zoo on their way to their chardonnay-scoffing activities in the south west. Of course, I want them to stay in the Peel. I want them to visit the Peel rather than go to the south west. Our Peel wines are far superior to those in the quaffing communities of the Margaret River region.

The Perth-Bunbury highway is very important. The commissioner, through the police cuts, has taken away our only five motorcycle units. I want to see how this bill will be resourced in practice and in delivery, so that we can do what we want to do—that is, ensure that my gut ache is dealt with appropriately.

MR W.J. JOHNSTON (Cannington) [5.23 pm]: I want to talk about the Road Traffic Amendment (Hoons) Bill 2009, because, as the member for Cannington, an issue that is raised with me regularly is hooning. It is raised with me more than any other issue. I am pleased that, after a year in office, the government has brought some action to us. After only 11 months, it has decided that it is now a priority, and it has brought some legislation forward.

Mr R.F. Johnson: So you're going to support it.

Mr W.J. JOHNSTON: The minister can interject on me again, as he usually does. The shadow minister has explained the Labor Party's position. We believe that there is a set of amendments that would make this bill better for Western Australians. We are happy to receive the minister's support for those amendments, and then we will support the bill with those amendments.

Mr R.F. Johnson: Are you aware that I have actually accepted some of the amendments that the member for Girrawheen has put forward? I have accepted some of them, not all of them.

Mr W.J. JOHNSTON: I am very pleased about that. Again, I am sure that the minister will find what I am going to say very interesting.

Mr R.F. Johnson: I doubt it, because I've had a gutful!

Mr W.J. JOHNSTON: I will be quoting extensively from the minister's own speech, so I imagine it will not be very interesting. I will give an example of the problems that occur in the suburbs that I represent. A gentleman, Dick Ketteridge, from Nicholson Road, came to see me about problems that he is having outside his house. At the corner of Nicholson Road and High Road there is a roundabout. Cars often do burnouts and excessive speed through that roundabout. Dick brought this problem to me. I welcomed the information that was provided to me, and I prepared a little survey, which he distributed to his neighbours. I was very pleased to get a lot of feedback from the people who live close to that intersection, so that I had a proper picture of what happens to them when they suffer hoon-driving experiences outside their houses. I have drawn this to the attention of the traffic branch of Western Australia Police. I was very pleased to also speak to Inspector Zanetti from our local Cannington area, who has undertaken to pay extra attention to that intersection. I understand the feelings of these people in the suburbs. When I talk to people in the suburbs that I represent, such as Queens Park, Cannington, Beckenham, Ferndale, Lynwood and Langford, they always raise with me problems with hoon drivers.

The minister is right when he says that, generally speaking, these drivers are 17 to 24-year-olds. When I am driving home, I see the line-up of grey imports at places like Fabcar. They are very nice cars. As a person who likes motor vehicles and has some experience in this area, it is interesting to see a twin-turbo Toyota Supra. These are interesting cars. Although I personally do not like Japanese imports, I can understand why people do like these cars. However, they must drive them responsibly. If a person has a Nissan Skyline GT or a twin-turbo Supra, it is a nice piece of machinery. I appreciate the technology that has gone into it, and I understand why people are attracted to owning those types of Japanese cars. However, people who have bought these cars need to act responsibly and they need to drive responsibly. Of course, sometimes young people do stupid things, and hooning laws should be designed to remind young people and others that they need to act responsibly.

In a minute I will talk about the effect that the legislation that was passed by the Labor government has had. I will also talk briefly about speed limits, because I know that the minister has been talking about lowering speed limits in certain parts of the metropolitan area. I remind the minister of his contribution to the debate on 8 April 2004 regarding a former hoon bill. He said —

I am all in favour of a safe and reasonable speed limit on suburban roads. However, the minister has got it wrong in some areas. In some instances, there are limits of 50 kilometres an hour where they should be 60 kilometres an hour.

I quote those words back to the minister and say that he should carefully assess whether the area where he is intending to lower speed limits is a dangerous location and whether it is a location where there has been injury and death, because that is an interesting comment that he made on 8 April 2004 regarding speed limits. I point out that if the minister is going to move to deal with these matters, he needs to think carefully about whether it is evidence based. I have read the —

Mr R.F. Johnson: I don't veer from what I said in 2004. In actual fact, you're relating the lowering of speed limits to the ones that were announced over the weekend. That was not up to me; that was up to Main Roads. They're the ones that announced it in *The Sunday Times*, not me.

Mr W.J. JOHNSTON: If the Minister for Road Safety does not have an interest in road safety, that is fine by me.

Mr R.F. Johnson: That is a silly statement. You can do better than that.

Mr W.J. JOHNSTON: I have read and taken on board the comments in the Towards Zero strategy, and all I am saying to the minister responsible for road safety is that before the government starts to deal with speed limits it should assess whether the speed limits are being reduced in those areas that have caused death and injury. The commentary in that strategy makes it very clear that the greatest number of deaths and injuries on our roads occur on country roads. The government should, rather than taking advantage of a media opportunity in Northbridge or Mt Lawley, be focusing on country roads by taking hard action and diverting funds to those roads from royalties for regions. The government would then be taking action to save the lives of Western Australian citizens, which is what the RAC has called for. Applying those funds to country roads that need upgrading will have the greatest impact on improving road safety in this state. It is interesting to consider the Minister for Road Safety's position on Multanovas when he was in opposition. I will again quote from the minister's speech on 8 April 2004 when he was in opposition. He said —

If, just to make things easier, all we rely on is Multanovas to catch people driving recklessly at 45 kilometres an hour over the speed limit, it would be a massive revenue-raising exercise, and I would not mind that. However, I would prefer to have more police officers patrolling those streets than a

proliferation of revenue-raising machines in what is seen by the public as a revenue-raising exercise. I hope that that will not be the eventual case.

That is an interesting quote because I understand the minister is doubling the number of Multanovas. I have pointed out to other ministers examples of them behaving in a certain way in opposition and behaving differently in government. The minister went on in that speech about Multanovas —

Mr R.F. Johnson: What year was that?

Mr W.J. JOHNSTON: It was in 2004. The minister said in opposition —

Multanovas are often located in areas that are not dangerous zones or black spots. Often they are placed at the bottom of a hill, where the natural progression of a motor car makes it speed up a little. That is what is deemed by many in Western Australia to be a revenue-raising exercise. I do not want the police to do that. Many speed cameras are placed in areas in which crashes hardly ever occur.

It will be interesting to see whether the minister now thinks the police are placing those Multanovas in locations where accidents do not occur. Perhaps he has changed his position and is now saying that the approach by the police to the use of speed cameras is not about revenue raising, but about road safety. What was good for the goose in opposition is no longer good for the gander in government. I am not saying that the police are using Multanovas to raise revenue. I am pointing out to the minister that he is not the first minister in this government to have said certain things while in opposition but acted differently in government. This minister's actions in government do not demonstrate what he talked about when he was in opposition.

Mr R.F. Johnson: In what way?

Mr W.J. JOHNSTON: When in opposition the minister said that he was opposed to doubling the number of Multanovas. He said that the police used Multanovas to raise revenue.

Mr R.F. Johnson: Was that in *Hansard*?

Mr W.J. JOHNSTON: It is in *Hansard*.

Mr R.F. Johnson: What date was that?

Mr W.J. JOHNSTON: It was on 8 April 2004.

Mr R.F. Johnson: Are you quoting from *Hansard*?

Mr W.J. JOHNSTON: Yes, I am quoting from *Hansard*.

Mr R.F. Johnson: I know how sneaky you can be at times.

Mr W.J. JOHNSTON: I am not being sneaky, minister. I am happy for the minister to continue to chew up the time that has been allocated to me to speak on this bill. If the minister wants me to continue speaking, he should continue to interject. I am very happy for him to extend my time for as long as he wants to.

The minister also said the following in the same speech about police numbers —

All this good legislation is no good unless we have more police officers patrolling the streets and highways to ensure that the laws we pass this day and the next are adhered to and those guilty of contravening laws are brought to account. We need more police officers in the State of Western Australia.

In the lead-up to the last election the now minister promised 500 extra police for Western Australia. However, now that he is in government he is breaking that promise. It is another example of saying one thing in opposition and doing something different in government.

Mr R.F. Johnson: Do we have more police officers now than we had when you were in government?

Mr W.J. JOHNSTON: If the minister wants me to continue to speak, I have nine minutes remaining and am happy to seek an extension of time.

Mr R.F. Johnson: Tell the truth in this place.

Mr W.J. JOHNSTON: The minister needs to tell the truth for once. The government promised 500 extra police when it was in opposition, and it is delivering 350. It has breached its promise.

Mr R.F. Johnson: It was the same promise you made.

Mr W.J. JOHNSTON: No, the previous government promised 500 extra police and the then opposition matched that figure. Now that this government is in office it is saying that it will now deliver 350 extra police officers. It has come up with 150 auxiliary police officers and nobody knows what an auxiliary police officer is.

Mr R.F. Johnson: You will find out.

Mr W.J. JOHNSTON: I ask the minister to tell me right now what an auxiliary police officer is.

Mr R.F. Johnson: It will be a police officer with certain functions.

Mr W.J. JOHNSTON: Will they be paid the same as a normal police officer?

Mr R.F. Johnson: All will be revealed in the fullness of time.

Mr W.J. JOHNSTON: The minister does not have the capability to explain this government's policy to me. It illustrates that the minister said one thing in opposition but has done something completely different in government.

I will conclude by reminding the minister what he said when he was in opposition. He said —

If a person does 55 or 56 kilometres an hour along such a road, and for the past 20 years that road has had a limit of 60 kilometres an hour, it is very difficult to remember that the speed limit has changed, particularly when there are no signs to say that it is a 50 kilometres an hour zone. There is a saving there because there are fewer signs indicating that the limit in that area is 50 kilometres an hour. I do not have a problem with the lower speed limit on the inner suburban streets.

He also said —

The situation I have described is often a waste of police time. It probably happens because the new officers on the beat have to catch a certain number of people driving over the speed limit;

In that instance he is implying that police are catching people doing five or six kilometres over the speed limit and that is not fair. He went on at some length about this issue. I will not read all of what he said. I suggest that he read what he said. He also said —

We are all guilty of driving at five kilometres an hour over the limit at times—it is unavoidable because the car just gathers a little speed.

That was the minister's view when he was in opposition. I ask that, in his reply to the second reading debate, the minister let us know what is his view as Minister for Road Safety. Does he stand by the view that it is okay for people to drive five kilometres an hour over the speed limit? The minister should not try to interrupt me again because I am trying to get through my speech. As the Minister for Road Safety he will have the opportunity to say that it is okay for people to travel five kilometres an hour over the speed limit. All I am asking the minister to do is to tell us whether he adheres to the position he held in opposition. He is not alone in this issue. He needs to tell the opposition whether what he believed in opposition will be his action in government. I will be very interested to hear the minister say whether he thinks it is okay for people to drive five kilometres an hour over the speed limit.

I turn now to the issue of the effectiveness of the Labor Party's legislation. We need to consider the number of people who reoffend after being caught for a first offence. This legislation should be about pushing people in the right direction and reminding them of their responsibilities. We were all young once and did stupid things that we now regret. We need to remember, as many people recall, that back in the old days the copper would give somebody a clip over the ears and send them home. What is the clip over the ears effect of the Labor government's legislation? The shadow minister said that so far this year there have been 1 422 first offences and only 107 second offences. Last year there were 1 634 first offences and only 157 second or subsequent offences. The point I am making is that the existing legislation is having the intended effect. It is clear from the statistics that people who are caught a first time tend not to re-offend. If they do re-offend, well, let us throw the book at them. However, if the length of seizure is increased significantly from seven days to 28 days, it may have a negative effect on people who are caught. Just because people do one stupid thing does not mean they should have to put their job at risk if they need their vehicle for their employment. As I have pointed out, the legislation provides that people can make an application to get their vehicle back if it will have a financial impact on them.

[Member's time extended.]

Mr W.J. JOHNSTON: I am pleased I have been given that extension, because it will make up for the time that has been wasted by the minister!

Mr R.H. Cook: You need it because of all the minister's interjections!

Mr W.J. JOHNSTON: Absolutely!

What we should be doing is telling people not to be stupid and engage in hoon behaviour. To increase the penalty from a seven-day seizure to a 28-day seizure is in my view going beyond what is needed. There are no excuses for people who do stupid things. People who do stupid things, whether it be hooning or graffiti, need to be held accountable for their behaviour. I am not asking that these sorts of people be excused for their bad behaviour. However, whether a 28-day seizure is the right level of penalty is an important question.

Mr R.F. Johnson: What about people who are driving without a licence or when under suspension?

Mr W.J. JOHNSTON: I am referring specifically to people who are hooning. We can have a debate about how we should deal with people who do not know that their licence has been suspended. A person who is driving without a licence needs to be penalised. There is no question about that. I do not have a problem with seizing the car of such a person for 28 days. I am talking about the typical young bloke who gets into his car and does a burnout because he is stupid.

Mr R.F. Johnson: They are the very ones who are driving when their licence has been suspended because they have accumulated too many demerit points!

Mr W.J. JOHNSTON: There is a difference.

Mr R.F. Johnson: They have broken the law once, and they are breaking the law again!

Mr W.J. JOHNSTON: As the minister said in his own speech—the minister should read his 2004 speech again—not every offence should be penalised equally. If the minister wants to see the hypocrisy of the Liberal Party, he should look at his comments about increasing the penalties. The minister said in that speech —

The penalty for an offence that causes grievous bodily harm to somebody must be reflected by not only the prosecution of the police but also the courts. That is far more serious than driving 45 kilometres an hour over the speed limit on a clear road.

The minister's legislation deals only with a person who is driving 45 kilometres an hour over the speed limit on a clear road. The minister is not proposing to increase the penalties for people who cause harm through dangerous driving. There are no increased penalties for that offence. Yet that is what the minister referred to in his speech. If the minister wants to continue to interject on me and give me the opportunity to speak for longer and go into more detail about how he talked about one set of issues when in opposition but is doing a completely different thing when in government, that is fine by me.

Mr R.F. Johnson: I promise never to interject on you again!

Mr W.J. JOHNSTON: It is up to the minister. I am not saying the minister should not interject; I am just saying that if the minister does want to interject, there are consequences.

I am interested also in how the government will be using the additional revenue that it is raising by seizing cars from hoons. This revenue should be directed to the Road Trauma Trust Fund and used to improve road safety, rather than being used to add to the government's bottom line. As the shadow Minister for Police has made very clear, the minister has not explained why this revenue is being used to subsidise the operations of the WA Police rather than being directed to the Road Trauma Trust Fund. It will be interesting to see whether the minister can explain that.

I am also interested to know what will happen if a person who is caught for hooning is driving another person's car. The minister has made some comments about this matter, and so have other members. Just to give an example, the former member for Carine, Katie Hodson-Thomas, found herself in a situation where her son borrowed her car and stupidly raced down Canning Highway at 45 kilometres an hour over the speed limit and had the car seized. That was clearly not her fault, and nor was it the fault of the owner of the car—the state government. Will a rich kid from the western suburbs who is driving his dad's Porsche or his mum's BMW be penalised to the same extent as a kid from Cannington who is driving his old Datsun 180B? That is a question that needs to be properly addressed. Will this penalty be applied fairly and equitably to everyone? What will happen if the car is owned by a family trust? No-one who lives in Beckenham will be driving a car that is owned by a family trust, but a person who lives in Cottesloe or in one of the other western suburbs may well be driving such a car. What education campaign has the government planned to ensure that everyone will understand what will happen under this legislation and the higher penalties that will apply? I am not making any excuse for people who are involved in hooning behaviour. It is a serious impediment to the simple enjoyment of life of many of the people I represent and that other members represent. However, we need to ensure that people are aware of what will occur under this legislation.

I want to deal also with surrender notices. As I understand it from the explanatory memorandum, if the police turn up to seize a person's vehicle but they cannot find it because the person has hidden it or has dealt with it in some other way, that will have the effect of cancelling the licence of the vehicle. That seems to be a sensible way of dealing with this issue, because the person will then be driving an unlicensed vehicle, and that will make the person guilty of an even more serious offence. However, I am concerned about the effect of that on third party insurance. If that person, or another person, then drives the car and happens to run over a pedestrian, will that void the third party insurance and mean that the victim cannot be compensated out of that fund? If the minister can explain to me in detail that notwithstanding the fact that the vehicle's licence has been cancelled, the third party insurance will still apply and there will be no negative effect, that is fine. However, I am concerned that this measure may have a serious effect not on the hoon, but on innocent third parties—pensioners and ordinary folks living in the suburbs and around the state.

With those comments, I support the position outlined by the member for Girrawheen.

MR C.J. TALLENTIRE (Gosnells) [5.50 pm]: The issue of hoons is very much one of concern in the electorate of Gosnells. In common with the experience of other members, seldom are there community meetings in my electorate at which people's concerns about hoon behaviour do not come to the fore. However, this legislation really misses an opportunity; it misses the point. The complaints I receive very often relate to the actual noise that hoon drivers generate. Sometimes the noise is generated in such a way that it probably would not contravene the law as it is proposed to be amended in this legislation, and I can demonstrate the reasons for this.

I must say that when I read the explanatory memoranda for this legislation, I was optimistic. It outlines penalties for people who wilfully drive a motor vehicle in such a way that it causes excessive noise or smoke. I thought that the provision relating to excessive noise would address the concerns of people in the areas of Thornlie, Gosnells and Huntingdale. However, I then read further. The explanatory memoranda states in part —

These amendments will simplify the definition of what constitutes a “hoon” offence by providing that it is an offence against either section 60 or 62A, both of which involve wilful conduct.

I then went to section 62A of the Road Traffic Act and found that there is no way that that definition would cover the sorts of noise offences that my community is absolutely plagued with and sick of. People's lives are punctuated by loud muffler noises constantly going through our streets. Section 62A of the Road Traffic Act states—

Causing excessive noise, smoke

A person who wilfully drives a motor vehicle on a road or in a carpark so as to cause —

- (a) excessive noise to be made with one or more of the vehicle's tyres ...

In other words, for there to be an offence of excessive noise, one or more of a vehicle's tyres have to be involved. That is invariably not the case. In fact, in many cases the noise is probably caused by a vehicle accelerating from zero to 60 kilometres an hour, which means that it is not committing a speeding offence. It is simply a rapid acceleration that seems to trigger the action of after-market mufflers.

This is an issue that my friend and colleague the member for Southern River raised in a grievance to the minister some time ago, in November last year. I think that the member for Southern River did a very good job of outlining that concern. It is clearly a concern that travels over the boundary between Southern River and Gosnells. The member for Southern River pointed out that the psychological makeup of hoons seems to be that they crave and desire, and gain some pleasure from, attention-seeking action. It seems really to suggest that their lives are so devoid of any real meaning that the only time their lives have meaning is when they are making an excessive noise that pollutes the peaceful environment that the general community I represent has every right to crave and desire.

The effect of these mufflers kicks in during rapid acceleration, and the vehicles involved are not always particularly powerful vehicles. This is a real problem for the community, and the member for Southern River very rightly pointed out that one solution could be phasing out in Western Australia retail sales of these after-market mufflers. This solution was pointed out in the member's grievance, but the minister in his response ignored the point; he totally glossed over it. Again, there was another opportunity to deal with this problem and again it was ignored; it has been lost. It is all very well to put forward legislation that may give the minister an opportunity to make a quick media grab to say that the government is getting tough on hoons, but I will be telling the people in my community that that is not the case at all. Yes, tougher penalties are being brought into place, but they will not capture the fundamental concerns in my community about the sorts of noises that are plaguing people's lives. This is something that will continue; this legislation will not tackle the problem at all, yet we had an opportunity to do something about it.

One would think that a government that was really serious about governing the state properly would use legislative tools wherever possible, but would also look to other programs, such as working with the suppliers of after-market mufflers to see how a phase-out could be conducted. It would also look to see how vehicle manufacturers could be coaxed into ensuring that their vehicles are made unsuitable for the retrofitting of noisy mufflers. Perhaps even more importantly, a government that was really concerned about this issue would work with the manufacturers of so-called sports motor vehicles to get them to re-invent their marketing strategies to phase out the whole notion that sports vehicles are acceptable on public roads.

That is what this really comes down to: there is a notion in the Western Australian community that some people are entitled to use public roads for the purpose of “sporty” driving. That is not the case at all; public roads should be reserved for efficient and safe travel. That is what public roads are there for; they are not there for the driving of high-performance vehicles that are better suited to the racetrack. I certainly would not stand in the way of motorsport enthusiasts who wish to pursue that very legitimate activity at racetracks or other venues where the sport can be conducted in safety.

I come to this issue from a background of recent traffic-related deaths in my community. On 18 April 2008 there was the tragic death of baby Grace Moorby, who was killed by Mr Benjamin Alan Butler—whom I believe is now in prison—on Berehaven Avenue, Thornlie. This was the tragic death of a baby simply because someone lost control of a high-performance vehicle. Tragedies such as this will continue unless we attack the fundamental problem of people's attitudes towards using the road.

We can talk about all sorts of road safety schemes. I know that there are proposals to invest many hundreds of millions of dollars in improving the road network so that it becomes safer. There may be some legitimacy in that argument, but I think the fundamental problem is the attitude of drivers towards driving. The problem is particularly pronounced amongst young males; there is no question about that. The statistics show that young males are the most likely to kill themselves on the road, and they are probably also the most likely to commit hoon-type offences.

I know that the New South Wales state government attempted to tackle the problem of driver attitude and the bizarre notion that it is somehow macho to drive a car very fast along a suburban street. As I understand it, the advertising campaign in New South Wales sought to point out the actual inferiority of those drivers who take this approach. The television campaign pointed out the inadequacy of these young males and sought to mock them to some extent. I think it was probably an effective campaign—the sort of campaign that this government, if it were serious about tackling this problem, should also look at adopting. One aspect of the campaign was to suggest that young males engaging in hoon behaviour were probably possessed of a small penis. There was the opportunity for people offended by a hooning incident to make a gesture to the hoon driver to suggest that he perhaps had a small penis! That sort of creative, attention-grabbing initiative is the sort of thing that this government should look at to make sure that we attack this very serious issue. That campaign was one that caught the imagination; it actually achieved some cut-through.

Sitting suspended from 6.00 to 7.00 pm

Mr C.J. TALLENTIRE: I was lamenting the government's very narrow focus on this important issue of road safety, which involves cracking down on this terrible blight on our society of hooning. I was saying that we need an approach that goes much wider than simply toughening penalties. Toughening penalties is, in itself, a measure that the opposition will support, with some amendments to the legislation, but it is a tiny part only of the overall solution. We really need to be working at bringing about a change in the attitude of people's use of roads. In other words, we really should be addressing the root cause of the problem. The root cause is the attitude of some drivers towards public roads. Some drivers regard public roads as an opportunity and a place for them to engage in some kind of sporting activity, which is totally inappropriate on public roads. It also involves a change in attitude to what these hoons see themselves achieving when they bring attention to themselves with the excessive noise that comes from the engines of some vehicles.

A number of streets in the electorate of Gosnells are known as hoon strips. I am working with the City of Gosnells and we are desperate to do something about those so-called hoon strips. One proposed measure is the introduction of mobile speed humps. It was really disappointing for people in my electorate to hear that the City of Gosnells does not receive adequate funding from the state government to implement these mobile speed humps as a measure against hooning. Instead, this government hopes to get kudos out of claiming that it is toughening up the hoon legislation. However, when it comes to taking practical measures that could make a big difference, the funding is just not there. That is another extremely disappointing part of this legislation. I will stand to be corrected if the minister says that the changes to the legislation are a tiny part of the overall package and that there will be a huge education program that will seek to belittle these people who hoon, which will somehow turn around their attitude towards the use of public roads. However, so far there has been no sign of that. The fact that the City of Gosnells is struggling to receive the funding to put in these mobile speed humps is pretty good evidence that the money is not there to back up the rhetoric. That is extremely disappointing.

I will summarise the issues I have touched on. We have to do something about this noise problem. We have to tackle the issue of the availability of after-market exhausts. We have to tackle the actual manufacturers who are intent on producing vehicles that have a power that goes way beyond that which anyone could require on public roads and selling them to young people. We have to ensure that we really address the whole culture of hooning, which is connected to the attitude and culture of using public roads as some sort of sports facility for wannabe motor sports enthusiasts. Instead, they need to be directed to the appropriate places for that sort of sporting pursuit, which are racetracks and such places where they can engage in their activity without endangering the lives of others.

In this speech I mentioned one tragic case that occurred in the Gosnells area, which was a direct result of the sorts of hooning that I do not believe, unfortunately and tragically, will be solved by this legislation. I believe that if we took a much greater and more holistic approach we could have some hope of solving the problem, but at the moment the approach being taken is very narrow in focus. I hear that there are some ambiguities in the changes to the legislation in that, at the moment, a police officer can report in and give a verbal description of an

offence to an inspector back at the police station. There seems to be some potential there for that reporting to go wrong. Perhaps that problem would be easy enough to solve by making sure that the officer on the spot documents a few points when pulling over a hoon driver, makes it clear exactly what the offence is and writes it down so that no ambiguity is caused later by the verbal presentation of the offence. There is definitely a need for action on this issue. Unfortunately, the government's action is more about making noise than it is about doing the hard work that involves bringing about cultural change and change in the mentality of younger drivers, especially younger male drivers. This is a legislative change that is without the money that is required to solve the problem.

I hope to hear over the course of this debate, especially from the minister, that there are other aspects to this overall attack on hoons, but I fear that we are simply looking at a very narrow piece of legislation and nothing else. However, I would be delighted to hear that there is a much bigger package that will tackle the issues that I have outlined.

MR A.J. WADDELL (Forrestfield) [7.07 pm]: On behalf of the people of Forrestfield I can honestly say without any doubt in my mind that they hate hoons. If there is a number one issue that I get in my office it is how much they hate the local council. The number two issue is hoons. Hoons are hated for many reasons. They are hated because, as my friend the member for Gosnells said, they make an unbelievable amount of noise. They give the community a sense of not being safe in the streets. However, mostly hoons are a danger: they are a danger to themselves, they are a danger to other users of the roads, they are a danger to children and they are a danger to the elderly. There is absolutely no excuse whatsoever for their behaviour. I am therefore happy to embrace this legislation. I am happy to embrace any legislation that will result in the number of hoons in the streets reduced, but—there is always a but—I must ask myself whether this legislation will do that. Will tougher laws be the solution? They are certainly part of the solution, but I think we need to look at the big picture. We need to ask ourselves: what is motivating these mostly young people to behave in this way? What tools do we as a society provide to actually carry out the hobby, if that is what we call it? Why does a hoon think it is acceptable to drive a V8 ute onto the local football oval and do doughnuts and burnouts there, destroying the turf that is enjoyed by other members of the community? Why do hoons have absolutely no sense of responsibility? Why do they have no sense of civil duty? Why do they not care about others? Why are we raising generation after generation of people who are so disconnected from the rest of society that they feel that this is acceptable behaviour? Perhaps they do not care that it is not acceptable behaviour. How is it that these people have no sense of consequences? They have no sense of the consequences of what they do. They do not worry about hurting other road users. They do not worry about tearing around the corner and killing an innocent child on his bike. They do not care about consequences. I wonder whether they will care about the consequence of their vehicle being confiscated. That is my big worry—that we are dealing with an element in society that does not think very clearly; that is not thinking about the consequences of their actions. Hoon drivers are not worried about whether or not they are going to be caught and they are not worried about what will happen to their vehicle.

The minister indicated that many hoon drivers drive without a licence. Clearly, they have already been caught up in the system, they have already been punished by the system and yet they continue to behave in a certain way. The response in this instance is: we will take away the tools of their trade, the weapons of destruction that they are throwing around our neighbourhoods—we will take away their vehicles. Unfortunately, there are a lot of other vehicles out there. Some of these people will not hesitate getting into the next car; they will not hesitate doing this with the next junk car that they can purchase for \$500. That is what worries me. If we ramp up the length of time that cars can be impounded from 28 days to three months, in the case of a second offence, we may actually create an economic circumstance where it makes sense for them to go out and get another vehicle rather than wait. I think we need to do more. I am not suggesting we do not do what the minister is proposing to do but I am saying we need to do something with those individuals. We need to retrain them.

Mr R.F. Johnson: I am very happy with what the member has said. I can assure the member that the majority of vehicles used for hooning are not the old \$500 junk heaps; they are quite expensive utes and that sort of thing. The vehicles are worth far more than the cost of towing and impounding them. It is the unlicensed drivers' vehicles that are very often the \$500 or \$1 000 bombs. If those people get another vehicle and drive that vehicle under suspension, and are caught, that vehicle gets impounded. They will have their suspension extended even longer. Eventually they will learn that that sort of behaviour is not acceptable.

Mr A.J. WADDELL: That is good but I think we need to go a step further. We need to scare them straight, so to speak. We need to introduce mandatory education so they start to face the consequences of what they are doing. I want these people dragged through the Royal Perth Rehabilitation Hospital at Shenton Park. I want these hoon drivers to see what a quadriplegic's life is like. I would like these people to deal with the grief of a family that have had their five-year-old child knocked over by a car. I want them to see the horror of what it would be like to be asleep in your bedroom and have a car crash through the front of it. I would like these people to face the consequences of their actions. We need to go further for that to occur.

The minister made the point that hoon drivers have expensive, over-powered cars. I take that on board. If a person were to buy a motorcycle in the first instance, that person is licensed to ride up to 200cc, or something like that—there is a certain size engine that that person is allowed to ride. That motorcycle has to be ridden for at least two years before a more high-powered motorcycle can be ridden. A person needs to demonstrate that he is capable of doing that. Surely in this day and age, when we are concerned about high-powered vehicles on the roads, we should be considering a graduated level for an ordinary vehicle as well. Let us make it difficult. We have to ask ourselves: why do we need these powerful cars on our roads? In these days of environmental concerns—fuel prices are rising and we want to reduce our greenhouse footprint—why do we want such large fuel-guzzling vehicles on our roads? Those members who represent rural areas would make a very powerful argument as to why they have a need for it, but I doubt there is a need for such vehicles in areas such as South Perth or even in my area of Forrestfield. Most people commute small distances from here to there and do not need a powerful vehicle. It would be adequate for us to discriminate against people in the first instance until they demonstrate a capacity and a record for handling a vehicle. That is another thing that we should begin to look towards.

My friend from Gosnells raised the question of mobile speed humps and closed-circuit television. As I said, my electorate will embrace anything that reduces hoon drivers from our roads but they will also look at this legislation in the way they looked at legislation from the previous government, with an element of cynicism—that these are just words that we put on paper and, unless we back them up with action, it is pointless. Constituents have contacted me with stories of hoons doing burnouts around their street night after night after night. They contact the police. By the time the police get there, the hoon drivers are long gone; they are history. There is no way for these individuals to get caught if it is up to the person who lives at the address to catch them, photograph them, or whatever. We need to put in things that will discourage hoon behaviour from residential areas, such as mobile speed humps and random events so drivers do not know what is coming up. Drivers have to pay attention to the road and not treat roads like they are racetracks. That is quite common in some of the newly designed suburbs that have not been thought through properly. We also need to use CCTV to capture people who are hoon driving. We need to see it occurring, get them, record it on film or videotape, and then the police can follow up with the photographic evidence. Much in the same way we do with Multanovas or red-light cameras, we need to use technology to capture people. I would not say that hoon drivers are not stupid, but they are street smart enough to know that at certain times they are less likely to be caught. They are able to avoid areas where police are active. I would not be surprised to hear that there are networks of people communicating with each other to indicate what areas they should avoid at a particular time.

That takes me to another point; that is, the question of the confiscation of vehicles. I support the idea of the confiscation of vehicles because I want to see the vehicles of hoon drivers off the roads. I want to see the hoon drivers' ability to commit any further activity removed. I worry about the fact that we are towing and storing all these vehicles. I wonder about the costs associated with it. I appreciate that this legislation attempts to recover the costs of that activity. That seems to be somewhat of a double-double charge. I wonder whether we need to go through all that effort when we could simply confiscate a vehicle's registration plates and force a person to leave the vehicle on the front verge for the confiscation period. The advantage would be that, in order for a person to get the vehicle back on the road after the confiscation period had elapsed, the person would need to take the vehicle through the full inspection process to ensure that the vehicle was roadworthy. We should encourage anything that can be done to remove from our roads vehicles that are not roadworthy. That way we can take a negative and turn it into a positive. That is something else we should consider, particularly when we are dealing with vehicles that may not in fact be owned by the perpetrator—it may be a family or business vehicle. If we confiscate a vehicle's plates, it means that the plates could be returned to the rightful owner and the overall cost of the process would be relatively minimal as opposed to what presently exists. Presently, when a car is taken away and stored for a time, another person may make an application to the court, explaining that the vehicle is in fact his and its impoundment would cause him great hardship et cetera. A cost has been incurred in that instance, whereas if we just took the plates away, there will not be any cost. Although we are trying to protect members of the community, we should not impose excessive costs on them. I note in the minister's second reading speech a reference about the proceeds going to the road trauma trust fund, which is admirable. However, is the overall quantum of money that goes into the road trauma trust fund in a given year the same amount? Are we pushing money in one side and pulling it out from the other? Will more money go into the road trauma trust fund? I certainly hope that it will.

MR J.C. KOBELKE (Balcatta) [7.20 pm]: I support the Road Traffic Amendment (Hoons) Bill 2009. In bringing forward this legislation, the minister is clearly seeking to fulfil an election commitment that the Liberal Party made prior to the last election. It must be acknowledged that this legislation delivers on that commitment. The antihoon legislation was introduced by a Labor government. The member for Forrestfield and others have said that hoon driving is a major issue in many of our electorates. It is probably the number one issue in the electorate of Balcatta, and particularly in the suburb of Balcatta. People feel that their safety is threatened by the way in which some people drive. The peace in people's homes is disturbed by the noise the hoons make. It is a

blight on some of our suburbs when this type of activity occurs on an almost regular basis. However, it is not so regular that the police can necessarily easily set a trap to catch those people. Part of the reason why we need tough laws is that the opportunity for the police to apprehend someone in the act is limited. Therefore, when an offender is apprehended, we want quite severe penalties to apply to drive home the lesson and hopefully prevent other people from doing it. Antihoon legislation was a Labor initiative, and we support making sure that we have tough antihoon laws. Later I will say more about talking tough but not necessarily delivering better laws.

The government gave an election commitment to introduce this type of legislation, and one hopes that it will work. If the government does not follow through with the administration of it and if the government does not monitor how the legislation will work and make sure that it is properly implemented, it will potentially backfire and cause more problems than it will solve. When the now Minister for Police was in opposition, he put forward a range of proposals that were not sincerely aimed at fixing the problem; they were aimed at making the Liberal Party look like it was being tough on the issue and that it would do something about it if elected. Only time will tell if it will do something. Hopefully the necessary monitoring will be in place to determine whether this legislation will be effective or whether it has overstepped the mark in some ways and will be counterproductive. I hope that it will work and will lead to making sure that we have fewer hooners on our roads, but only time will tell.

I will very briefly go through the history of the hoon legislation. The Labor government first introduced this type of legislation. At our first attempt at introducing it, the Liberal Party used its numbers in the other place to water down the legislation. The key provision the Liberal Party took out was the ability for police to impound a vehicle when evidence of the offence was provided by a third party. I think that Hon Peter Foss was the then Leader of the Opposition in the other place. He managed to get the minor parties to join with the Liberal Party and take out that provision from the legislation. It was weakened initially by the Liberal Party.

Mr R.F. Johnson: He was not the leader. He was the shadow Attorney General.

Mr J.C. KOBELKE: I thank the minister for correcting me. After winning the 2005 election, the Labor Party had a very clear mandate to insert in its antihoon legislation a provision to allow the police to impound a vehicle when they had received evidence from a member of the public. Within just a week or two of the passage of that legislation, the police in Kalgoorlie were able to impound a vehicle when they received evidence from witnesses. Several witnesses had rung the police about a clear example of hoon driving. From what the police related to me, it also helped that when the police went to the hoon driver's home, he as much as admitted to having done it. The police were able to use that information, whereas they were unable to do that under our first antihoon legislation, which had been watered down by the Liberal Party.

Pressure was brought to bear to do more about hoon behaviour because it was a continuing problem. I acknowledge that when the minister was in opposition, he proposed to extend the period of impoundment from 48 hours to seven days. We initially rejected that, and I will explain that in more detail later. Realising that the problem needed to be dealt with, we took up his suggestion and extended the period in our second review and strengthened the legislation to increase the impoundment period to seven days. However, we did far more than that. We extended the range of issues that represented a hoon offence for which a vehicle could be impounded. We also extended the legislation so that a vehicle could also be impounded when a person drove without a licence under three specific provisions. We ended up with much tougher legislation, but it was not implemented by the time of the election. Later I will talk about the implementation period and about the comments made by the minister in question time today. The strengthening of the legislation meant that a vehicle could be impounded for seven days, and the impoundment could be for a wider range of offences, including driving at 45 kilometres or more over the speed limit. Therefore, driving through a 40 kilometre an hour school zone at 85 kilometres an hour would be an impounding offence.

There were a range of other areas, which I will not go into in detail, that we extended to catch people for what was considered to be a hoon offence. We extended the provisions to include people who continued to drive after their licence had been either suspended or cancelled by a court. In general terms, three specific provisions related to unlicensed driving. We also extended the period of impoundment from 48 hours to seven days. That legislation went through the house at about the middle of last year. I was certainly pressuring the police to implement that system as soon as possible. The police needed time to make sure that it was working properly, mainly for two reasons. The first related to the ability to impound the vehicle of an unlicensed driver because of one of the three provisions that I have talked about generally. Those provisions meant that the police had to extract certain information from the then Department for Planning and Infrastructure's licensing system to ensure that the impoundment related to the loss of licence for the correct reason. For instance, a vehicle could not be impounded simply because a driver's licence had expired because the driver had not paid it. There were issues involved in developing software systems between the databases to make sure that when a police officer found that a person was not licensed, the issue for which a court had removed the licence was the basis for the impoundment, and not another issue. The police wanted a fair bit of time to do that. I was assured that the police

could have that system up and running by about November last year. The minister has failed to push this matter hard enough, because we had to wait until July this year before he was able to implement it. I very much wanted that system implemented quickly.

Mr R.F. Johnson: I was told that that was the date you had agreed to.

Mr J.C. KOBELKE: No, I did not. I wanted it up and running in September but was told that it was not possible. I then said that I wanted it implemented by October or November because the election was held in September. I was pushing to make sure that it was implemented in 2008. I realised that that was putting pressure on the police because of the complexities involved with getting information from the DPI's database onto the police system, which then was to be made available through Tardis to police vehicles —

Mr R.F. Johnson: That was beyond their control at that stage.

Mr J.C. KOBELKE: I was no longer the minister after September and I do not know what other issues might have arisen since then. I was very keen for that system to be brought in very quickly. That was one reason why there was a delay.

The second reason for the delay was that the towing and impounding yards were contracted out. We had a contractor under the old impounding legislation, but far fewer vehicles were impounded under the old legislation and therefore the private provider's facilities were quite limited. People had to tender for the job of towing and impounding the vehicles, which would have taken some time. I was aware of that. From travelling throughout regional Western Australia, I was also aware that the police officers in those areas did not necessarily have a contractor who could tow and impound a vehicle. We needed to put in place other arrangements in rural Western Australia whereby someone would be willing to take on that business and to make money from it.

During question time today the Minister for Police indicated that he thought that the former Labor government had somehow hidden what the costs would be for impounding vehicles. I can assure the minister that there was absolutely no hiding of costs whatsoever. In the earlier legislation we had taken steps to try to minimise the cost of the process to the police, because in the first version of the legislation, which had a period of impoundment of 48 hours, two problems were created for the police. The first problem was that, under the law, police were legally bound to release the vehicle after 48 hours, and people may not pay the money. If the money was only \$200, \$300 or \$400, the legal process of seeking to recover payment of that money would cost more than the payment. That was a huge administrative issue. The police did not want the job of having to try to reclaim the impoundment and towing fees from someone who had the right to pick their vehicle up after 48 hours and did not have to pay the money. The legislation was changed to state that the vehicle would be released only on payment of all fees.

The second problem was that the vehicle was impounded for 48 hours. If a vehicle was impounded on a Thursday night, the 48-hour time period would end at the same time on the Saturday night, and legally the owners could claim the vehicle back. The legislation was changed to make it the first period of normal working hours after the 48 hours had ended. We saw those new measures as potentially removing not all, but most of the costs that the police would have to pick up. No submission was made to cabinet seeking extra money for the police to be able to administer the hoon laws.

Mr R.F. Johnson: Not for the hoon laws; the ones in relation to unlicensed drivers. I think you know full well that no submission was put to cabinet when you put forward the cabinet submission. That is the one that catches so many.

Mr J.C. KOBELKE: I will tell the minister the story. There was no backing off there. The issue of the impoundment of vehicles for unlicensed drivers was part of a package to do with repeat drink-drivers. That package for repeat drink-drivers was already committed to by the government when I became the police minister three years ago. The process of getting that legislation through was incredibly slow. The Office of Road Safety was very frustrated by it; I was very frustrated by it. It came down to the fact that so many amendments to the Road Traffic Act had to be made. Another difficulty in putting that in place was the tendering for the equipment that would go in the cars, so that repeat drink-drivers actually had to blow into the machine before they could drive the car.

Mr R.F. Johnson: The alcohol interlock system.

Mr J.C. KOBELKE: Yes, the interlock system; I presume the minister is still working on it. For a range of reasons efforts to bring it forward were frustrated. The money for that was incorporated into the police budget about four years ago. Millions of dollars were allocated so that the police could implement that scheme. I simply took it that that money had already gone into the police budget. I am sure it had been used on other things, although I was asked whether it was still there, ready to be used to install interlock systems for repeat drink-drivers. The money had been allocated in the police budget. Because we did not have clear figures on how many people would have their vehicles impounded if they were caught driving unlicensed, we did not actually put any

money into it. The budget submission, as I remember it, did not even mention any money. In earlier discussions, we had said that the money for the scheme dealing with repeat drink-drivers and interlocks—of which impounding vehicles for unlicensed driving was one key element—had been allocated three or four financial years previous; therefore, we did not consider any money at that time.

Mr R.F. Johnson: How much funding are you saying was allocated over that three or four years?

Mr J.C. KOBELKE: It was a long time ago, but one figure that sticks in my mind is \$3.7 million. I cannot remember if that was for the first year, or if it was the total amount.

Mr R.F. Johnson: I will check on that, but that is nowhere near enough.

Mr J.C. KOBELKE: That is because the minister is judging it on the basis of the number of vehicles being impounded because of unlicensed drivers; is that correct?

Mr R.F. Johnson: Yes, but the member's legislation was based—I accept it was good legislation—on the New Zealand model, as I understand. There was evidence from New Zealand that gave a good estimate of the number of vehicles that would be pulled off the road.

Mr J.C. KOBELKE: The difficulty with that is that the repeat drink-driver and the interlock was a total and complex package. If the small element of the impoundment of vehicles for unlicensed drivers was taken out, it became very hard to do the figures on what it might mean. All the different factors of the total package worked with each other, and removing that element produced a different result from just the impounding for the unlicensed drivers.

Mr R.F. Johnson: I disagree.

Mr J.C. KOBELKE: Getting those people off the road is fundamental to safety.

Mr R.F. Johnson: Absolutely.

Mr J.C. KOBELKE: How much money does it save in other costs? People driving unlicensed usually have very poor driving habits and are much more likely to be involved in accidents. A lot of police work results from those accidents. There are wins and losses, and the former government was very keen to push ahead with that program; it was a big priority for me. I asked my staff on a weekly basis—if not more often—what the details were in bringing this in and how we could ensure it was pushed and put in place as quickly as possible. I have to admit that when the minister allowed it to be put off until July this year, I was most disappointed. I expressed that disappointment to the member for Girrawheen and my other colleagues. I thought that the minister was taking it easy or that he had been conned about some of the administrative issues. I would have been pushing very hard to ensure that that legislation was in much earlier than it was.

Mr R.F. Johnson: I will certainly check on that, member for Balcatta, because I would hate to think I had been conned. I clearly believe that the message I was given was that it was scheduled to take effect from 1 July this year. That was what you were a party to. From memory, that is what I was told. I will check on that.

Mr J.C. KOBELKE: The legislation went through in about June 2008.

Mr R.F. Johnson: Yes, to take effect from 1 July. That is what I was told.

Mr J.C. KOBELKE: I would have liked it in July 2008, but I had to accept that there were administrative issues. I was certainly pushing very hard to get that in as early as possible. As I explained, complexities with both the transfer of data between computer systems and a lot of the other legislation relating to the Road Traffic Act created problems in putting that in place.

I will explain now why, when the present minister suggested a longer impoundment period, I had some concerns about that, and why my concerns remain, particularly now that the impoundment period has been extended to 28 days. It seems to me that we will catch very low-level hoon offences. I will raise a number of issues when we go into consideration in detail, and I would like to get quite specific information from the minister. The problem is that if tougher laws apply to lower-level offences, there may be two possible consequences that could undermine what is trying to be achieved—that is, a reduction in the amount of hoon driving and unlicensed driving on our roads. Those two negative consequences go to the fact that when a vehicle is impounded for a longer period, it is likely that there will be more legal challenges to it.

[Member's time extended.]

Mr J.C. KOBELKE: That concern I have might not be well-founded, and over the next five years we might find that there will be no hassles in that area at all; I hope that is the case. But the fact is that this is a tougher penalty, and we have to keep in mind that the police will be imposing a penalty without the matter going to court. We generally have a clear separation between the police, as the investigative and, to a certain extent, prosecutorial arm of justice, and the court system, which is independent and able to hear the case on the facts and determine what the penalty might be if a person is found guilty. However, in this area of legislation the police

are the witnesses, the prosecutors and the judge, because the impoundment happens without it going to a court. The former Labor government accepted that in special circumstances it was an appropriate way to deal with the issue, but when we start to make it much tougher by increasing the impoundment to 28 days, when we start to pick on people at the very bottom end of the concerns —

Mr R.F. Johnson: That was what you did in your legislation. You introduced the 28 days for unlicensed drivers. What is the difference?

Mr J.C. KOBELKE: The minister makes a good point, but there is a difference. The provision for unlicensed drivers, I pointed out, was for three specific offences that had been through the courts. It applied when the licence had been removed by the courts, not because the offender did not pay a fine. People can be charged with hoon offences on advice from the public or upon the offences being witnessed by a police officer, and a penalty of 28 days' impoundment can be imposed without a court being involved at all. We thought that for special circumstances that was a good thing. Lawyers were very upset with me; they made it very clear that they disagreed with it. I pointed out to them that it was worthwhile because getting those cars off the road was important for the safety of other drivers on the road. I am saying to the minister that I hope it will work but he should be aware of my concerns that he may now find more people willing to challenge it because of the severity and length of the penalty, and the fact that people can have quite different interpretations of the facts, and there is no court to sieve that.

There is a second reason why I have a great concern. For nearly eight years the Labor government—I followed on from the member for Midland, Hon Michelle Roberts—supported the work of the current commissioner, who I think is an outstanding commissioner, to make sure that there was real respect and support for our police in the wider community. We have a situation with these laws that could happen with other laws where the police, who are the investigators or the people who see the incident, directly determine the penalty, and when they make mistakes—they are human and we all make mistakes—some members of the community lose respect for them. We need to guard very carefully against that. We have a fantastic group of police; they are a wonderful group of men and women. They do an incredibly difficult job. When we put them in a situation where they have to make a judgement in a very short time—take the example of the superintendent—and a vehicle is impounded, if they get it wrong, consequences flow from that because by the time the person affected finds out how to appeal or tries to point out the special circumstances to the commissioner, it could be a week, two weeks or three weeks before the police officer is shown to have made a mistake. That can happen when only two days have passed. When 28 days have passed, there is the potential for simple mistakes to really backfire in terms of the community's view of our police, who do such a fantastic job.

Mr M.J. Cowper: The police have to make split-second decisions on life and death matters. They are not always going to get them right but they are acting in good faith. You have to be supportive of them, right from the commissioner through to the government of the day. I take your point but they are not always going to get it right, as you rightly put it.

Mr J.C. KOBELKE: I accept that. As the member well knows, that is part of being a police officer. It is a burden that our police officers carry. If they delay too long and make a mistake, they get criticised for that. If they act quickly and in good faith to try to do the right thing, but on the spur of the moment make the wrong decision, everyone judges that in fine detail weeks or days later with the benefit of hindsight, and they get criticised again. As the member well knows, it is a very difficult job. The training, expertise, personal integrity and character of our officers are such that I have great confidence in them. We always know that we are human and that people make mistakes. If we set up a legal system—I have some concerns about that—it will set police up to have their reputations sullied by the odd little mistake, because they will no longer have all the checks and balances of having to go through a prosecution and go through the courts. In our original hoon legislation we put an extra responsibility on our police. Because of the length of time involved and the low level offences, it means that the small mistake they might make gets amplified. That is my concern.

I would like to go into some of the details of the impoundment when we go into consideration in detail of the bill. It is my understanding that the 28-day impoundment applies for the very lowest level of what we potentially call hoon driving. For example, a person who is out driving on a Friday night, not under the influence of alcohol and not breaking any other law, puts his foot down when the lights go green. He does not go beyond 60 kilometres an hour, but he puts his foot down and a bit of smoke comes up from the wheels. I understand that that is a hoon offence. He did not zigzag or speed but he took off from the lights, planted his foot for a couple of seconds and a bit of smoke came out from the wheels. Under this legislation—the minister can correct me—he has to have his vehicle impounded for 28 days.

Mr M.J. Cowper: They can be charged with making undue excessive noise. I think it is four demerits and \$300.

Mr J.C. KOBELKE: My understanding is that the minister is changing the legislation from saying the officer has the discretion to impound to saying the officer has to impound.

Mr M.J. Cowper: It is only when it is attended by the circumstances —

Mr J.C. KOBELKE: That is why I want to go into it in detail. I am not an expert on this. It is an amendment to a bill and it is hard to get the exact sense of it. Therefore, I will be keen for the minister to clarify this. My reading—I acknowledge that it is not expert reading—is that it says that the lower level of hoon offences will still attract the 28-day impoundment. A hoon offence can be classified as having smoke come off a car's tyres, not exceeding the speed limit or zigzagging across the road. The member for Murray-Wellington has been a traffic officer. Perhaps he would consider putting one's foot down to be dangerous driving.

Mr M.J. Cowper: For it to be considered dangerous driving, it has to be dangerous to some other person. If he was out in the car by himself —

Mr J.C. KOBELKE: If he accelerated for two or three seconds, some people might consider that to be dangerous. Police officers have to consider those issues.

The other issue that, even with our earlier legislation, creates a potential problem is what happens when the vehicle being confiscated, not just impounded, is not necessarily the vehicle owned by the driver. We need to make sure that there are ways of considering that case. We do not want someone simply borrowing someone else's car—a friend's car or mum or dad's car—deliberately hooning, and thinking he can get out of it because it is not his car. We took the approach of the law; I still accept and support that. That is, if the hoon driver has someone else's car, that car is still liable for impoundment and, after multiple offences, confiscation. The difficulty we have now is that it is impounded for 28 days and therefore it is an even greater problem. If it is someone else's car and it is confiscated for two days or even seven days, that person might say that it is a huge inconvenience and he wants to make his case to the commissioner or wait until he gets to court. The police might accept that the car was stolen but that is difficult if it is owned by a friend or family member. Does he do the person in and say that he did not get permission to use the car and that he wants the police to charge the person with stealing the car? All those issues get caught up with it. The police already have to deal with those cases under the existing law. I again point out that when the period of impoundment is extended and it is toughened up, where there is seen to be a miscarriage of justice because the person whose car was impounded really had nothing to do with it and did not lend the car, a much more severe penalty will be imposed on him.

We certainly support tougher laws with respect to hoon driving. I am just concerned that this legislation has been put together because it needs to be seen as tough talk rather than a really thought-out process to make sure that our laws will be tougher and produce the results we want, which is to get hoon drivers and unlicensed drivers off the road. We are not just talking about one or two types of people. It is also caught up with a range of social problems, such as how we change attitudes. Earlier, one of the members talked about the fact that we need to deal with those wider issues. Sometimes the tough talk and thinking that we can use a big stick and get a result can be counterproductive. We need to make sure that we catch those people with the tough laws who do not accept their responsibilities on the roads, those people who are continually doing things that are unsafe to road users other than themselves, and we need to get them off the roads. Lots of people are in the grey area in between, such as young kids driving who just do it once and they are unlucky to be caught. If the 28-day impoundment teaches them a lesson, and quite often it does, that is good. We are dealing with people caught up in a range of social issues.

I certainly wish the government well in making sure that these tougher rules are going to work. I have expressed openly to the minister in the house that I have some concerns that there is too much tough talk and not enough tough, hard thinking to make sure that we have laws that will deliver what we want; not just a political message that the government wants everyone to see that it is tough on this type of behaviour, which I am sure is totally unacceptable to all members in this house.

MR P.T. MILES (Wanneroo) [7.50 pm]: I support the legislation wholeheartedly. In the past 10 years or so there has been an alarming trend of antisocial behaviour on our roads by a small but worrying percentage of motorists. I imagine that most of us have been on the receiving end of an episode of road rage at some time and know what a frightening experience this can sometimes be. I regularly receive reports from my constituents in Wanneroo that the peace of their suburban streets is being disturbed by motorists racing or doing burnouts and similar, usually in the middle of the night when ordinary folk are trying to sleep. I believe the provisions of this bill will allow our police to take a much tougher stance against the unwelcome behaviour of such individuals.

My electorate of Wanneroo is an interesting mix of built-up suburban areas around the town site of Wanneroo on one hand and the older style rural roads through rural and semi-rural areas on the other hand. In the past 18 months to two years in the suburb of Carramar alone there have been at least three incidents when cars have ended up in some unfortunate home owner's front room or bedroom. Each one of these incidents has happened because the motorists were hooning in a built-up area, which, I may add, is home to hundreds of young children. In the rural areas of Wanneroo, roads like Sydney Road, Lenore Road, Hawkins Road, Caporn Street, Pinjar Road and many others are all too often used for irresponsible hoon behaviour, to the danger of local residents. In these areas many people walk along what is usually a quiet rural road. Some exercise their horses or move their tractors on these roads. It does not take much imagination to understand the safety implications when a speeding,

reckless driver is added to that picture. The older style rural roads were not designed for large traffic flows. Many of them have no warning signage of approaching bends and the road shoulder is often very ragged with lots of loose gravel on the side. Most designated rural roads operate under the state default speed limit of 110 kilometres an hour, which further adds to the potential for disaster in the rural areas of Wanneroo.

The problem is at its worst where these rural areas abut newly developed residential areas and a rogue element of drivers speed through the area at speeds that would make one's head spin. In one such instance I sought the assistance of Main Roads WA in recommending to the local council that the speed limit on Wells Street, Mariginiup, be lowered from the original 110 kilometres an hour to 60 kilometres an hour. That road is about only 300 or 400 metres in length. At the Regent Waters estate, Pearsall, local residents were up in arms about the huge number of reckless and hooning drivers using their suburb during morning and evening peak hours as a shortcut from Ocean Reef Road to the Wanneroo town site. There were so many traffic incidents in this usually quiet suburb that they sought my help to petition the City of Wanneroo for the closure of the main access road into the estate, which is going to happen. I am also aware that in the suburb of Madeley, which, like Carramar, has a very large population of primary school aged children, constituents are sick and tired of drivers hooning through some of the longer connecting streets and putting pedestrians and other drivers at great risk. These are just a few examples of the sorts of problems that residents in my electorate have had to endure.

Although I know that these new laws will not fix the problems overnight, I am confident that with the passage of this bill the message will soon get out onto the streets that hooning does not pay. Having a car impounded for seven days will make a big impact on offending drivers. Having a car impounded for 28 days will make an even bigger impact on this errant group. If they refuse to learn the lesson and continue to reoffend, having their car sold off or crushed will send the strongest message of all. The Minister for Police summed it up perfectly when he said that people who repeatedly drive recklessly, putting lives at risk in the process, do not deserve to be on our roads. As the government's stance of zero tolerance for hoon behaviour gathers impetus I believe that we will see a reduction in the number of drivers prepared to risk their precious vehicles for a few cheap thrills by doing burnouts on suburban streets or speeding through residential areas.

I strongly support this legislation and look forward to the positive impact it will have on the peace and safety on the streets for ordinary, law abiding Western Australians.

MS J.M. FREEMAN (Nollamara) [7.57 pm]: The member for Balcatta summed up this legislation when he said it was about tough talk and not tough thinking, and he knows its history very well. It appears that way to me, too. I need to make it clear that I do not support reckless driving or the behaviour that has led to this type of legislation. However, the community of Nollamara, which I represent, had not raised it as an issue with me. I thought it was a bit odd and that maybe I had missed something because I had not talked to the right people. I go to similar seniors clubs that other members go to. I visit schools and other places. I talk to people about many issues that are raised, including transport and traffic. I had a public meeting about a traffic issue in the area. However, the issue of hoons had not been raised. It seemed a little odd to me, but I then noticed that the police budget for 2009-10, at page 562 of the budget papers, refers to the outcome of lawful road-user behaviour and basically states that the extent of the community that thought speeding cars and dangerous and noisy driving was a problem in their neighbourhood was about only five per cent. That confirmed what I sensed. I think that because we already have good working legislation, people feel it is meeting their needs. That is certainly the feedback I get from the community, because on the few occasions when it has been raised and I have talked about the hoon legislation, people's biggest concern is about making reports and the police acting on those reports and attending in a timely manner.

One difficult situation that was repeatedly raised with me turned out, on further examination, to be a neighbourhood dispute. The kids across the road were getting into their cars and hooning across their neighbour's front verge. That amounts to almost criminal behaviour, because there was intent and property damage involved.

Mr R.F. Johnson: And intimidation.

Ms J.M. FREEMAN: Exactly. The current legislation seems to be working effectively. The government appears to be introducing this legislation so that it looks as though it is doing something. However, we will not really be doing anything but probably imposing a lot of consequences on people in how they deal with their families, work and meet their obligations, all because they may have one foolish moment, as the member for Balcatta pointed out. Young people often have one foolish moment and, as the present legislation would show, once they have their car impounded for a period of time, the repeat offender rate drops markedly by more than half to three-quarters.

The issues on road safety that I hear about when people approach me are about changing the speed limits. For example, the speed limit on Alexander Drive goes from 60 to 70 to 60 to 70 kilometres an hour at crazy places, such as a set of stop lights where the speed limit is 70 kilometres an hour down a hill. Clearly, when people

increase their speed to 70 kilometres an hour, they have momentum—that is what happens in cars—and suddenly they are travelling over the speed limit. They are speeding, but they are not hooning necessarily.

Mr R.F. Johnson: They would not be done for hooning in that situation.

Ms J.M. FREEMAN: I accept that. This legislation is not addressing community concerns about road safety, which is the real issue in the community; it is not necessarily hooning. We have legislation. It is good legislation. It is operating legislation.

The design of roads is also an issue. Nollamara Avenue has a blind spot that causes people great concern. When I talk to my constituents and ask them if people are hooning, the response is no, they are travelling at speed. This occurs because the speed limit on Nollamara Avenue changes at the blind spot and people are not prepared. We have a systemic design problem. The solution is not to suddenly impose legislation on the community, when the problem is different from what the legislation is addressing.

I was very pleased to hear the new appointee to the Office of Road Safety talk about systematic solutions to a lot of the problems that exist on our roads that will not disadvantage certain social groups in the long term. These laws do and will disadvantage certain social groups. Impounding cars for 28 days will result in a lot of people making a decision to leave their cars in the impound yard because, frankly, it will be cheaper to buy another bomb than it will be to get their car.

Mr R.F. Johnson: They are still responsible for the fee.

Ms J.M. FREEMAN: If the minister goes after them to pay that impound fee, they will receive a fine, and when they cannot pay that they will end up in the justice system. That is not a proper and sustainable solution to this problem. It is not thinking about the problem; it is just making a lot of statements without looking at the ramifications and how our community wants to operate.

My colleague the member for Forrestfield suggested taking the vehicle plates. I loved the book *Freakonomics*. All members have probably read *Freakonomics*; it was a best seller. It is true that if a punishment is excessive, like impounding a bomb for 28 days, that vehicle will not be used. But if we take away something that is in someone's possession that he cannot use at that particular time, that creates an economic cost to fix that problem and to work with that. Taking away the plates might be a better way of dealing with the problem. It does not seem as though the government has considered any alternatives. What about different levels of drivers' licences, as we have for motorcycle licences? I cannot understand why we do not consider the fact that these laws predominantly target young males of 25 years or younger. Perhaps we should have different levels of drivers' licences, so that someone could not get into a powerful vehicle unless he had a licence that showed he had the competence and capacity to take control of that sort of vehicle. In that way we might be able to look at something that is much more long term and sustainable so that we build a community while addressing the problems.

Mr R.F. Johnson: You had eight years to do something like that and you never bothered.

Ms J.M. FREEMAN: I have not had eight years, minister. I would be happy to have eight years in government! If the minister were on this side of the house and I on the other, I would be happy to have eight years. Give them to me now!

Mr R.F. Johnson: You are not up to the job yet—maybe in about 12 years' time.

Ms J.M. FREEMAN: I have made my point.

MR I.C. BLAYNEY (Geraldton) [8.03 pm]: I will speak briefly in this debate. I understand that Geraldton is currently second in the number of cars impounded under the hoon laws. It is running a close second to Kalgoorlie!

The local police told me that when the new laws came into place at midnight, by sunrise they had already taken in six cars. I live on top of one of the hills in Geraldton and it frankly used to amaze me that at all hours of the night and in the early morning I would hear people screaming around the streets. However, within a week of the law coming in that had died back to almost nothing.

Mr P.B. Watson: It was probably Shane Hill in his ute!

Mr I.C. BLAYNEY: They have not got him yet!

Quite a few people from all sorts of backgrounds have come into my office to support what the government is doing with the hoon laws. They have been quite complimentary. One of those people was a worker from the local hospital who had come in to talk about pay negotiations, but as soon as we slipped onto the hoon laws, he was on the government's side.

Mr W.J. Johnston interjected.

Mr I.C. BLAYNEY: He was more worried about hoons.

Mr W.J. Johnston: Then why did he make an appointment about the wage rise?

Mr I.C. BLAYNEY: He started to talk about hoons when he got into my office. We dealt with the wage offer and then he wanted to talk about hoons.

A considerable number of people have reported local hot spots to my office, mainly through the local Neighbourhood Watch committee. I was recently in Karratha, and on my morning run I noticed a car yard full of quite nice looking newish cars with stickers across their windscreens indicating they had been impounded for hooning. I thought it was useful to have these cars displayed in a prominent place in the local central business district.

We brought in these laws because we care about young people and other road users. We want them to live to a ripe old age. We do not want them to become a statistic. If hoon drivers have 28 days of having to walk, catch a bus or ride a bike, they will think more carefully before they commit a hoon offence again. The government has done a good thing with these laws, and I look forward to seeing the new laws in place. As I said, the police in my area are pleased with and supportive of the legislation.

MRS M.H. ROBERTS (Midland) [8.06 pm]: I rise to speak on this legislation, which has been brought forward by the government so that it can associate itself with successful legislation brought in by the former government. As has already been mentioned in this debate, as police minister I was the first person to introduce hoon laws into the Parliament of Western Australia, and subsequent to that the member for Nollamara, as a later police minister, introduced amending legislation. This is the third tranche of hoon laws. It was probably never possible to get the first tranche of hoon laws perfect, because it was a first. It was a first in this state; and, in fact, we were only the second state in Australia to introduce laws to deal with hoons.

Without doubt hooning creates a significant problem in the suburbs. People who hoon and contravene the existing legislation are a menace on our streets. They put the lives of young children and others in our community at risk. They make living in the suburbs unpleasant, and they strike fear into the hearts of parents in just about every community in the state as they worry about the safety of their children, the safety of the elderly and their own safety.

I have had a look at this legislation and to me it seems rather cobbled together. It seems it has been cobbled together to achieve a couple of important things. The worthwhile parts of this legislation actually strengthen some technical aspects within the legislation and improve it. I am not sure how either effective or fair the provisions that are touted as being even tougher on hoons will be.

In the first instance I want to turn to the statistics, because other than the provisions that clarify the intention of earlier legislation, the significant difference in this legislation, as the minister pointed out in the second reading speech, is that for a first offence the impoundment period will be increased from seven to 28 days. When I first introduced the legislation, the impounding period for a first offence was just 48 hours. It was only last year that the legislation was amended to increase that to seven days and, in fact, that legislation has been in effect for only a very short period of time—too short a period of time to draw any conclusion as to its effectiveness.

When I introduced this legislation in the first instance, it was not so much about punishing people but about improving behaviour. There is no particular joy in punishing people for the sake of punishing people. The real intention of the legislation was to stop people from hooning; to prevent bad behaviour from occurring; and to deter people from engaging in hooning behaviour so that we would not have hoons on the road or, indeed, would have as few hoons as possible on the road engaged in that kind of activity. That is why the legislation was set up with incremental increases in punishment for each offence. The concept was to give people engaged in hoon behaviour, as described in the legislation, a short, sharp slap on the wrist so that they would appreciate the community's point of view and understand that their vehicle would be impounded if they engaged in that behaviour again. It was not about taking a vehicle off a person for a very long period of time. It was not about removing the driver's licence or a whole range of other potential deterrents. There are already deterrents for a great number of offences, some of which are covered by the hoon legislation. Indeed, there have always been significant financial deterrents for some behaviours, such as excessive speeding and excessive noise and a range of other offences when people engage in that behaviour.

There is a range of offences under the Road Traffic Act for which one can lose one's driver's licence. Members will have noted in recent times that yet again there have been cases of people who have driven without a driver's licence because, for whatever offences they committed, they have had their driver's licence revoked—yet still they drive. Those who are most inclined to continue to drive are those who have been convicted of drink-driving offences. The evidence suggests that those people convicted of drink-driving offences reoffend and continue to drive without a licence because the vast majority of those persons are alcoholics. They are alcoholics who have another drink or two or three and who, as a result of that, begin to lose judgement. As a former police minister, I had begun to look at the immobiliser schemes for people who are habitual drink-driving offenders, because, patently, the existing penalties do not work. For alcoholics who get caught drink-driving, the potential penalties

at this time are to either revoke their driver's licence and/or to sentence them to jail. If the essential problem is that the person is an alcoholic, we have to question whether putting the person in jail is the right response and whether, as a result of a period of imprisonment, his behaviour will be affected post-jail; that is, when he comes out of jail, will he still drink and drive and pose a risk to other people in the community? The concept behind the immobiliser is to get people to change their behaviour. The government says that it is making progress in that direction, but it is not there yet.

When I proposed those changes about three years ago, Western Australia was leading the nation. I now note that other states have moved well ahead of Western Australia and that when we eventually get fuel-immobiliser legislation in place we will be one of the last states in Australia to do so. Indeed, on most road safety matters prior to 2001 we were generally the last state in Australia to move ahead on road safety initiatives. I note that a number of initiatives taken up in other states are still to be taken up in Western Australia.

The concept behind the hoon legislation was to change the behaviour of those people who engage in hoon offences. Do I want to see young people punished for long periods? No. I want to see behavioural change. I want to see streets in the suburbs in my electorate, and everyone else's electorate, made as safe as possible by a reduction in the number of people involved in hooning activity. This is about road safety. It is about saving lives. It is about people feeling secure and safe in their home environment. The concept was to do something different. It was not to have the threat of a fine—even a large fine—or the revocation of a licence, but to take something belonging to the individual; that is, to take a material possession from the individual, in this instance their vehicle, for a period of time to give the person concerned that short, sharp message. I note that this being done by the legislation that we put in place rather than through a court of law was opposed by the Liberal Party in the upper house. Hon Peter Foss, and indeed numerous other Liberal members in the upper house at the time, spoke against the legislation. Indeed, they amended and softened the original legislation because, as was expressed at the time—and it is all in the *Hansard* record—they did not believe that police officers should simply be able to impose these kinds of laws; namely, to take someone's hard-earned possession off them, even if only for three days, as proposed in the original legislation, without such an action having been determined by a court of law.

When this legislation was reviewed by our government, we determined to bring to the Parliament legislation that increased the period of vehicle impoundment to seven days. I note that the member for Balcatta spoke about this at some length and I do not intend to cover the ground that he has already covered on this. Once again, at the time that we introduced the amendment, there were suggestions that the impoundment could be for a longer period—perhaps 14 days or perhaps the 28 days that the government has now opted for. I draw members' attention to the short, sharp message and say that if the government is trying to change people's behaviour, the legislation in place is in fact already doing that. I think that all we are seeing from this government is window dressing as it tries to say, "We are tougher than you were on hoons." I do not think that that is the case. I think that it is a matter of being seen to be tough or being tough for tough's sake. I note that in this state, as has happened in other states, the legislation's imposition of a short period of impoundment for a first offence has proved to be effective. In 2004, 150 people received a three-day suspension.

Mr R.F. Johnson: The 48-hour suspension.

Mrs M.H. ROBERTS: Sorry; the 48-hour-suspension. Only one of those people committed a second offence. That short, sharp 48-hour deterrent, taking the vehicle off the offender and saying if they did it again they would lose the vehicle for longer next time, actually worked. A total of 149 people did not reoffend with a hooning offence. In 2005, 388 people had their cars impounded for 48 hours and four reoffended. The fact that people were offending a first time but not offending a second time is evidence that the penalty was remarkably successful. Had their licence been taken from them, they would have driven without a licence. Had they been fined a sizeable fine, they would have done it again and paid another fine and perhaps a third fine. However, with the very real prospect of impoundment of their vehicle for a longer period, they actually changed their behaviour. If the minister is interested in having success with road safety, he must aim to change people's behaviour. In 2006 there were 337 first offences and only 16 second and subsequent offences. In 2007 there were 927 first offences. That is a lot of first offences, but how many of those offenders reoffended? Does the minister think perhaps 10 per cent?

Mr R.F. Johnson: Quite a few of them.

Mrs M.H. ROBERTS: If it had been 10 per cent it would be 92, yet it was only 19. On my rough calculation that is about two per cent of people who offended a second time. Therefore, 98 per cent of offenders got the message by having that short, sharp period of impoundment of their cars. I would say that if 98 per cent got the message, that was pretty successful. I wonder what the real, logical argument is for that first longer period of impoundment of a vehicle. In 2008 there were 1 634 cars impounded for a first offence and 157 of those cars were impounded for a second and subsequent offence. Apparently in this year to date there have been 1 422 first offences, yet only 107 second and subsequent offences.

Mr R.F. Johnson: Only 107! You make that sound as though it is respectable.

Mrs M.H. ROBERTS: More than 90 per cent of people got the message the first time around. The minister can interject now, if he wants to, but I would be very interested to hear his interjections next year or the year after once this legislation has passed through both houses. I do not believe that the second and subsequent offence rate will reduce by very much at all. We will not be able to prove it in this place tonight. The proof of the pudding will be in the eating, as it always is, once this government's legislation is in place for one, two or three years. We will then see whether the number of second or third offences has reduced. If it has not, this legislation will have been in vain. Unless this legislation changes hooning behaviour, it will do nothing. Perhaps the minister can say, since he is so very willing to interject, how long the seven-day period of impoundment has been in place. What experience has the minister had of that so far? How many months has it been in place?

Mr R.F. Johnson: Since you introduced it. Your legislation was passed that increased it to seven days.

Mrs M.H. ROBERTS: It was passed. When was it proclaimed?

Ms A.J.G. MacTiernan: I will give the minister a clue. It starts with a "J".

Mr R.F. Johnson: The candidate for Canning is back! Welcome back!

Mrs M.H. ROBERTS: Was it July this year or was it another time?

Mr R.F. Johnson: No. What came into force on 1 July this year was your legislation in relation to the 28-day impoundment for driving without a licence. You know that.

Mrs M.H. ROBERTS: Is the minister saying that that is the first date on which the seven-day impoundment came into force? What was the first date?

Mr R.F. Johnson: No; don't be stupid.

Mrs M.H. ROBERTS: What was the first date?

Mr R.F. Johnson: Don't be stupid.

Mrs M.H. ROBERTS: Tell me.

Mr R.F. Johnson: I cannot remember what day it was proclaimed, to be honest.

Mrs M.H. ROBERTS: Last year some time?

Mr R.F. Johnson: Yes, of course it was. When do you think it was?

Mrs M.H. ROBERTS: The minister therefore has no evidence—

Mr R.F. Johnson: When do you think it was?

Mrs M.H. ROBERTS: It is interesting that if the minister suggests that —

Mr R.F. Johnson: It was your legislation, not mine, my friend.

Ms A.J.G. MacTiernan: But you are in government; you are in charge of proclamation.

The SPEAKER: The member for Midland has the call.

Mrs M.H. ROBERTS: We can see from the figures that were provided—I think by the minister's office or by the government—that there has been no reduction in second and subsequent offences since the longer period of impoundment for a first offence has been in existence.

Mr R.F. Johnson: So are you saying your legislation was a failure?

Mrs M.H. ROBERTS: I am asking the government what the justification is for increasing it to 28 days. We have had very little experience of the seven-day impoundment. It was moved from 48 hours to seven days, and there has been very little experience of the seven-day impoundment so far. There is very little by way of statistics or information on the effectiveness of taking the first impoundment period from three days to seven days, yet this government wants us to take a giant leap of faith and agree that a 28-day impoundment will provide a better outcome. There is simply no empirical evidence to back that up.

[Member's time extended.]

Mrs M.H. ROBERTS: My view is that the emperor has no clothes, because there is no scientific or empirical argument to back up what the minister is suggesting. As most of the members on my side of the house know, I would be the first in this house to say that if this new so-called tougher legislation would change behaviour, would be likely to change behaviour, would drive a better outcome or would reduce the number of hooners on the roads, of course it would be worth supporting. However, there is no evidence to suggest that it will, in the way that the figures for the legislation that provided the first short, sharp impoundment—provided by the government or the minister's office—that I read out seem to indicate.

Mr R.F. Johnson: Young hoons were laughing at your 48-hour impoundment; they wore it as a badge of honour.

Mrs M.H. ROBERTS: Have a look at it. In 2004, when we introduced it, 150 people offended for a first time. One person, having had a 48-hour impoundment, came back for a second time. The government simply has not done the research. This legislation is not about getting better outcomes for the community or about changing the behaviour of drivers on the roads; it is about being seen to be tough for the sake of being seen to be tough—nothing more than that. This Minister for Police does not have a host of other worthwhile legislation ready to go yet. He has talked a lot about it. He has delivered nothing much. Because the police already had many of these simple and consequential amendments drafted, he regards this legislation as some legislation that was ready to be brought forward. The only significant change to the legislation is the period of initial impoundment, for which I have yet to see reasonable justification. In addition to that, the minister has dressed this legislation as some kind of budget measure that will raise more money.

Mr R.F. Johnson: No, I have not.

Mrs M.H. ROBERTS: There is some conflict between what he said in the budget process and what he said in Parliament earlier today. He said in the budget process that this would be a revenue-raising measure. We said that was very interesting because he had not introduced the legislation at that stage. At this stage he has introduced the legislation, it has to go to the other place and, if we are lucky, it will be through both houses before the end of the year. Who knows when the legislation will be enacted? I really do not know how the minister can claim a budget dividend as part of the budget process, especially when that claim is put side-by-side with the comments the minister made in the house today, which were to the effect that the value of many vehicles impounded simply would not meet the cost of impoundment, particularly if they were impounded for 28 days or longer.

In looking through this legislation before the house, a number of other questions arise. I will raise a number of these questions during the committee stage of the bill. On page 20 of the bill, proposed section (6A) states —

The court is required to grant an application for an order that it may make under section 80A(1) unless it is satisfied that the order will cause severe financial or physical hardship to a person, other than the driver of the vehicle, who has an interest in the vehicle or who is the usual driver of the vehicle.

I think I know what severe financial hardship is, but physical hardship needs some explanation and I cannot see it defined in this legislation. I am not sure what legislation it is defined under. We will look forward to hearing an explanation from the minister when he replies to the second reading debate about what the definition of physical hardship is.

Clause 20(7) states in part, “dispose of any interest that the person has in the vehicle unless a court has made an order approving of the proposed disposal”, or do a restricted act and so forth. Proposed section (7A) states —

A person does a restricted act in respect of the vehicle if the person —

- (a) disposes of any interest that the person has in the vehicle; or
- (b) does anything, or causes or permits another person to do anything, that results or will result in a reduction in the value of the vehicle.

I understand these issues because I had some concerns about them. I understand that in Queensland a significant number of parts were removed from a vehicle. The engine, stereo system and brakes were removed. The state was left with the shell of a vehicle; it was just the body of a vehicle with number plates. All the other things of value on the vehicle, such as the wheels, the engine, the brakes and the stereo system, had been removed. That had not been foreseen when the original hoon legislation was drafted. I note that under the heading “Devaluing vehicles” in the minister’s second reading speech, he says that the penalty for that type of offence is a fine of up to \$2 500. It is patently clear to me that a person could remove more than just \$2 500 worth of materials from a vehicle. It might even be an incentive for people to remove things of value from an expensive vehicle.

Another section in the second reading speech deals with the disposal of vehicles. Recently a very expensive vehicle was caught for a hoon offence. A vehicle worth \$100 000 could be disposed of rather than handed in. Under this legislation, if the police pulled over a hoon in a country region and the police officer was more than two hours away from where he could reasonably impound a vehicle, he could serve the driver with a notice and the driver would have seven days in which to hand the vehicle in to be impounded. If in the meantime the vehicle was disposed of—the vehicle could be worth \$100 000—the minister has explained to the house that the penalty is just \$2 500. That is the maximum penalty. If it is someone’s first offence—the lawyers in the chamber might want to contradict me—I am guessing that the offender is highly unlikely to get the full penalty of the \$2 500. The driver might be penalised just half that amount. Wealthy people who own a Maserati or a Porsche worth more than \$100 000 or \$200 000—I do not know what they cost—who are caught for a hooning offence on an open road in Kalgoorlie or wherever and who are served a notice and do not hand in the vehicle within

seven days can pay a penalty of up to \$2 500. How tough is that? I agree that these provisions always needed to be tightened up. No doubt these provisions were recommended by the police service. I agree with these provisions and I agree that people should not be able to remove significant parts of the car that devalue the car. I agree also that people should not be able to dispose of a car. Having decided that these are worthwhile things to do—I agree that they are worthwhile things to do because these loopholes need to be tightened—I fail to see why the penalty for either disposing of a vehicle or for taking property worth a significant value from a vehicle that is supposed to be impounded is subject to a fine of up to a paltry \$2 500.

I do not have much time left to talk about this. This legislation is largely a sham. I support the provisions that close some of the loopholes. As I said at the beginning of my speech, there were always going to be loopholes in groundbreaking legislation. It was so groundbreaking that it was not fully supported by the Liberal Party when it was introduced into this house after the 2001 election. Indeed, significant parts of the bill were opposed in the upper house. The former Minister for Police, the member for Balcatta, had to introduce legislation into the house about a year ago, in part to rectify those wrecking amendments that were moved by the Liberal Party in the upper house.

MR J.R. QUIGLEY (Mindarie) [8.36 pm]: I rise to criticise some of the central elements of the Road Traffic Amendment (Hoons) Bill 2009. Its premise is bad legislation but, politically, I can see why the government would want to pass this legislation through Parliament. It is because it will be populist and will gain the government support in the community in the short term. This legislation will be like the so-called bikie legislation that will be introduced presently. I have studied that legislation in the other states. I will come to that later in the year when the government introduces its legislation. The title of that legislation is fraudulent. It is called “bikie legislation”. After reading the New South Wales and South Australian bikie legislation, I ask you rhetorically, Mr Speaker—I would not be so impertinent to take you on after I was called to order earlier today for my comment about “custard guts”—how many times is “outlaw motorcycle gang”, “bikie”, “bikie outlaw” or “bikie club” mentioned? It is not mentioned at all. When the government introduces its legislation in Western Australia, it will get a great headline on Channel Seven such as “government introduces bikie legislation”, which will be wrong. That is how the government will sell it. It is the same with this legislation. It is being sold to us as the Road Traffic Amendment (Hoons) Bill 2009. Immediately the government attaches to the title of this legislation “hoons”, whom we all hate in our suburbs. The member for Ocean Reef is looking at me. I represented the area that the member now represents and I know of the community anger directed at the hoons in Connolly Drive and Marmion Avenue. I do not have to go through all the streets where the problems are because my Liberal friend from Ocean Reef knows them well. This legislation will be very popular in his electorate and in the electorate of Hillarys and others. However, the title of the bill is fraudulent and its endeavour is fraudulent. The community understands that the word “hoon”, which the government now uses in the title of the bill, embraces the sort of antisocial driving that is so inexplicable, unnecessary and mindless. That sort of driving is characterised by people doing burnouts, putting oil on the road and spinning their car’s wheels, or perhaps doing burnouts without putting oil on the road. Members know what I am talking about. These people also accelerate their vehicles and drive under heavy acceleration, causing excessive noise. I will not mention the name of my dear constituent—she is a widow of only several weeks—whose story this is. People were hooning, travelling west on Hester Avenue. They turned right onto Marmion Avenue at the Hester Avenue roundabout. They had been racing, and they decelerated and took off up Marmion Avenue. My constituent’s husband, who she had met overseas when she was 19 years old—they had been married for 20 years—was on the way to get a pint of milk on a Saturday evening when he got T-boned on the corner of Santa Barbara Parade and Marmion Avenue. The noise of the explosion brought my constituent, as well as her neighbours, outside, and she and her teenage son cradled their husband and father as he was dying in the wreckage, having been T-boned by this hoon.

No-one in this Parliament is more committed to eradicating hoon behaviour than I. However, the Road Traffic Amendment (Hoons) Bill 2009 takes hoons out of the bill. It is part of the title, but its real effect is removing from the bill the requirement to show that the offenders were racing or carrying on creating excessive noise, or doing burnouts—the sort of behaviour I was talking about earlier that the whole community immediately identifies as hoon behaviour—is no longer a requirement of this defence. Sure, it will be captured, but it is no longer a requirement.

Mr R.F. Johnson: You can tell you’re a defence lawyer.

Mr J.R. QUIGLEY: The legal effect of the bill is to lower the bar. I might be a defence lawyer, member for Hillarys, but I am not a barking fool!

Several members interjected.

Mr J.R. QUIGLEY: May I seek the protection of Mr Speaker?

The SPEAKER: I am about to offer it to you, member for Mindarie. Please continue.

Mr J.R. QUIGLEY: It leaves the word “hoon” in the legislation, but takes out the conduct. The police do not have to prove hoon driving anymore; they only have to prove intentional dangerous driving. At the briefing the

police said they were taking out hoon behaviour because they said it created logistical problems, as referred to in the second reading speech, in terms of trying to prove the hoon behaviour. They would have trouble proving that there was a burnout, that there was excessive noise, or that there was racing. As the police would have trouble proving hooning, it has been removed from the bill. What is left in the bill is a definition that anyone who drives recklessly will be regarded as a hoon.

As stated in “Traffic Offences and Accidents”, the legal definition for reckless driving is dangerous driving with intent. Therefore, anyone who drives intentionally dangerously is recklessly driving and will be regarded as a hoon.

Mr M.J. Cowper: Wilfully.

Mr J.R. QUIGLEY: Will be regarded as a hoon.

Mr R.F. Johnson: He said “wilfully”.

Mr J.R. QUIGLEY: Yes, wilfully is the same as with intent. It is the same as wilful murder. Wilful is no more than intending to do something. Anyone who drives dangerously, with intent to drive dangerously—wilfully drives dangerously—is reckless, and therefore is captured by these laws.

Let us consider the types of driving that will now be captured by the law. If one of the members’ constituents is driving down the road with her two children in the back of the car and her mobile telephone goes off to indicate an SMS, and she looks down and opens up the SMS, that is dangerous driving. If she picks up the phone and reads the SMS, that is classified as intentionally dangerous driving. If she is caught doing that, she will lose her car on the spot for 28 days. That is what the bar is being lowered to. She will be classed as a hoon driver. Her actions could be construed as dangerous driving.

Mr M.J. Cowper: Careless.

Mr J.R. QUIGLEY: No, it can be dangerous driving.

Mr R.F. Johnson: You’ve got no faith in our police, have you? None at all.

Mr J.R. QUIGLEY: Anyone who drives on a road in a manner that is dangerous to any other person is engaging in dangerous driving. I spent 28 years in the courts and I know that anyone who drives on a road in a manner that causes danger to anybody else is classed as a dangerous driver. A person who operates a mobile handset can be charged with an infringement, or can be charged with dangerous driving—either way.

A woman who opens up a text message could be stopped kerbside, with her children, whilst the car is seized. That has not been explained to the community. If members go to the Central Law Courts and listen to the number of cases that are heard for reckless driving, they would have no doubt that the housewives or whoever—I should not pick on women—might drive in a manner which could be objectively judged to endanger other people. I am not picking on women.

Mr R.F. Johnson: It sounds like you are.

Mr J.R. QUIGLEY: No, I love them. I am having another baby girl in four and a half weeks, and she will be my fourth child, so there will be five women in the house! I love them; I am not picking on them! I have seen guys do crazy things, too, but I have observed a woman applying her lipstick whilst driving. That is not an uncommon sight, but it is classified as dangerous driving and she could lose her car because of it.

Several members interjected.

Mr J.R. QUIGLEY: I will ask the Minister for Police that in a written question before the sun comes up tomorrow, and the minister will tell me tomorrow because he is obliged to.

The category of dangerous driving encompasses not just preventing managing one’s vehicle like an unguided missile around the streets, it also encompasses a lot of low-grade driving that technically and theoretically could present a danger to anybody else. Before that person is before the court, they lose their car for 28 days. Should that person apply a bit of mascara the next day and be seen by the policeman, who says, “You did your lippie yesterday, honey; now you’re applying mascara, which is dangerous as well”, that person would lose her licence for three months and she has not even been to court.

Mr M.J. Cowper: You have no faith in the police at all.

Mr J.R. QUIGLEY: I have faith in the police and I have a lot of friends who are police.

Mr R.F. Johnson: Not these days, not after your outrageous comments.

Mr J.R. QUIGLEY: There are fewer police who are my friends these days because instead of being on their payroll —

Dr K.D. Hames: Name one.

Mr J.R. QUIGLEY: I will not embarrass those police by naming them in Parliament.

Mr R.F. Johnson: You've had no problem in the past, my friend, have you?

Mr J.R. QUIGLEY: Michael Dean is one. I will not go through the rest. The minister should ring him up now.

Mr R.F. Johnson: He's not a police officer; he's a civilian now.

Mr J.R. QUIGLEY: The minister would not like him because he is not a copper. Actually, he is a civilian in the Liberal Party.

When the police were paying me \$2 500 a day, I am happy to say that I believed anything they told me. Now that I am representing the people of Mindarie, I put a ruler over what the police say to check it because everyone in society and every government agency has its own agenda. I will invite the member for Hillarys to the Clarkson shopping centre and he can spruik that there has never been a heavy-handed policeman in my electorate. There has never been a policeman who has acted inappropriately. The commissioner has teams of people to investigate those people who act inappropriately. I used to make quite a lot of money defending the people who acted inappropriately.

Mr R.F. Johnson interjected.

Mr J.R. QUIGLEY: I can hear a dog in the chamber. Can you stop the barking please, Mr Speaker? Can you call the canine to order? There is mad barking going on.

Dr K.D. Hames: These two upstarts next to you can only get three per cent. You should be sitting over there.

Mr R.F. Johnson: We want you to be the leader.

Mr J.R. QUIGLEY: I am not even a contender. Did the minister not read *The West Australian* today? I am not a contender because I support the leader of the Labor Party 101 and a half per cent and I always will.

Cutting back to the chase, this bill hands unlimited powers to the police without any checks and balances, as the Liberal Party always wants to do. That has always been the way of the Liberal Party in Western Australia. One has only to go back to the government of Sir Charles Court and Mr Hassell when they introduced section 54B to give the police unlimited power over people talking on street corners. The member for Murray-Wellington was probably one of the Gestapo who arrested them on the street corners. When the Aboriginals wanted to protect their lands at Noonkanbah, the Liberal government authorised millions of dollars to send a police contingent to Noonkanbah. That is the history of the Liberal Party, and this will go on for quite some time because initially these laws —

Mr R.F. Johnson: You were going to join the Liberal Party but you weren't offered a seat.

Mr J.R. QUIGLEY: I wish to have an extension of time, Mr Speaker.

Mr R.F. Johnson interjected.

Mr J.R. QUIGLEY: There was a dog in the chamber; now there is a monkey. This chamber is filling up with them.

The SPEAKER: I will grant the member for Mindarie the extension but I would request that he return to the core of the legislation proposed in his discussion.

[Member's time extended.]

Mr J.R. QUIGLEY: The government was taking me away from the legislation, suggesting that I was going to join the Liberal Party. The government seduced me off my line. I had those opposite right on the tops of their toes.

This legislation so lowers the bar and so empowers the police to destroy people by charging them with a second offence of reckless driving, knowing that their car will be taken off them for three months before they go to court and at the same time knowing that they can do this without ever having to face compensation. That is what that laggard Caporn did. He thought he could go and arrest Mallard because Mallard could not get any compensation. He could go and arrest him and be beyond the reach of the law, the fool. The police are now empowered to seize vehicles in certain situations for up to three months without the person ever having been to court at all. The Liberal Party says that it is happy with that. Once upon a time when I was a little tacker and my dad was a Liberal and his dad was a Liberal and his father's father was a Liberal, he took me aside and with his second-last breath, he sucked in and gave me a kiss, and with his last breath, he said, "You're doing a good job." That was on 8 May last year. He was a Liberal all his life. He took me aside to tell me something about Liberal values when I was young. He said the thing that we always find about the Liberals is that they value the liberty and the right of the individual over the state whereas the parties that come out of the left value the state over the rights of the individual and believe that the individual is only a worker for the state. That is what my father explained to me. The Liberal Party lost its way. It no longer values the rights of the individual; it values its own popularity over the rights of the individual. It values its own popularity over decency and the rights of the individual. A

tenet of Liberal philosophy used to be not only the freedom of the individual, but also the freedom of the individual to own property, to work for a living and to build himself up. That would be taken away only when the state presented a case to a court and an independent judge thought it was worthy or the circumstances warranted taking it away. The Liberal Party does not believe in that any more.

The SPEAKER: I hope the member for Mindarie is returning to the core of this legislation.

Mr J.R. QUIGLEY: Mr Speaker, I can take you straight to the two clauses to do with the Liberal Party now enacting legislation that will take a person's car away from them for the most minor driving offence, for a low-end dangerous driving offence, if it is done intentionally. It will happen —

Mr J.M. Francis interjected.

Mr J.R. QUIGLEY: I will get called to order if I use the expression "custard guts" again, so I will not use it.

The police will take cars off people for 28 days initially and then without ever going to a court, for an alleged second offence cars will be taken off people for three months.

Mr R.F. Johnson interjected.

Mr J.R. QUIGLEY: Mr Speaker, would you help me? I have only nine minutes left. The minister is uncontrollable.

Point of Order

Mr D.A. TEMPLEMAN: I raise a point of order. The member is asking that he be able to continue his contribution.

The SPEAKER: I suggest to the member for Mindarie that it might be the best course of action not to engage people on the government side of the house but to deliver the points he wants to make.

Debate Resumed

Mr J.R. QUIGLEY: The Liberal government has wandered so far from these core principles that its founding father, Sir Robert Menzies, delivered the party with that it will now take a person's vehicle off him without him ever going to court. Before he gets to court on that offence, on a second offence, his vehicle will be taken off him for three months. There are 4 999 coppers out there but the minister could get the crooked one and lose the government car. We just do not know. He would want to be able to go to court and explain his position. He would say that the copper got it wrong because he was looking at the wrong person. I am not saying that it happens every day but people are regularly acquitted in court of reckless driving. This legislation would mean that their car could be taken for four months, because they could lose it for 28 days and then cop a second allegation and get a cumulative three months. This could mean that a single mother could not care for her children. The dad would go to the Family Court and take the children.

Dr K.D. Hames: You would be good at maths. You are an extrapolator all the time.

Mr J.R. QUIGLEY: That sounds very painful. Is that a medical term? The Labor Party introduced the hoon laws and the seizure of vehicles. We are against hoons. We try to do everything we can to stop them in the street, but there must be a balance in any legal system. That is why we have adopted a principle from the United Kingdom, where the member for Hillarys once lived before he was transported. The symbol of United Kingdom courts was always a blindfolded maiden holding the scales of justice, evenly balanced and unbiased. That is what the Labor Party is all about. It is about a fair balance between the innocent people in this society and the state. That balance is achieved by having what developed at Westminster all those centuries ago in Westminster Hall where independent courts of justice would decide between the innocent citizen and the state. This legislation tears that principle up. What the Liberal Party stands for with this legislation is not antihooning, because that has been thrown out of the bill, but the power of the jackboot.

MR A. KRSTICEVIC (Carine) [9.01 pm]: The member for Mindarie made a very valid point when he said that hoons kill people. Hoons kill people all the time and they cause accidents. On many occasions innocent third parties get injured and hoons go on their merry way laughing and enjoying the incidents that have occurred. It is important to remember that we are talking about people who use vehicles as deadly weapons every day to hurt people or damage property. They have no respect for the people they harm. When we talk to constituents in our electorates every one of them asks what we are doing about hoons and why nothing has ever been done about hoons. The member for Mindarie talked about the bar being lowered. Many of my constituents have said to me that if there is a bar, we should give it to them and they will show us how justice for hoons should be dispensed in the community. To imply that the laws we are proposing go too far is a joke. If we talk to people in the community, they would tell us that we need to go much further and do much more. We need to protect the community and send a strong message that tells people that it is unacceptable behaviour, that we are sick and tired of it and that we need to take an extreme measure to deal with it.

The member for Midland talked about people not re-offending and the fact that they are not being caught. Hoons operate 24/7, at three and four o'clock in the morning and at weekends. The police cannot be everywhere and people in the community cannot keep an eye on things at three o'clock in the morning when hoons are doing burnouts in streets or in local parks. We need to make sure that hoons clearly understand that if they get caught a first time, they will be charged with a serious offence. If they get caught a second time, the offence will be even more serious. The message must get out there clearly to everybody.

Mr W.J. Johnston interjected.

Mr A. KRSTICEVIC: Hoons will get caught. They are not getting caught in the numbers they should be. The bill will send a clear message to hoons. It will be an opportunity for the police and the community to see what is happening. We have had eight years of the Labor Party being soft on crime. The community is delivering that message, not us. The Liberal Party is not delivering the message that the Labor Party is soft on crime. Everybody in the community believes it. They are sick and tired of criminals being given the upper hand over law-abiding citizens. It is about time we stopped protecting the criminals and started protecting the majority of the community.

Mr W.J. Johnston interjected.

The SPEAKER: Order, member for Cannington!

Mr A. KRSTICEVIC: Whether criminals are first-time offenders or criminals who have been committing crimes continually in many different areas, we need to take the matter seriously. It is disappointing that the Labor Party had no alternatives to this over the past eight years to initiate a genuine and real change in the community. We are making better legislation, which is a step in the right direction. The bottom line is that if members opposite talk to people in the street, which I hope they do from time to time, people will tell them that not enough is being done. They will say that there are not enough laws protecting the community. They will ask why hoons are continually doing this day in and day out, killing people on the streets and still being allowed to be on the streets. They will ask why they have licences, let alone cars. The message from the community is very clear: they expect us to take real action in this area.

I commend the Minister for Police for pushing this issue so strongly. I have no doubt that if this legislation does not change behaviour, things will get tougher and laws will be passed that will send even clearer messages. The police and the community will be supported to make sure that these issues are dealt with. Real justice will be dispensed in the community. People will see justice, as they are seeing justice already with cars being impounded. That is sending clear messages. Parents will also take note of this more than they have in the past. We need to strongly support this legislation and the community. We must make sure that we deliver a better result for law-abiding citizens.

MS A.J.G. MacTIERNAN (Armadale) [9.08 pm]: I just want to ask the minister whether he could clarify for me one area of concern that I have. Members tonight have articulated both our support for the notion of hoon legislation and our complete and utter agreement that hoon behaviour is deeply distressing to the community and that it engenders very well-founded fears for people's safety, and also a larger fear about a general lawlessness among a group in the community. I think it has an incredibly powerful negative effect on our community to see this behaviour go unchallenged. I agree with the comments that the shadow Attorney General and the member for Midland have set out tonight on the need to get the balance right.

There is one area that I am wondering whether perhaps the minister could give some clarification on, and that is the consequence for employers. It is perfectly reasonable that employers be expected to seek driver's licence details and verification from a person whom they are employing and who will be driving a company vehicle. They should do so, because that they check that their employee has a valid licence is a precaution that they can reasonably be required to take. The difficulty is that it is completely unreasonable to expect that employers check every day that all their employees have valid licences, particularly where a fleet of vehicles is setting out early each morning. It would be physically impossible to check every day that a fleet's 20 drivers are still validly licensed. There needs to be some mechanism by which an employer, with the employee's permission, can be alerted of a suspension. I would like the minister to comment on that, as it seems it is possible to provide that facility and to charge a company for the cost recovery of such a system. It would not offend privacy because the employee would have to approve of that. However, the situation in which that Jiffy Foods van—I know there were some other elements in that case—was impounded and its load of produce destroyed had consequential impacts on people who were expecting their supplies that morning. We have to be careful, in taking strong action, that we do not create these manifest injustices in other areas, particularly where, with a little bit of imagination, we can devise systems that will deal with that.

MR P. PAPALIA (Warnbro) [9.11 pm]: I rise to address the Road Traffic Amendment (Hoons) Bill 2009 very briefly. I had not intended to, but I entered the chamber in time to witness the member for Carine's contribution to the debate. Some of the things he said concerned me, and I felt obliged to—I thought I would be negligent if I did not—make a contribution on a cautionary note on what appears to be a general philosophical approach to any

law and order issue in this state. This bill is only the latest iteration of what appears to be a consolidated approach to any issue in relation to law and order.

I know that in elections short phrases and very short grabs in the media that sound catchy can be beneficial. I know that as a consequence of a number of those catchy grabs the current government benefited greatly during the election campaign. It was able to keep a small target, throw out a number of pithy phrases and benefit from the fact that people in the community can catch hold of those phrases and feel that they are being listened to and that somehow members opposite were reflecting their views or their fears.

My contribution this evening is, firstly, to say that the opposition supports this legislation. We are not opposing it. We are supporting the legislation that may notionally have some impact on hoon behaviour, although I doubt it. I have not seen in the course of the debate—I have been watching it—any evidence to suggest that the current legislation will be in any way enhanced by this change. It may make some people feel that they are being listened to and that the perpetrators of this antisocial behaviour are being punished more thoroughly. It may make people feel a little better because more retribution is being handed out, but I do not feel it will necessarily result in any better outcome in a reduction in crime or the offence that is being committed at the moment.

I am concerned that this particular legislation, in conjunction with other legislation, such as mandatory sentencing, and with the other contributions to the public debate that have been made by this minister and other ministers who speak frequently in the media in regard to any issue relating to law and order, will have a detrimental long-term negative impact on the psyche of Western Australians and the quality of life in our society. I admit that we, in government, were guilty of engaging in that tough-on-crime debate in an effort to garner some short-term populist advantage, and I know that the minister in opposition made an art form of engaging in that form of debate. However, we cannot continue to do that on a long-term basis for what will, in effect, be almost a decade or more, when one considers that both sides of politics have been engaged in it, and expect people in Western Australian society to adopt a positive, optimistic outlook for their society. We cannot expect them to not be fearful. We cannot expect them to one day wake up in the morning and say, thank goodness, the government has done the right thing and has actually reduced crime; thank goodness the government has done the right thing and has encouraged our young people to engage with society and do positive things. We cannot expect them to do that if all they ever hear from people in positions of authority is negative commentary regarding young people and what it is to live in Western Australia and negative and fearful commentary regarding the nature of our crime statistics.

The chief justice put the lie to this argument. We have all been put on notice. All of us who have engaged in this tough-on-crime debate have been told by people who know that it does not work: firstly, that it is not actually true and that there is not an increase in crime; secondly, that we actually incarcerate more people in Western Australia per head of population than any other state in the nation; and, thirdly, that deterrence alone does not work. If deterrence alone worked, we would have a diminishing population in our prisons; however, as of last week we broke all records of population in our prisons. The prison muster is out of control. Three years before Labor took government there was a growth rate of 100 prisoners a year in the prison muster. If we discount the artificial drop and then rise again when Labor first took government and draw a straight line from that point three years before we took office until last year, when we lost office, the rate of prison growth in this state was 100 prisoners a year. In the past six months that rate of growth has risen to 600; that is 1 200 a year! What is causing it? It may be that the Attorney General appointed a judge who is responding to his rhetoric and refusing to provide parole to prisoners. It may be that, more widely, the judiciary are responding to the rhetoric from the Minister for Police and other ministers in this government, including the Premier, who criticise them and consistently say that they are out of step with the attitudes of the population of Western Australia.

Mr R.F. Johnson: What does the public say?

Mr P. PAPALIA: The minister can get his populist benefit now, but I am talking about a long-term vision that the minister should have as a responsible representative of the people of Western Australia.

Mr B.J. Grylls: That you did not have when you were in government!

Mr P. PAPALIA: I have already conceded that we engaged in that, but I am not in government right now. In the past six months the prison muster has increased to 600 in six months and it will be 1 200 a year. How is the Minister for Regional Development going to fund it? Where is the royalties for regions money going to come from when the government is building so many prisons? Even if all of the 1 657 additional beds in the prison system that it budgeted for in four years were built tomorrow, by August next year, at 1 200 a year, they would all be full. What is the government going to do about it? Is that responsible, Minister for Regional Development? The member for Central Wheatbelt is a minister now.

Mr W.J. Johnston: You are not talking to the bill.

Mr P. PAPALIA: Minister for Police, I wanted to make a short contribution with a cautionary note. I fear that this bill joins other bills that the government has already introduced and that it intends introducing, and it links

up with the public debate. The government is connecting the dots and telling people that Western Australia is not a good place in which to live because they should be afraid. The sad part is that if people suddenly feel that they are not afraid and the government has achieved its objective, this strategy does not work. The government wants people to remain afraid. It wants people to continue in a state of fear because that is how the strategy works. One day when the government wakes up and has a revelation that it would be good to convince people that this legislation has worked and that there are fewer hoons, and that it would be good to convince people that mandatory sentencing has somehow worked and that we have less crime, how will the government convince the people of Western Australia that those things are true? The people will not believe them. The government has succeeded in denigrating the quality of life in this state to such a level that it is an accepted wisdom that it is not a good place in which to live. I warn the government about that as this legislation will contribute to it.

MR R.F. JOHNSON (Hillarys — Minister for Police) [9.20 pm] — in reply: I will make a couple of very brief comments now because I want to do justice to the relevant comments that members on the other side of the house have made during the second reading stage of this bill. I will not respond to the ridiculous comments that some members made, but I will make some serious comments to those members who raised, and had the right to raise, some serious concerns. I do not want to delay the house now. Obviously my advisers have been taking notes of all the comments and queries that members have made. I am giving an assurance that I will respond, but I can do that only if the house agrees to give me leave to continue my remarks at the next sitting of the house. I therefore seek leave to continue my remarks at the next sitting of the house.

[Leave granted for the member's speech to be continued at the next sitting.]

Debate thus adjourned.

ROYALTIES FOR REGIONS BILL 2009

Second Reading

Resumed from 17 June.

MR D.A. TEMPLEMAN (Mandurah) [9.21 pm]: I need to highlight to the Minister for Regional Development and to the house that I am not the lead speaker. The member for Armadale will be the lead speaker.

In commenting on the Royalties for Regions Bill 2009 that is before us, I will again labour the point that I have laboured in this place for some time about the royalties for regions policy and the royalties for regions funding programs and how they relate to the Peel region. I will commence my comments by highlighting to the house the legitimacy of the Peel region as a recognised region of Western Australia. It is a statutory region supported by legislation in this place. It is recognised as a legitimate region of Western Australia.

The ACTING SPEAKER (Mr P.B. Watson): Order, members! I want to hear what the member is saying and I am sure members do too.

Mr D.A. TEMPLEMAN: The region itself comprises five local government authorities, one of which is within the metropolitan region scheme; that is, the Shire of Serpentine-Jarrahdale. The other four local government authorities in the region are the Shire of Boddington, the Shire of Murray, the Shire of Waroona and the City of Mandurah. Those local government authorities that I have mentioned—Boddington, Waroona, Murray and Mandurah—under this Parliament's statutory register are non-metropolitan local government authorities. I continue to remind members of this place on both sides of this house of that fact. Therefore, when a policy is introduced and promises are made with regard to the policy—in this case the royalties for regions policy—it is very important that we acknowledge boundaries. When I talk about—as has the Minister for Regional Development in the rhetoric before the election and now as minister of the new government—delivering outcomes for the regions and in many cases the regions that accumulate or generate royalties, I must again highlight to this house the contribution that the Peel region makes to royalties in Western Australia. We have a major mining operation by Alcoa Alumina in the Shire of Murray reaching into the hinterland in Dwellingup. It is a massive operation in the Peel region with employees, contractors and those associated with work drawn from within the region and from boundaries across the region. Where are those royalties drawn from? They are drawn from the region. Which region are they drawn from? They are drawn from the Peel region. Which shires comprise the Peel region? They are the City of Mandurah, the Shire of Boddington, the Shire of Murray, the Shire of Waroona and the Shire of Serpentine-Jarrahdale—regional localities. Alcoa is not the only mining operation contributing to the royalties of the state of Western Australia. Alcoa is one but there are others. Boddington Gold Mine now operates in Boddington. I understand that the Minister for Regional Development and the Minister for Sport and Recreation have been to Boddington to have a look. There are more than 1 000 workers in the satellite town just outside Boddington, which has been set up as part of the operations of Boddington Gold. The mine is delivering huge economic benefits to the region, not only in the Shire of Boddington. It draws employees and contractors from the City of Mandurah, from the Shire of Murray and from as far down as the Shire of Waroona and the Peel region, which is a legitimate region of Western Australia. Alcoa and Boddington Gold are therefore delivering much needed and essential royalty revenue to the state of

Western Australia. However, that is not the only mining operation in the Peel region. There is Iluka's mining operation, and there will be a new one in Keysbrook, about which the member for Murray-Wellington has made some strong comments. He opposed the granting of that mining licence for the area in Keysbrook to mine mineral sands on agricultural land. That operation, along with Iluka's operation in Waroona, is also making a significant contribution to royalties to the state of Western Australia. It peeves me when members of this place do not acknowledge those localities as regional localities. Members scoff and laugh at me and say that Mandurah is an outer suburb of Perth. That is crap!

Withdrawal of Remark

The ACTING SPEAKER (Mr P.B. Watson): I ask the member to withdraw that remark.

Mr D.A. TEMPLEMAN: I apologise and withdraw that last comment.

Debate Resumed

Mr D.A. TEMPLEMAN: It is rubbish! It is rubbish because the City of Mandurah—until this government or another government in the future excises it from the non-metropolitan region and puts it into the metropolitan region—will proudly, and I will proudly in this place, continue to argue its regional status. The City of Mandurah council continues to promote itself as the regional gateway city to the south west. We recognise ourselves as a legitimate regional city. We are the largest regional city in Western Australia. In the past, people have bypassed us and said that Bunbury is the biggest regional city. That is rubbish. Mandurah has the largest population, 65 000-plus, and is the largest regional city outside the metropolitan area. In this place, I have compared how we see ourselves, in terms of our identity, to like cities in other parts of Australia. I have used as an example the former industrial city of Newcastle, north of Sydney. Connected by a rail link and a major highway, Newcastle —

Mr J.E. McGrath: Newcastle is three or four hours away.

Mr D.A. TEMPLEMAN: Let me finish, member for South Perth. Newcastle very proudly promotes itself as a regional city and would never accept being considered as part of Sydney. Gosford, a city outside of Sydney, proudly calls itself a city.

Mr J.E. McGrath: It is an hour and a half away from Sydney.

Mr D.A. TEMPLEMAN: No, it is not. That is rubbish. The member does not know. He does not know his geography. He sits in his plush South Perth office with all the Mercedes flying past and has no idea about regional Western Australia. The member should sit in his box and shut up.

Mr J.E. McGrath: I was there last year.

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

Mr D.A. TEMPLEMAN: The fact is that that is one example. We would not call the great city of Geelong a part of Melbourne. If the member for South Perth were a Geelong person, he would not stand here and defend Geelong as part of Melbourne—he would be thrown out of the place!

Mr J.E. McGrath interjected.

Mr D.A. TEMPLEMAN: Be quiet, member for South Perth; I have the floor! The member sits and pontificates across the chamber. He needs to get out into the regions more. He needs to get out. He needs to stop passing his time in the leafy, plush suburb of South Perth and get out into the regions and understand what it means.

Geelong is connected by a rail link.

Ms M.M. Quirk: Let me know when you are finished.

Mr D.A. TEMPLEMAN: I will, member for Girrawheen; sorry, I thought the member was talking to me!

There is a frequent rail service to the city of Geelong, which is 80 kilometres from Melbourne. What is the distance from Mandurah to Perth?

Mr J.E. McGrath: Thirty-seven miles.

Mr D.A. TEMPLEMAN: What is that in kilometres? I am not as old as the member for South Perth.

Mr J.E. McGrath: Sixty kays.

Mr D.A. TEMPLEMAN: No; it is not; it is 80 kilometres.

Mr J.E. McGrath: No, it is less than that.

Mr D.A. TEMPLEMAN: It is 80 kilometres. People in this place, on both sides, constantly mock me when I argue about the regional status of the City of Mandurah.

Mr J.E. McGrath: We do not mock you.

Mr D.A. TEMPLEMAN: Yes, they do. The member did it just then! He will do it again in a minute if he is not careful.

Mr I.C. Blayney: It's a dormitory suburb.

Mr D.A. TEMPLEMAN: It is not a dormitory suburb. That is rubbish! Who said that?

Mr I.C. Blayney: I did.

Mr D.A. TEMPLEMAN: The member for Geraldton said that! Oh come on, member for Geraldton. What a ridiculous comment to have made. A dormitory suburb! If the member for Geraldton were to come to my electorate and call Mandurah a dormitory suburb, I can tell him that he would be chucked out on his ear. How ridiculous to come into this place and say that. How ridiculous! I do not call Geraldton a northern suburb of Perth. Do I? No!

The ACTING SPEAKER: Order, member! I am sure that you are going to address the bill in a moment.

Mr D.A. TEMPLEMAN: Of course I will.

The ACTING SPEAKER: Thank you.

Mr D.A. TEMPLEMAN: The fact of the matter is that I have clearly articulated in this place on a number of occasions the statutory recognition of the region known as Peel. I have articulated in this place that there is an act of Parliament that highlights that the City of Mandurah, the Shire of Murray, the Shire of Waroona, the Shire of Boddington and the Shire of Serpentine-Jarrahdale are legitimate local government authorities in the Peel region; and that the Peel region contributes to the royalties of the state of Western Australia.

Dr K.D. Hames: It is second or third —

Mr D.A. TEMPLEMAN: Of course! And why is the member for Dawesville not supporting us. He is not standing up for his seniors. I have to do all his work and all the work for the member for Darling Range. I have to circulate the petition —

Dr K.D. Hames: You haven't been down there for years!

Mr D.A. TEMPLEMAN: Who has not been there?

Dr K.D. Hames: You! When you were the minister, we hardly saw you at all.

Mr D.A. TEMPLEMAN: Well that is an interesting comment by the member for Dawesville, who does not even live in his electorate. The member does not even live down there! He has admitted in this place that he does not live there. He has said that he lives in Yokine. A few months ago, he said that he had lived in Yokine for 40 years. He does not live down there, so he cannot comment about whether I live in my community or not. When I was minister, I went home to my community every single night!

Dr K.D. Hames: So did I.

Mr D.A. TEMPLEMAN: No, you did not; you went around the corner to Yokine, son! The member went around the corner to Yokine and he knows it. He should not tell fibs in this place. He goes to Yokine. He should be standing up for the seniors of his community and explaining why they do not get the Seniors Card and the fuel card.

Dr K.D. Hames interjected.

The ACTING SPEAKER: Minister for Health, do not encourage him!

Mr D.A. TEMPLEMAN: You should be standing up for the fishermen in your community, because they are coming after you, sunshine!

The ACTING SPEAKER: Order! The Minister for Health will abstain from interjecting and the member for Mandurah will get on and talk about the bill.

Mr D.A. TEMPLEMAN: Very much so!

They are after the minister because they know that he is letting them down. The fishermen know that the member for Dawesville, as their local member, is letting them down. They know that and they are coming to see me because they know that the member for Dawesville is not going to cross the floor and vote down the fishing regulations. They are targeting the member and, watch out, they are also targeting his good friend over there, the member for Murray-Wellington.

Mr Acting Speaker —

The ACTING SPEAKER: Yes?

Mr D.A. TEMPLEMAN: I am going to draw this argument to the crux of the matter. We have a clear definition and boundary—absolutely clear. Now, this government, through the Minister for Regional Development is

sending mixed messages to us. He is saying, on the one hand, that we are a region and that therefore we are eligible for royalties for regions funding. I applaud that and I welcome that. I am very pleased that we have successfully won royalties for regions funding for a range of projects in a number of localities in the Peel region. I welcome that. However, a number of recent policy decisions have seen the minister send mixed messages. On the one hand, we are in the regions and therefore attract royalties for regions funding, but on the other hand, we do not. I want to use one example. In my electorate of Mandurah, some of my constituents who live on the eastern side of the Serpentine River are eligible—and good on them!—for the \$500 fuel card. Good on them! In fact, I have been encouraging them to apply for it and to make sure that they get it. Four hundred metres away, across the Serpentine Bridge, are members of my community who have limited access to bus services, particularly those living in Mandurah Gardens Estate and parts of Coodanup and, of course, in the large retirement village area in Carnegie Place, which is known as the St Ives development—these are just two examples. According to the royalties for regions fuel card program, they are not eligible for a card. The primary reason given by the Minister for Regional Development is that of access to public transport. However, in a letter from the member for Dawesville to one of his constituents, Mr Meakin, the member stated that access to a suitable hospital and the issue of costs were the reasons residents of Mandurah and Dawesville are not eligible for the fuel card. He told Mr Meakin that it would be too costly to provide the citizens of Mandurah and Dawesville with a card. He contradicted the Minister for Regional Development. The minister says it is because of public transport, but the member for Dawesville says it is because they have access to a good hospital and because it would cost too much. Who is telling the truth? Who is right? The Minister for Regional Development is saying it is because the residents have access to a train or other adequate public transport. The member for Dawesville is saying it is because residents have access to a suitable hospital and because it would cost too much. The Deputy Premier, the member for Dawesville, let it out of the bag. He should not have told his constituent about the cost. Apparently, it would cost around \$10 million or \$15 million over four years to give the same fuel card concession to Mandurah pensioners. Some of them get it because they live on the eastern side of the Serpentine Bridge.

[Member's time extended.]

Dr M.D. Nahan interjected.

Mr D.A. TEMPLEMAN: That is a good question, and I will tell the member —

Dr M.D. Nahan interjected.

Mr D.A. TEMPLEMAN: No. The boundary should be those areas outside the metropolitan region scheme.

Mr B.J. Grylls: Should everyone in Mandurah get it?

Mr D.A. TEMPLEMAN: Absolutely. They should get it until the Minister for Regional Development and the government decide to extend the boundary of the metropolitan area to include the City of Mandurah. If the government does that, we will have no argument. I am telling the minister now that he has created an unfair situation. The Deputy Premier is now telling Mandurah pensioners that the reason they do not get the Country Age Pension Fuel Card is because they have a good hospital. The people of Geraldton have a great hospital; I hope that the people of Albany have a good hospital; the people of Kalgoorlie have a brand-new hospital; and the people of Bunbury have a very good hospital. Those towns, I might add, also have a very good public transport system. It is not brilliant, but they have a public transport system.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: The people in Northam, where I was born, have a public transport system to Perth.

Mr B.J. Grylls: It is not free.

Mr D.A. TEMPLEMAN: They have a transport system to Perth.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: Which one? The minister has created a situation whereby the left hand is not talking to the right hand. The member for Dawesville sent a letter to Mr Meakin that clearly said the reason that pensioners of Mandurah are not getting a fuel card is that they have a good hospital—the Peel Health Campus; I have no problem with that—and that to make that provision would cost too much. That is not the same reason the Minister for Regional Development gave me.

Dr K.D. Hames interjected.

Mr D.A. TEMPLEMAN: The Minister for Health did not put that in his letter. He should read the letter. I have a copy of it. The Minister for Health did not talk to the Minister for Regional Development about what his answer was.

Dr K.D. Hames interjected.

Mr D.A. TEMPLEMAN: Why did the Minister for Health not tell him that it was because Peel had a good hospital? Why did the minister not tell him that? It is because he is telling a fib. He is not telling the truth. They are not talking to each other.

Mr P. Abetz interjected.

Mr D.A. TEMPLEMAN: They are both saying totally opposite things. The member for Southern River does not understand the issue. The reason Mr Meakin in Erskine is not eligible should be the same reason that the Minister for Health told me he is not eligible—but he did not; the member for Dawesville said that Mr Meakin was not eligible because there was a good hospital.

Dr K.D. Hames: You are drawing a long bow.

Mr D.A. TEMPLEMAN: The Minister for Health has been found out on this. That is the problem. This is an example of why the system is not right. How do we fix it, the minister asked me. It can be fixed by using the royalties for regions boundary—that is, the boundaries that are the regions.

Mr B.J. Grylls: No.

Mr D.A. TEMPLEMAN: That is what I think the Minister for Regional Development should do. The people of Peel live and work in a region that delivers royalties to Western Australia, just as the people in the Pilbara, the Kimberly and the goldfields do.

Mr B.J. Grylls: If you made a good argument about it, like the member for Darling Range, I would listen to you.

Mr D.A. TEMPLEMAN: Why are we different?

Several members interjected.

Mr D.A. TEMPLEMAN: Erskine is not even close to the rail station.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: I am, for all the pensioners in Mandurah. It is because they live in a regional city and because our community, which includes the City of Mandurah, makes a significant contribution to the wealth of the state through the royalties that are derived from the Peel region, that they should be sharing in that program's delivery. The trouble is the Minister for Health has been caught out.

Several members interjected.

The ACTING SPEAKER (Mr P.B. Watson): Members will have the opportunity to speak later. I want to hear the member for Mandurah.

Mr D.A. TEMPLEMAN: The trouble is the Minister for Health has been caught out.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: Is that from the train station?

The ACTING SPEAKER: I call the Minister for Regional Development to order for the first time.

Mr D.A. TEMPLEMAN: It is probably about five kilometres, but I stand to be corrected. The criteria of the relevant merits of the royalties for regions scheme and where that program will be delivered must be made very clear. If that program is aimed at delivering services to communities that make a significant contribution to Western Australia through the creation of royalties, Peel gets a big tick. It makes the third highest royalties contribution in the state. That region makes a significant contribution to royalties in Western Australia.

Mr B.J. Grylls: If the fuel card is such a good idea, why did you not do it when you were in government?

Mr D.A. TEMPLEMAN: The minister is in government. Why does the minister have a problem? Is it because it would cost too much, as the Deputy Premier said?

Mr B.J. Grylls: It would cost too much, yes.

Mr D.A. TEMPLEMAN: Why did the minister not say that in his letter to me when I originally wrote to him about why it was unfair?

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: The minister did not say that; he said that it was because of public transport access. I can argue about a range of other public transport accesses for other regional cities in Western Australia.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: The problem is that the minister is not listening. Was the minister not listening to me about 10 minutes ago when I said that I welcome the royalties for regions funding that has been delivered? I am saying that Peel is recognised for funding for one aspect but not another. I am just asking the minister to be consistent. We know that the real reason pensioners in Mandurah are not getting the fuel card is simply that it costs too much and apparently we have a good hospital. I do not accept that reason at all. If the Minister for Regional Development wants to extend the boundary of the metropolitan area to include the City of Mandurah, there would be no argument.

Mr B.J. Grylls: I will not do that.

Mr D.A. TEMPLEMAN: Good, because I will fight the minister if he tries to do that. I will fight the men and women on this side if they try to do that, too.

When we evaluate the merits of the royalties for regions program, I simply ask the government, firstly, to recognise the major contribution to royalties that the Peel region makes and has historically made for more than 40 years because of the Alcoa operations. Secondly, the government must recognise that the region is represented by five local government authorities that are very proudly individual. They have a very proud regional outlook and they work very closely together. Thirdly, the government must recognise that the people who call the Peel region home in all five of those localities are actively engaged in the local economy that derives their incomes and livelihoods from the mining industry. I have given the government three examples of that. Fourthly, if the government is to apply the royalties for regions programs to the region, it must do it in a consistent manner. The evidence shows that that has not been done, and the fuel card is an example of that. Fifthly, the government must recognise that the population of Peel will continue to grow and that many of the people who live there and who are attracted there are attracted to it because of the positive regional elements that make it different from the metropolitan area. I cannot see why the minister and the government cannot accept that. The government should not use excuses such as Peel has a good hospital or that it will cost too much money, even though the fuel card is not given to the pensioners in Mandurah but is given to the pensioners over the road. That is a total inconsistency.

When we consider this legislation in consideration in detail, the lead speaker for the opposition, the member for Armadale, will move some amendments. The distance from Perth central to the Mandurah post office is 73 kilometres. The Leader of the National Party and I were debating the distances. I hope that the Minister for Regional Development will listen closely to the opposition's proposed amendments as the Royalties for Regions Bill 2009 makes its way through this place.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: The minister has. I am not trying to have a go at the minister too much, because in past press releases he has recognised the value of the Peel region. But I am trying to say that some of the decisions made in policy areas have been inconsistent with what he has said. I think that is unfair, and I will continue to argue the inconsistency on behalf of the pensioners of Mandurah. One of the arguments is that they have access to buses or that they can jump on a train if they have to go to a hospital appointment. It is not as simple as that. In Mandurah there are 90-year-old men and women living in their own homes because they have been encouraged to remain as independent as possible.

Mr B.J. Grylls interjected.

Mr D.A. TEMPLEMAN: Will the minister listen; this is important. They cannot get to a bus because a bus service does not run close to their homes, and they do not drive because either their licence has been taken from them or they have voluntarily handed it in, so they rely on a taxi subsidy voucher if they have been lucky enough for their doctor to have recommended it. It would really help them if they were provided with the Country Age Pension Fuel Card, which, according to the criteria, would allow them to have their son, daughter or friend take them shopping once a week, as many of them want to do. A number of these older people live in the City of Mandurah who have been wiped off because they have access to a train or a bus. I wrote a letter to the minister detailing the situation of Mr Mills from Meadow Springs as an example. That man cannot go to hospital on a bus to get his cancer treatment in Fremantle because he is highly vulnerable to infection, and he has no family to take him. How is he supposed to get to his appointment? Being provided with a fuel card would have really helped him, because he could use that fuel card to get a friend or carer or someone to help him, and he could have helped them with the transport costs. Honestly, minister, there are hundreds of people like that in Mandurah and in the member for Dawesville's electorate. It is not as simple as saying that, with a sleight of pen, those people have access to a \$1.2 billion train, so they do not need a fuel card. It is not as simple as that. These are real people who live in my community and they would very much benefit from the provision of a fuel card.

Mr B.J. Grylls: You should campaign for that when you get back into government you'll give it to everyone!

Mr D.A. TEMPLEMAN: I might do that. I do not have the power to do that now; the minister is in government and I am pleading to the minister on behalf of those people. They are the people I want to support and represent.

The minister should listen closely to this plea because those people deserve to be treated as people, not as simple statistics who are too expensive for the state and have therefore been written off with that sleight of pen. Across the bridge at Serpentine, just 400 metres away, my other constituents, who I do not begrudge, receive the fuel card.

Debate adjourned, on motion by **Dr K.D. Hames (Minister for Health)**.

House adjourned at 9.53 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

DAVID CAPORN — FESA APPOINTMENT

945. Ms M.M. Quirk to the Premier

I refer to the Public Sector Standards Commission report on the appointment of David Caporn to the Fire and Emergency Services Authority (FESA) and I ask:

- (1) Prior to this matter had the Commissioner received any complaints into recruitment practices at FESA; and
 - (a) if so, when were these received and what action was taken in response to the complaints?
- (2) In light of these allegations is a broader review of FESA recruitment and appointment and personnel practices warranted?

Mr C.J. BARNETT replied:

Office of Public Sector Standards Commission advises as at 1 July 2009:

- (1) Yes.

To provide a comprehensive response, OPSSC advises that the following complaints [broken down as breach of standards claims, compliance inquiries and general queries] which are registered on the OPSSC data base have been received with respect to Fire and Emergency Services Authority recruitment matters since the current record keeping system was introduced in 2002. Please note these data exclude compliance inquiries and breach of standards claims against non-recruitment matters. Complaints which have been received since the tabling of Parliamentary Report Number 4 are also included in the interests of a thorough response.

- (a) Complaint details [breach of standards claims and compliance inquiries]
 - (i) A breach of standard claim was received on 24 June 2003 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (ii) A breach of standard claim was received on 29 July 2003 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (iii) A breach of standard claim was received on 19 May 2005 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (iv) A breach of standard claim was received on 28 September 2005 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (v) A breach of standard claim was received on 12 January 2006 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (vi) A breach of standard claim was received on 3 March 2006 against the Acting standard. A conciliation agreement was reached between the agency and the claimant.
 - (vii) A breach of standard claim was received on 12 March 2008 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (viii) A breach of standard claim was received on 1 July 2008 against the Recruitment, Selection and Appointment standard. This claim was not upheld.
 - (ix) A breach of standard claim was received on 7 August 2008 against the Recruitment, Selection and Appointment standard. A conciliation agreement was reached between the agency and the claimant.
 - (x) A compliance inquiry was received on 27 August 2008 relating to acting opportunities. The agency was found to be compliant with section 8 and section 9 of the Public Sector Management Act 1994. Further information on this matter is detailed below.
 - (xi) A breach of standard claim was received on 11 February 2009 against the Recruitment, Selection and Appointment standard. A conciliation agreement was reached between the agency and the claimant.
 - (xii) A compliance inquiry was received on 12 February 2009 relating to the recruitment of David Caporn. The agency was found to be non-compliant and this was reported to Parliament in Parliamentary Report 4 on 6 May 2009.

- (xiii) A compliance inquiry was received on 11 May 2009 regarding more widespread questions about recruitment practices at FESA. This matter was referred to the employing authority, the Public Sector Commission, for further action. This is the matter to which the Commissioner for Public Sector Standards referred during Estimates Debate on 28 May 2009.
- (xiv) A breach of standard claim was received on 12 June 2009 against the Transfer standard. This is a current and active claim.
- (xv) A breach of standard claim was received on 22 June 2009 against the Acting standard. This is a current and active claim.
Records dating back to 2002 show that there have been a further two breach of standards claims and two compliance inquiries on matters other than recruitment. OPSSC has also logged a range of general queries since 2002 which include calls from agency staff seeking human resource management assistance, calls from agency staff relating to potential complaints, and calls from others.
- (xvi) In 2002 nine telephone calls were received about Fire and Emergency Services authority (FESA). Two were queries relating to recruitment processes.
- (xvii) In 2003 fourteen telephone calls were received about FESA. Seven were queries relating to recruitment processes.
- (xviii) In 2004 two telephone calls were received about FESA. One was a query relating to recruitment processes.
- (xix) In 2005 thirteen calls were received about FESA. Three were queries relating to recruitment processes.
- (xx) In 2006 six telephone calls were received about FESA. Three were queries relating to recruitment processes.
- (xxi) In 2007 seventeen telephone calls were received about FESA. Nine were queries relating to recruitment processes.
- (xxii) In 2008 nineteen telephone calls were received about FESA. Eleven were queries relating to recruitment processes.
- (xiii) Since 1 January 2009 ten phone calls have been received about FESA. Four have been queries relating to recruitment processes.

(2) No, not at this stage.

The compliance inquiry received on 27 August 2008 relating to acting opportunities for volunteer staff led to a review of temporary acting opportunities in the State Emergency Service and Bush Fire Services areas. The agency was found to be compliant with sections 8 and 9 of the Public Sector Management Act 1994. OPSSC concluded that while compliance was established, FESA should strengthen its policies to ensure better transparency and consistency in decision making processes. OPSSC understands from Parliamentary debate that the compliance enquiry detailed in Parliamentary Series Report Four is now being reviewed further by the Public Sector Commission. OPSSC has referred the compliance inquiry received on 11 May 2009 regarding widespread questions about recruitment practices at FESA to the Public Sector Commission, and has asked to be informed about the outcome of that inquiry. Of 15 formal complaints [breach of standards and compliance enquiries] since 2002, only one has been found to be non-compliant. The current complaint statistics therefore do not indicate that a second review is warranted at this stage. OPSSC keeps a watching brief on matters as they arise, and should there be further issues of concern, would take these into account.

GOVERNMENT DEPARTMENTS AND AGENCIES — OFFICE ACCOMMODATION

954. Mr J.N. Hyde to the Minister for Culture and the Arts

- (1) Is the Minister aware of an increase or change in floor area or location for office accommodation for agencies for which the Minister is responsible over the next five years?
- (2) What assumptions do agencies under control of the Minister make in floor space per FTE in providing accommodation for their activities?
- (3) What criteria, including client service access, are used in arriving at assumptions?
- (4) Is the current provision consistent with, less than, or in excess, of assumptions?

- (5) What criteria, if any, are applied in determining the location of office accommodation for agencies under control of the Minister?
- (6) What will the total cost, and per capita cost, be for accommodation for agencies under control of the Minister across the four budgeted years?

Mr J.H.D. DAY replied:

- (1) There is no expectation that there will be a net change in the amount of accommodation space required for the culture and arts portfolio government agencies in the next five years unless business activities and operations change substantially.
- (2) Each organisation in the culture and arts portfolio has different operational requirements. Decisions on space requirements, and how these spaces are configured, reflect the specific operational requirements of each organisation. For standard office accommodation a rate of 15m² per person is applied.
- (3) The 15 square metre rate per person reflects advice from Building Management and Works.
- (4) The current provision is consistent with the per square metre rate per person
- (5) The Department of Treasury and Finance, through Building Management and Works, manages the office accommodation requirements of the portfolio, including where this may be located. This excludes office accommodation in agency buildings.
- (6) Rented accommodation is costed at:
\$6 459 600 over the period 2009-2010 to 2012-2013.

CULTURE AND THE ARTS PORTFOLIO — ARTS PATRONAGE FIGURES

969. Mr J.N. Hyde to the Minister for Culture and the Arts

Relating to arts patronage, can the Minister detail daily and weekly arts patronage figures for all Culture and the Arts funded agencies, venues and projects occurring in metropolitan Perth, outside the Perth CBD and the Perth Cultural Centre, for 2008–2009, for 1995–1996, and anticipated patronage for 2012–2013?

Mr J.H.D. DAY replied:

The Department provides operational funding to 49 arts organisations and approximately 450 (2007-08) projects. Much of the reporting for the 2008-09 financial year will not be submitted to the Department until the end of 2009. Statistics from acquittals submitted 12 years ago are not retained by the Department in a manner that would allow for an accurate comparison. As organisations funded by the Department are contracted on the basis of three year business plans, projects estimates are not available for the 2012-13 period.

CULTURE AND THE ARTS PORTFOLIO — ARTS PATRONAGE FIGURES

970. Mr J.N. Hyde to the Minister for Culture and the Arts

Relating to arts patronage, can the Minister detail daily and weekly arts patronage figures for all Culture and the Arts funded agencies, venues and projects occurring in regional Western Australia, for 2008–2009, for 1995–1996, and anticipated patronage for 2012–2013?

Mr J.H.D. DAY replied:

The Department provides operational funding to 49 arts organisations and approximately 450 (2007-08) projects. Much of the reporting for the 2008-09 financial year will not be submitted to the Department until the end of 2009. Statistics from acquittals submitted 12 years ago are not retained by the Department in a manner that would allow for an accurate comparison. As organisations funded by the Department are contracted on the basis of three year business plans, projects estimates are not available for the 2012-13 period.

INTEGRATED WATER SUPPLY SCHEME — VOLUME STATISTICS

977. Mr J.C. Kobelke to the Minister for Water

- (1) For each of the financial years 1999–2000 to 2008–2009, for the Integrated Water Supply Scheme what is the volume of:
 - (a) total water usage;
 - (b) groundwater draw;
 - (c) surface water draw;
 - (d) seawater desalination production; and
 - (e) Harvey Water trade?

Dr G.G. JACOBS replied:

- (1) (a)-(e) [See paper 1118.]

WATER CORPORATION — WASTEWATER PROGRAMS

984. Mr J.C. Kobelke to the Minister for Water

For the estimated expenditure in 2009–2010 of the Water Corporation on page 822 of State Budget Paper No. 2, what are the individual projects and the costings for each that accumulate to these global amounts:

- (a) Wastewater Program — Country Wastewater Treatment and Conveyance: \$20.281 million;
- (b) Wastewater Program — Metropolitan Wastewater Treatment and Conveyance: \$41.194 million;
- (c) Wastewater Program – Country Water Sources and Distribution: \$143.419 million;
- (d) Water Programs – Metropolitan Water Sources and Distribution: \$52.851 million?

Dr G.G. JACOBS replied:

- (a)-(d) [See paper 1117.]

MENTAL HEALTH — SPECIALISED MENTAL HEALTH EMPLOYEES

988. Mr R.H. Cook to the Minister for Mental Health

I refer to page 171 of the 2009–2010 Budget Papers and the *Specialised Mental Health Employees (FTE)* section and ask:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 2, 655?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008-2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009-2010 budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised?
- (10) In offering voluntary redundancies for this section has the Minister's agency taken account of, or been required to take account of, the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr G.G. JACOBS replied:

- (1)-(10) WA Health payroll and workforce systems do not categorise individual employees at the Service level. A high-level modeling exercise is undertaken on an annual basis to apportion whole-of-Health FTE across Services. Work is underway to map all positions to Services in order to automate this process and improve transparency. It should be noted that many positions do not align directly to a Service. For example, clinical staff may treat inpatients (Service 1) and undertake outpatient clinics (Service 6). Similarly, a significant portion of non-clinical staff are treated as overheads and allocated across numerous Services.

As a consequence of the above factors, WA Health is not able to answer the question specifically in relation to Mental Health employees but provided the Member a whole of health answer at Estimates in the Legislative Assembly on 28 May 2009. [See paper 1116.]

MENTAL HEALTH — DRUG AND ALCOHOL EMPLOYEES

989. Mr R.H. Cook to the Minister for Mental Health

I refer to page 178 of the 2009–2010 Budget Papers and the *Drug and Alcohol Employees (FTE)* section:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 231?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008-2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009-2010 budgets in this section;
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised?
- (10) In offering voluntary redundancies for this section, has the Minister's agency taken account of, or been required to take account of, the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr G.G. JACOBS replied:

- (1)-(10) WA Health payroll and workforce systems do not categorise individual employees at the Service level. A high-level modeling exercise is undertaken on an annual basis to apportion whole-of-Health FTE across Services. Work is underway to map all positions to Services in order to automate this process and improve transparency. It should be noted that many positions do not align directly to a Service. For example, clinical staff may treat inpatients (Service 1) and undertake outpatient clinics (Service 6). Similarly, a significant portion of non-clinical staff are treated as overheads and allocated across numerous Services.

As a consequence of the above factors, WA Health is not able to answer the question specifically in relation to Drug and Alcohol Office employees but provided the Member a whole of Health answer at Estimates in the Legislative Assembly on 28 May 2009. See copy attached. [See paper 1115.]

WESTERN POWER — THORNLIE SUBSTATION

990. Mr C.J. Tallentire to the Minister representing the Minister for Energy

Allocated in 2008–2009 budget to Western Power was \$3.63 million to purchase land for a new substation in Thornlie. This allocation is not evident in the Budget Papers, Volume 3, page 693, *Asset Investment Program; Transmission* nor in *Works in Progress; Transmission*, page 694. Therefore, I ask:

- (1) Can the Minister advise whether Western Power have been allocated \$3.63 million in this Budget or forward estimates to purchase land for a new substation in Thornlie?
- (2) Has Western Power purchased the land required for a new substation in Thornlie for 2020?

Mr C.J. BARNETT replied:

- (1)-(2) Expenditure of \$3.63 million was forecast for the purchase of land for a new substation in Thornlie. However as the project has been delayed, and has not been approved, no funds were actually allocated.

DISABILITY SERVICES — ACCOMMODATION SUPPORT

994. Mr C.J. Tallentire to the Minister representing the Minister for Disability Services

- (1) In the forward estimates 2011–2012, the Government has made a commitment to accommodation support with an increase of \$9.730 million to \$19.290 million. What percentage of this funding has been given by the Commonwealth?
 - (a) What percentage of funding will be distributed to the local area of Gosnells, Huntingdale and Thornlie?
- (2) In the Budget Papers for the Disability Services Commission, in the section titled, *Major Policy Decision — Election Commitments — Early Intervention*, there is mention of an extra 100 early childhood intervention places. What is the target disability for these intervention places?
- (3) In the Budget Papers for the Disability Services Commission, page 462, in the section titled *Individual and Family Support*, the number of employees (full time equivalents) for 2009–2010 Budget Target is quoted as 256. How many of the 256 FTE will be allocated to respite care?
- (4) In the Budget Papers for the Disability Services Commission, page 462, in the section titled *Services and Key Efficiency Indicators*, the number of employees (full time equivalents) is quoted as 2008–2009: 1088 FTE and 2009–2010: 1212 FTE. Will the increase of FTEs be employed by the Disability Services Commission or tendered to the private sector?
- (5) In the Budget Papers for the Disability Services Commission, page 464, in the section titled *New Works*, I refer to Community Disability Housing Program, 2009–2010, where the DSC expects to spend \$9.43 million. How many units will the Disability Services Commission build?

Dr G.G. JACOBS replied:

- (1) No funding has been provided by the Commonwealth. The \$9.73m are part of the State Government's election commitment and are over and above previously committed State growth funds and Commonwealth growth funding.
 - (a) Suburb of residence is not part of the criteria for determining eligibility or priority for Accommodation Support. Funding for Accommodation Support is provided to individual people on a priority basis through the Combined Application Process.
- (2) No target disability has been specified for the allocation of the additional 100 early childhood intervention places. The allocation of early childhood intervention places requires that a child be eligible to receive specialist disability services, under the Disability Services Act (1993), and be before the child is of primary school age.
- (3) These FTE refer to the Commission employees only. The provision of respite care is undertaken by external funded service providers
- (4) All of the 1212 full time employees will be employed by the Disability Services Commission.
- (5) The correct estimated expenditure by the Disability Services Commission given on page 464 is \$943,000. This reflects the cost of modifying approximately 11 group homes leased from the Department of Housing to comply with National Disability Standards and occupational, health and safety requirements.

SCHOOL CAPITAL IMPROVEMENT PROGRAM

995. Mr C.J. Tallentire to the Minister for Education

What criteria were used to identify the projects in the \$50 million School Capital Improvement Program?

Dr E. CONSTABLE replied:

The projects were election commitments identified by the Liberal and National Parties prior to the 2008 State elections.

SCHOOL PROGRAMS FOR NON-ENGLISH SPEAKING CHILDREN

996. Mr C.J. Tallentire to the Minister for Education

Given the increase identified by teachers in the number of children from non-English-speaking backgrounds entering the Western Australian education system with little or no English, what additional resources and facilities are planned by the Government to accelerate these children's skills in English?

Dr E. CONSTABLE replied:

The Department of Education and Training provides English as a Second Language (ESL) support for students from Culturally and Linguistically Diverse Backgrounds (CaLD) who speak limited or no English.

Currently there are in excess of 100 ESL specialist programs across primary and secondary public schools, including ESL Support, Cell or Intensive English Centre programs. The Department also has ESL Consultants and ESL Visiting Teachers, based in metropolitan District Education Offices, who provide specialist support to ESL students and teachers in schools. The district teams provide extensive professional learning for mainstream teachers to assist them to cater for ESL students' linguistic, educational, social and emotional needs.

Funding is provided to schools in regional and remote areas which have significant numbers of ESL students. This funding is used to support teachers to develop appropriate learning and teaching programs to suit the needs of their students.

The Department has an extensive range of ESL resources that teachers from across the State can borrow from the ESL Resource Centre and an ESL/ESD Progress Map that enables teachers to monitor and assess ESL students' language development.

Over the past few months, the Department has provided schools with additional funding and learning and teaching resources, in excess of \$1 500 000, to support the learning needs of eligible and non eligible visa holder students, including 457 visa holders.

MANAGEMENT OF STATE MATTERS — EMPLOYEES

997. Mr E.S. Ripper to the Premier

I refer to page 88 of the 2009–2010 Budget Papers and the *Management of State Matters, Employees (FTE)* section:

- (1) Will the Premier outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (2) Will the Premier outline the budget assumption behind the full savings impact of removing an FTE in this section?
- (3) Can the Premier provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008–2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009–2010 Budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (4) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (5) Can the Premier outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (6) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (7) Can the Premier outline the projected impact of FTE reductions on Public Service equity targets within this section?
- (8) What measures will be put in place to ensure that equity targets are not compromised?
- (9) In offering voluntary redundancies for this section, has the Premier's agency taken account of, or been required to take account of the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises as at 24 June 2009:

- (1) The full cost impact of adding an FTE to this service would be dependent upon the classification level of the position. This could vary from a Level 1 officer to an employee at Class 4. To the salary cost should be added on costs such as superannuation and any equipment cost. Each additional FTE also results in a marginal increase in the proportion of corporate service overheads charged to the service.

- (2) The full savings impact of removing an FTE from this service would similarly be dependent upon the classification of the position. Each reduction in FTE results in a marginal decrease in the proportion of corporate service overheads charged to the service.
- (3) (a) The headcount for Service 2 as at 2 April 2009 (the reporting date for FTEs in the 2009-10 budget statements) was 230 including officers seconded in from other agencies on a recoup basis, and excluding officers seconded out to other agencies on a recoup basis, electorate office FTEs, corporate service overhead FTEs allocated on a full cost of service basis and FTEs involved in commissions, inquiries, community service obligations, miscellaneous grants and donations, and corporate services provided free of charge to external agencies that are reported under this service for convenience.
- (b)-(c) The average annual FTEs in the forward estimates for 2009-10 are projected on average annual FTEs for 2008-09. It is not possible to make any reliable projection of headcount across the forward estimates.
- (4) Yes.
- (5) There are no policy changes or changes in the level of service provided.
- (6) Total and net cost of service, and key efficiency indicators are affected by any increase or reduction in expenditure, whether as a result of a change in FTE or some other class of expenditure.
- (7)-(8) There is no known impact of FTE reductions on public service equity targets within this section and therefore no measures are required.
- (9) Voluntary redundancies offered to staff in this section have not been required to take account of individual officers' superannuation entitlements.

GENETICALLY MODIFIED ISSUES — MINISTER'S TRIP TO NORTH AMERICA

1001. Mr M.P. Murray to the Minister for Agriculture and Food

I refer to the proposed trip by the Minister to North America to study Genetically Modified (GM) issues and I ask:

- (a) Will the Minister's study on GMOs include meeting with critics as well as supporters of the GM debate?
- (b) Under what areas of reference will the study tour focus on?
- (c) Which parliamentary members, staff members and agriculture staff members will accompany the Minister on this tour?
- (d) Why is the Minister going on this study trip, when the decision to grow GM canola has already been made?

Mr D.T. REDMAN replied:

- (a) The visit was undertaken from 6 July to 20 July. It involved meetings and discussions with a range of people involved with the GM and non-GM supply chains in North America. This included companies, government policy makers, university based researchers, policy advisors and farmers. There was also the opportunity to assess US and Canadian consumer views as part of this travel. Meetings were held with parties involved in growing GM and non-GM canola, soy and corn in Missouri and Saskatchewan.
- (b) The focus was on potential economic development opportunities for Western Australia (WA) in the broad areas of biotechnology and biofuels, as well as trade, general agriculture policy, education and agricultural research and development. The objective was to gain a detailed first hand appreciation of cutting edge R&D activity and public policy development in these rapidly evolving fields.
- There is a need to understand the timelines for GM development of 'consumer benefit' traits, such as improved nutritional value of food products, and 'farmer benefit' traits such as improved tolerance to drought and salinity. As some of this new technology is likely of a proprietary nature, we explored how WA could best gain access to the technology.
- The potential of agro-energy crops and bio-refineries in WA appears substantial but the economic viability remains unclear. This visit helped to clarify opportunities and priorities for research to support such innovation in our State.
- (c) I was accompanied by my Chief of Staff (Mr Scott Mitchell) and senior officer of the Department of Agriculture and Food (Dr Mark Sweetingham).
- (d) In relation to GM canola, the only decision I have taken to date is to allow restricted commercial-scale trials in this current season under an exemption order of the *Genetically Modified Crops Free Areas Act (2003)*. The visit had a far broader scope and purpose.

CULTURE AND THE ARTS PORTFOLIO — CAPITAL REDUCTIONS

1005. Mr J.N. Hyde to the Minister for Culture and the Arts

I refer to page 662 of the 2009–2010 State Budget, where there are capital reductions between Item 158 through to 162 and I ask:

- (a) can the Minister explain and detail each capital reduction for each Item inclusive of Item 158 to 162?

Mr J.H.D. DAY replied:

- (a) The reductions in each capital item are due to the following:

Item 158 Capital Appropriation

The 2008-09 capital funding included \$35.55m for the construction of the State Theatre Centre. Due to the construction nearing completion, this amount reduces to \$7.4m in 2009-10.

Item 159 Art Gallery of WA

The 2008-09 capital funding included \$10million of the \$15m for the Art Gallery of WA Legacy Fund. This reduces to \$2.5m in 2009-10.

Item 160 Library Board of WA

The 2008-09 capital funding included a one-off allocation of \$4m to upgrade public and digital facilities of the State Library of WA.

Item 161 Perth Theatre Trust

The 2008-09 capital funding included a one-off allocation of \$3.115m for the upgrade of Perth Concert Hall and His Majesty's Theatre.

Item 162 WA Museum

The 2008-09 capital funding included one-off allocation of \$0.5m for the development of Albany and Kalgoorlie Museums and \$0.63m for the purchase of land for Fremantle Welcome Walls stage 3.

CULTURE AND THE ARTS PORTFOLIO — IGNITE PACKAGE AND DESIGNER FASHION

1007. Mr J.N. Hyde to the Minister for Culture and the Arts

I refer to page 672 of the 2009–2010 State Budget, under *Grants and Subsidies* that are listed as expenses and I ask:

- (1) How much of this financial year's expenses relate to the Designer Fashion Grants \$1.6 million Program and the Western Australian Fashion \$650,000 announced in Labor's Ignite Package?
- (2) How much of the future year's expenses relate to the Designer Fashion Grants \$1.6 million Program and the Western Australian Fashion \$650,000 announced in Labor's Ignite Package?
- (3) Has the Government allocated any new money to designer fashion?

Mr J.H.D. DAY replied:

- (1) \$250 000 in expenditure will be allocated to the Designer Fashion Grants Program in 2009-2010. An additional \$100 000 will be allocated to administration and industry support for the Designer Fashion Grants Program in 2009-2010 as part of the \$1 400 000 (not \$1.6m as you stated in the question) announced in Labor's Ignite Package.

\$200 000 will be allocated to Western Australian Fashion (Perth Fashion Festival) in 2009-2010 as part of the \$650 000 announced in Labor's Ignite Package.

- (2) \$250 000 in expenditure will be allocated to the Designer Fashion Grants Program in 2010-2011. An additional \$100 000 will be allocated to administration and industry support for the Designer Fashion Grants Program in 2010-2011 as part of the \$1 400 000 announced in Labor's Ignite Package.

\$200 000 will be allocated to Western Australian Fashion via Perth Fashion Festival in 2010-2011 as part of Labor's Ignite Package

- (3) No new money has been allocated by the Government to designer fashion.

CULTURE AND THE ARTS PORTFOLIO — WELCOME WALL

1017. Mr J.N. Hyde to the Minister for Culture and the Arts

I refer to page 670 of the 2009–2010 State Budget, and the point *Works in Progress* under *Welcome Wall* and I ask:

- (1) How much funding has been expended by the State toward the opening of Stage 3?
- (2) How much funding has already been contributed by relatives?

Mr J.H.D. DAY replied:

- (1) Nothing has been expended on the opening of the Welcome Walls Stage Three since they are not yet constructed.

The estimated total cost for the Welcome Walls Stage 3 is \$1 130 000

- (2) Welcome Walls Fremantle, Stage 3
3893 registrations @ \$66.00 per registration \$256 938
Welcome Walls Albany
479 registrations @ \$66.00 per registration \$31 614

EDUCATION — PRIMARY EDUCATION FULL-TIME EMPLOYEES

1023. Mrs M.H. Roberts to the Minister for Education

I refer to page 351 of Budget Paper No. 2, Volume 2 and the *Primary Education Full-time Employees (FTE)* and I ask:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 19,084?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008-2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009-2010 budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised.
- (10) In offering voluntary redundancies for this section, has the Minister's agency taken account of, or been required to take account of the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr E. CONSTABLE replied:

- (1)

	Education Act Staff	CPSU – Public Servants & School Support staff	Education Assistants	Home Economics Assistants	Cleaners	Gardeners	Other Staff	Total
Primary	11 685	2 036	4 199	-	734	420	9	19 084
Secondary	7 786	1 990	1 145	147	638	184	104	11 993
Training	32	655	-	-	1	-	-	688
Total	19 503	4 681	5 344	147	1 373	604	113	31 765

- (2) The average cost per FTE across the Department is \$73 000.
- (3) The average cost per FTE across the Department is \$73 000.
- (4) (a) The total headcount of staff paid by DET on 14 May 2009 was 39 873. This cannot be allocated to each Service in the time available.
- (b)-(c) Not applicable.
- (5) The FTE numbers are affected by student enrolments (i.e. demand driven) and Commonwealth funded programs which were not taken into account when the cap was established.
- (6)-(7) Not applicable.
- (8) Not applicable. See Q4 above.
- (9) It is not expected that equity targets will be adversely affected.
- (10) No voluntary redundancies have been offered.

EDUCATION — SECONDARY EDUCATION FULL-TIME EMPLOYEES

1024. Mrs M.H. Roberts to the Minister for Education

I refer to page 351 of Budget Paper No. 2, Volume 2 and the *Secondary Education Full-time Employees (FTE)* and I ask:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 11,993?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) The actual headcount derived from the approved FTE complement in the section in 2008–2009;
 - (b) The actual headcount derived from the approved FTE complement resulting from the 2009–10 budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised?
- (10) In offering voluntary redundancies for this section, has the Minister's agency taken account of, or been required to take account of the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr E. CONSTABLE replied:

(1)

	Education Act Staff	CPSU – Public Servants & School Support staff	Education Assistants	Home Economics Assistants	Cleaners	Gardeners	Other Staff	Total
Primary	11 685	2 036	4 199	-	734	420	9	19 084
Secondary	7 786	1 990	1 145	147	638	184	104	11 993
Training	32	655	-	-	1	-	-	688
Total	19 503	4 681	5 344	147	1 373	604	113	31 765

- (2) The average cost per FTE across the Department is \$73 000.
- (3) The average cost per FTE across the Department is \$73 000.
- (4) (a) The total headcount of staff in DET paid by on 14 May 09 was 39 873. this cannot be allocated to each Service in the time available.
- (b)-(c) Not applicable
- (5) The FTE numbers are affected by student enrolments (i.e. demand driven) and Commonwealth funded programs which were not taken into account when the cap was established.
- (6)-(7) Not applicable.
- (8) Not applicable. See Q4 above.
- (9) It is not expected that equity targets will be adversely affected.
- (10) No voluntary redundancies have been offered.

EDUCATION — VOCATIONAL EDUCATION FTEs

1025. Mrs M.H. Roberts to the Minister for Education

I refer to page 352 of Budget Paper No. 2, Volume 2 and the *Vocational Education and Training Services Full-time Employees (FTE)* and I ask:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 688?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008–2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009–2010 budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised?
- (10) In offering voluntary redundancies for this section, has the Minister's agency taken account of, or been required to take account of the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr E. CONSTABLE replied:

(1)

	Education Act Staff	CPSU – Public Servants & School Support staff	Education Assistants	Home Economics Assistants	Cleaners	Gardeners	Other Staff	Total
Primary	11 685	2 036	4 199	-	734	420	9	19 084
Secondary	7 786	1 990	1 145	147	638	184	104	11 993
Training	32	655	-	-	1	-	-	688
Total	19 503	4 681	5 344	147	1 373	604	113	31 765

- (2) The average cost per FTE across the Department is \$73 000.
- (3) The average cost per FTE across the Department is \$73 000.
- (4) (a) The total headcount of staff paid by DET on 14 May 2009 was 39 873. This cannot be allocated to each Service in the time available.
- (b)-(c) Not applicable.
- (5) The FTE numbers are affected by Commonwealth funded programs which were not taken into account when the cap was established.
- (6)-(7) Not applicable.
- (8) Not applicable. See Q4 above.
- (9) It is not expected that equity targets will be adversely affected.
- (10) No voluntary redundancies have been offered.

EDUCATION — RESIDENTIAL COLLEGE FTEs

1026. Mrs M.H. Roberts to the Minister for Education

I refer to page 386 Budget Paper No. 2, Volume 2, Service 1 Establishment, Operation and Maintenance of Residential Colleges Full-time Employees (FTE) and I ask:

- (1) Can the Minister provide an employee category breakdown of the 2009–2010 budget target of 116?
- (2) Will the Minister outline the budget assumption behind the full cost impact of adding an FTE in this section?
- (3) Will the Minister outline the budget assumption behind the full or savings impact of removing an FTE in this section?
- (4) Can the Minister provide the following information:
 - (a) the actual headcount derived from the approved FTE complement in the section in 2008–2009;
 - (b) the actual headcount derived from the approved FTE complement resulting from the 2009–2010 budgets in this section; and
 - (c) the projected headcount derived from the approved FTE complement in this section across the forward estimates?
- (5) Has the public service FTE cap announced by the Treasurer affected FTE numbers in this section?
- (6) Can the Minister outline policy changes or changes in service delivery that are being adopted, and how they take account of the public service FTE cap?
- (7) Which outcomes, services and performance indicators are affected by FTE constraints, and in what way?
- (8) Can the Minister outline the projected impact of FTE reductions on public service equity targets within this section?
- (9) What measures will be put in place to ensure that equity targets are not compromised?
- (10) In offering voluntary redundancies for this section, has the Minister's agency taken account of, or been required to take account of the financial impact to the public sector as a whole of redundancies, resignations or retirements of public servants covered by earlier defined benefit superannuation compared to those receiving market-linked superannuation?

Dr E. CONSTABLE replied:

- (1) Residential College Supervisory Staff: 66.7
Residential College Admin. Support: 8.0
Residential College Ancillary: 35.4
Directorate/Corporate Services: 5.9
Total: 116.0
- (2) \$57 000 in 2009–10.
- (3) \$57 000 in 2009–10.
- (4) (a) 160
- (b) 162

- (c) 2010/11 — 164
2011/12 — 166
2012/2013 — 168
- (5) No.
- (6) The CHSHA Directorate has adjusted its FTE from 6.8 down to 5.9 this year following a staff retirement and a movement to part-time work for a staff member nearing retirement. There will be no change to residential college staffing formulae in 2009-10. the 2008-09 supervisory staff to student ratios will continue to apply.
- (7) FTE constraints will affect the agency's capacity to implement new initiatives, for example database development, but will not adversely impact on boarding service delivery.
- (8) There should be no significant impacts on equity targets.
- (9) See response to Q8.
- (10) At this stage no voluntary redundancy costs are foreseen.

PERCENT FOR ART SCHEME

1028. Mr J.N. Hyde to the Minister for Planning

- (1) Is the Minister supportive of the required one per cent contribution toward public art devised under the Percent for Art scheme?
- (2) Does the same contribution for public art apply to private residential or private commercial properties being developed by a Government statutory body such as the East Perth Redevelopment Authority?
- (a) if so, can contribution costs toward the Percent for Art scheme be passed onto clients or developers; and
- (b) if so, does this entitle the statutory body to withhold development approval until the payment is made?
- (3) What other agencies or Departments under the Minister levy a Percent for Art on private sector developments?
- (4) Has the Minister become aware or authorised any exemptions under Percent for Art requirements?
- (5) Has the Minister taken any advice or briefings from registered lobbyists or lawyers on Percent for Art obligations; and
- (a) if yes, from whom, when and over what issue?
- (6) Has the Minister been lobbied or received correspondence from any other ministerial or government parliamentary colleagues on Percent for Art proposals or issues; and
- (a) if yes, from whom, when and over what issue?

Mr J.H.D. DAY replied:

- (1) I support the Percent for Art Scheme.
- (2) Local Governments and Planning Authorities such as EPRA can adopt Public Art Policies which require the local government and also private land owners to make a contribution towards public art, consistent with the intent of the Percent for Art Scheme

In 1992 EPRA adopted a statutory Public Art Policy. Under this policy EPRA delivered the Public Art Walk within the Claisebrook Project Area as well as other stand alone art works throughout its Project Areas such as the Plateia Hellas in Northbridge.

In 2005 EPRA amended this statutory policy to apply to all developers, including state and local government and private land owners, to provide public art to the value of 1% of the total construction costs where the estimated construction cost of a project is \$1 million or above.

The Per Cent for Art Scheme currently operates on the same basis it did under the previous Government.

- (a) The Percent for Art contribution requirement applicable to government agencies in regard to public works undertaken are not passed onto future developers of that land.

EPRA's 1% public art contribution policy is calculated on the basis of the estimated construction cost of works being undertaken by the developers — whether government or private. All developers are required to identify the cost of development when applying for planning approval.

- (b) In its role as a planning regulator EPRA ensures that all developers comply with the applicable planning framework, including the obligations under the EPRA Public Art Policy.
- The public art can be provided as an integral element of the development or as a cash contribution and can be provided at the planning application stage or at building licence stage.
- Development approvals are not withheld until the public art component is resolved and are generally granted with a condition requiring compliance with the public art policy provisions at the working drawings stage. In such cases the condition is required to be satisfied prior to obtaining building licence approval.
- (3) East Perth Redevelopment Authority; Subiaco Redevelopment Authority and Landcorp
(LandCorp's Public Art Policy, endorsed in April 2009, provides for the provision of one percent of total project development cost to public art for its icon projects or its other projects that can demonstrate a significant benefit culturally or socially. Such requirements would be passed onto private sector developers that partnered with LandCorp.)
- (4) The Per Cent for Art Scheme currently operates on the same basis it did under the previous Government and no exemptions have been authorised.
- (5)-(6) No

TOM PRICE HOSPITAL — NATIONAL PARTY COMMITMENTS

1030. Mr T.G. Stephens to the Minister for Regional Development

- (1) Does the Minister appreciate that the Tom Price community are keen for his urgent attention and focus on delivering upon his pre-election commitments to improve the health and hospital facilities of the Tom Price community?
- (2) Can the Minister specify in what financial year the \$1 million will be allocated for expenditure that he has promised Tom Price locals for upgrading the Tom Price Hospital?
- (3) Will the Minister detail how those funds will be spent at the Tom Price Hospital and outline exactly what this \$1 million allocation will deliver in terms of hospital upgrades?
- (4) From what specific fund within the Royalties for the Regions program will this \$1 million be taken?
- (5) What funds will be allocated by the Minister for the upgrades needed at the Paraburdoo and Newman hospitals and when will these funds be allocated?

Mr B.J. GRYLLS replied:

- (1) Yes. I met with the Tom Price Hospital Action Group and representatives from the WA Country Health Service in Tom Price on 30 July 2009 to reiterate my commitment to improving facilities and services at the Tom Price Hospital and discuss the community's expectations for improved health services.
- (2) In 2008-09, the government allocated \$2.5 million through the Pilbara Revitalisation Plan for the immediate improvement of clinical and medical imaging equipment in the Pilbara. Of this, \$283,000 has been provided to purchase the following items for Tom Price Hospital:
- a) Aircon replacement — \$67,000
 - b) Lighting upgrade — \$20,000
 - c) Genset housing upgrade — \$5,000
 - d) Vacuum pump system replacement — \$20,000
 - e) A&E Triage (improved patient flow/security) — \$30,000
 - f) Parasol footings (structural reinforcement) — \$50,000
 - g) Water filtration system upgrade — \$30,000
 - h) Defibrillator — \$28,000
 - i) Ultrasound machine — \$180,000
 - j) Beds — \$30,100
 - k) Trolleys — \$8,600
 - l) Transport monitoring — \$15,000

There is provision in the Pilbara Revitalisation Plan budget in 2009/10, 2010/11 and 2011/12 to implement further improvements to Tom Price Hospital, with priority areas for spending to be determined following community consultation and master planning.

- (3) The government is currently considering a proposal developed jointly by the WA Country Health Service and the Pilbara Industry's Community Council for enhancements to health services across the Pilbara. In relation to Tom Price Hospital, this proposal includes:

- a) Visiting ear, nose and throat specialist
- b) Improved women's health services
- c) Electronic networking of vital signs monitors with Newman, Port Hedland, Nickol Bay and Onslow hospitals
- d) Health facility and service master plan

These items are in addition to those listed in (2).

It is anticipated that further works and new equipment will be funded following the completion of the master planning process.

- (4) Expenditure will be funded from the Regional Infrastructure and Headworks Fund via the \$300 million allocation for the Pilbara Revitalisation Plan.
- (5) The needs of the Paraburdoo and Newman hospitals are addressed in the joint WA Country Health Service/Pilbara Industry's Community Council proposal outlined in (3). There is provision in the Pilbara Revitalisation Plan budget in 2009/10, 2010/11 and 2011/12 to fund improvements to these hospitals.

YAKAMIA PRIMARY SCHOOL — CONSTRUCTION

1031. Mr P.B. Watson to the Minister for Education

Regarding the construction of the new Yakamia Primary School, I ask:

- (1) What structural damage, if any, has been identified in the existing school buildings?
- (2) Will there be any transportable classrooms at the new school, and if so how many?
- (3) Is an art room and computer room included in the design work that has been done?
- (4) In the new design what is the size of:
 - (a) the hall;
 - (b) the canteen; and
 - (c) the outdoor undercover area?
- (5) Will there be covered walkways?

Dr E. CONSTABLE replied:

- (1) Minor cracking has been identified on the art room wall. Investigations showed this may relate to lack of storm water drainage around building footings in the immediate area. The storm water downpipes have since been diverted and the cracks are being monitored to ensure they have stabilised.
- (2) The proposed school will have sufficient permanent classrooms that will accommodate the current enrolment and the projected enrolment for 2010.
- (3) An art room will be provided. Computers are provided in each learning area and a computer area is likely to be incorporated into the library.
- (4)
 - (a) A hall is not provided.
 - (b) 60 square metres.
 - (c) 330 square metres.
- (5) All buildings will have covered verandas. Covered links between buildings are not provided under the current generic Primary School brief.

EDUCATION AND TRAINING SUPPORT PROGRAMS

1032. Mr P.B. Watson to the Minister for Education

The Department of Education and Training has identified \$53,016,000 of savings for 2009–2010 in Education and Training Support programs and I ask:

- (a) can the Minister provide details of how these savings will be made?

Dr E. CONSTABLE replied:

Education and Training Support Programs 2009-2010

Details:	\$'000
Curriculum improvement and assessment	1 326
Learning with ICT	750
Syllabus Development	601
Running Costs of Schools	1 627

Training support programs:	
Profit from Experience	700
Curriculum Support Services Network	754
First Click	250
Group Training funding	225
TAFE Development Fund	386
It Pays to Learn Allowance — TAFE Students	1 500
Curriculum Development	250
Discontinue the \$100 Secondary Subsidy	2 500
Discontinue Family Links Program	600
Other savings to be determined	41 547
Total	53 016

SCHOOLS — FTE REDUCTION

1033. Mr P.B. Watson to the Minister for Education

I refer to the 2009–2010 Budget papers and note that primary schools will be down 49 Full Time Equivalents (FTE) and secondary schools will be down 31 Full Time Equivalents (FTE) and I ask:

- (a) can the Minister provide detail of the areas from which these FTEs will be taken?

Dr E. CONSTABLE replied:

The full-time equivalent (FTE) information provided in the Budget papers is an apportionment of the Department's total FTE into the Primary, Secondary and VET streams and includes all staff within the agency. An FTE reduction target of ten percent over two years has been identified for the Department's central and district offices which has impacted on the total FTE count.

DEPARTMENT OF EDUCATION AND TRAINING — ASSET INVESTMENT PROGRAM

1034. Mr P.B. Watson to the Minister for Education

I refer to the Department of Education and Training's Asset Investment Program in the 2009–2010 Budget and ask:

- (a) in the new works (primary and secondary) program, which areas have been identified as having potential for private commercial involvement?

Dr E. CONSTABLE replied:

No decisions have been taken yet on which projects in the 2009/2010 Budget may have potential for procurement through a public private partnership arrangement.

SCHOOLS — CLEANERS, GARDENERS, MAINTENANCE WORKERS AND EDUCATION ASSISTANTS

1035. Mr P.B. Watson to the Minister for Education

Can the Minister provide a breakdown of the following:

- (a) permanent and casual FTE school cleaners between 1–20 May 2008 and 1–20 May 2009;
- (b) permanent and casual FTE school gardeners and maintenance workers between 1–20 May 2008 and 1–20 May 2009; and
- (c) permanent and casual FTE Education Assistants between 1–20 May 2008 and 1–20 May 2009?

Dr E. CONSTABLE replied:

- (a) The number of permanent and casual FTE school cleaners between 1-20 May 2008 was 1 429.9 permanent and 47.17 casual FTE. Between 1-20 May 2009 there were 1 453.61 permanent and 56.04 casual FTE.
- (b) The number of permanent and casual FTE school gardeners between 1-20 May 2008 was 529.92 permanent and 15.83 casual FTE. Between 1-20 May 2009 there were 543.01 permanent and 15.88 casual FTE.
- (c) The number of permanent and casual FTE school education assistants between 1-20 May 2008 was 4 411.56 permanent and 344.23 casual FTE. Between 1-20 May 2009 there were 4 734.99 permanent and 375.92 casual FTE.

EDUCATION — SCHOOL SUPPORT SERVICES

1036. Mr P.B. Watson to the Minister for Education

I refer to the Budget Papers on page 359, line item *School Support Services: Reduction in Budget for 2010–2011* of \$96.1 million and ask:

- (a) can the Minister provide definitions of *School Support Services* and details of savings to be made?

Dr E. CONSTABLE replied:

School Support Services are centrally funded costs of operating and maintaining school facilities. Components include insurance, maintenance and minor works, and contracts for cleaning, gardening, lawn mowing and rubbish removal.

The reduction of \$96.1 million from 2009-2010 to 2010-2011 mainly reflects once-off expenditure in 2009-2010 relating to the Commonwealth funded Building the Education Revolution of \$96.9 million. This also explains why the 2009-2010 budget is significantly higher than the 2008-2009 estimated actual for School Support Services.

TRANSPORT — PENSIONERS, SPEED CUSHIONS AND ROAD ISSUES

1037. Mr C.J. Tallentire to the Parliamentary Secretary representing the Minister for Transport

- (1) Does the budget estimate for 2009–2010 and the forward estimates include provision for funding free public transport 24/7 for all seniors card holders and other concessionary fare-users?
- (2) Given the Liberal Party plan to extend eligibility for the WA Seniors Card, what provision in the forward estimates has the Government made for funding further additional free public transport?
- (3) What provision has been made in the forward estimates for the purchase of additional railcars which would improve services to Gosnells on the Armadale line and on the Thornlie line?
- (4) Is it possible for a Disability Pensioner to get a SmartRider card without parting with any money? Can they use the free public transport for free?
- (5) Why is there no mention in the publicity nor the application form of the fact that a minimum \$5 must be loaded onto the card, or it will not be issued?
- (6) Is the Government denying the card to needy pensioners, who have no intention of travelling outside the free period?
- (7) Does the Western Australia Community Crime Prevention Program (anti-hoon) incorporate speed cushions?
- (8) What criteria are used by Main Roads to determine which projects are funded?
- (9) In my electorate, the City of Gosnells submitted a much-needed proposal for Stennett Street mobile speed humps? Why was this project bid not successful?
- (10) What volumes of traffic are projected over the forward estimates period to use the Nicholson Road — Garden Street, Langford/Thornlie crossing over the Kewdale-Fremantle freight rail line?
- (11) Irrespective of the potential extension of the Thornlie spur electrified line to Nicholson Road and Canning Vale, is a road overpass to ease traffic congestion being considered?

Mr M.J. COWPER replied:

- (1) No.
- (2) None. Plans to expand the current seniors card accessibility are under consideration.
- (3) New railcars are currently arriving, with the first three of the new three car sets entering service on 28 June. A further 12, three car sets will arrive over the next 18 months. These railcars are being utilised to increase the capacity on existing services, with three car sets adding capacity on the Joondalup and Mandurah lines and enabling a portion of the older cars to be cascaded onto the older lines. The first train to be increased from two to four cars on the Armadale line occurred in June 2009 and further positioning of cascaded cars will be in accordance with demand.
- (4) Yes, but they can only travel within the free travel entitlement windows.
- (5) The first SmartRider card for an Aged or Disabled Pensioner is free and no money is required to be exchanged; however should they try and use public transport outside the free travel time their card will not work.

If a person believes they are being unfairly treated they should advise the Transperth Info Line on 13 62 13 so we can identify the agent and have it fixed.

- (6) No.
- (7) Yes.
- (8) There are a number of criteria utilised to select projects for the Hoon Speed Cushion program. The criteria were developed with a working group consisting of a number of local government representatives, including the City of Gosnells. The group developed Selection Criteria based on the following traffic parameters:
- Burnout marks on the road;
 - Complaints to the Police;
 - High 85th percentile speeds;
 - High number of vehicles 20 km/h or more over the speed limit; and
 - Traffic volumes less than 3 000 vehicles per day.
- (9) The projects are selected on a priority basis via the selection criteria. The program runs for four years and projects that were not successful for a given year can be re-submitted. Alternatively, Councils can internally fund projects that are not successful. The City of Gosnells submitted an application for Stennett Street (Southern River Road to Ashburton Drive). The project was assessed and ranked 15th among 35 submissions. The highest ranked eight submissions were successful.
- (10) The traffic volume estimates for Nicholson Road at the rail crossing south of Bannister Road are (Annual Average Weekday Traffic (AAWT) in both directions):
- | Year | Vehicles per day combined directions |
|------|--------------------------------------|
| 2011 | 45,000 — 55,000 |
| 2021 | 50,000 — 60,000 |
- (11) Main Roads and the Public Transport Authority are developing concepts for high risk level crossings for possible future funding. The work is currently in the early stages.

MENTAL HEALTH — PROPOSED COMMISSIONER

1038. Mr R.H. Cook to the Minister for Mental Health

- (1) Does the Government intend to appoint a Commissioner for Mental Health?
- (2) If yes to Question 1:
- (a) will the proposed Commissioner head a Commission or be a sole appointee comparable in role and powers to the existing Children's Commissioner;
 - (b) will the proposed Commissioner be on the payroll of the Health Department or will the Office of Commissioner be established in its own right and operate independently of the Health Department and the Minister for Mental Health or the Minister for Health;
 - (c) would the proposed Commissioner report to Parliament;
 - (d) will the role and powers of the proposed Commissioner be enshrined in the new Mental Health Act or in a separate new Act;
 - (e) will the proposed Commissioner for Mental Health be granted legislated authority to inspect and report on the quality and standards of mental health care and require changes in line with established prior outcome measures;
 - (f) would the appointment of a Commissioner involve changes to the functions of or abolition of the Office in Chief Psychiatrist and the Council of Visitors in terms of their existing roles in the monitoring of standards and the management of complaints from consumers and families in the care of Mental Health Services;
 - (g) will the external Consultants engaged to advise on the development of a WA Mental Health Strategy be provided with full details of the establishment of the proposed Commissioner for Mental Health and the role and powers of that Office prior to finalizing their report to the Government; and
 - (h) will the Consultants also be provided with a firm outline of any proposed new arrangements in the administration of Mental Health Services, including the clear lines of accountability between the Ministers for Health and Mental Health and between the respective Ministers and the Director General of Health and an Assistant Director General (Mental Health); and

- (i) what lines of accountability will apply between the proposed Commissioner for Mental Health and the two relevant Ministers and the Assistant Director General (Mental Health) and the Director General of Health?

Dr G.G. JACOBS replied:

- (1) The Government intends to appoint a Commissioner for Mental Health and Wellbeing.
- (2) (a) It is proposed that the Commissioner for Mental Health and Wellbeing will have a comparable role and powers to the existing Commissioner for Children and Young People with support staff.
- (b) It is proposed that the Commissioner for Mental Health and Wellbeing will be independent of the Department of Health.
- (c) It is proposed that the Commissioner for Mental Health and Wellbeing will report to Parliament.
- (d) It is proposed that the role and powers of the proposed Commissioner for Mental Health and Wellbeing will be enshrined in a separate new Act.
- (e) It is not proposed that the Commissioner for Mental Health and Wellbeing will be granted legislated authority to inspect and report on the quality and standards of mental health care and require changes in line with established prior outcome measures.
- (f) There may be some changes to the functions of the Office of the Chief Psychiatrist and the Council of Official Visitors in terms of their existing roles in the monitoring of standards and the management of complaints from consumers in the care of Mental Health Services and their families.
- (g) The external consultants engaged to advise on the development of a WA Mental Health Strategy will be provided with up to date details of the establishment of the proposed Commissioner for Mental Health and Wellbeing and the role and powers of that Office prior to finalising their report to Government.
- (h) The Consultants will be provided with available information relating to any proposed new arrangements in the administrations of Mental Health Services, including the clear lines of accountability between the Ministers for Health and Mental Health and between the respective Ministers and the Director General of Health and a Deputy Director General of Mental Health.
- (i) The lines of accountability that will apply between the proposed Commissioner for Mental Health and Wellbeing and the Ministers for Health and Mental Health and the Director General of Health and Deputy Director General of Mental Health are yet to be determined.

MENTAL HEALTH — PROPOSED ASSISTANT DIRECTOR GENERAL

1039. Mr R.H. Cook to the Minister for Mental Health

- (1) Is it the Government's intention to appoint an Assistant Director General (Mental Health) in the Department of Health who will report to the Director General of Health?
- (2) If yes to Question 1:
- (a) to which Minister will the proposed Assistant Director General (Mental Health) be directly accountable;
- (b) what governance structure is proposed to clarify the lines of accountability between the Assistant Director General of Mental Health in the Health Department and the Minister for Mental Health and the Minister for Health and between the two Ministers;
- (c) is it proposed that the holder of that Office in the Health Department will have executive responsibility for Mental Health Services Statewide;
- (d) will the roles and powers of the Minister for Mental Health and the Assistant Director (Mental Health) be defined in the new Mental Health Act;
- (e) how will the Assistant Director (Mental Health) relate to the Area Directors of Health and the Area Directors of Mental Health;
- (f) which of these Officers will be the budget holder for Area Mental Health Services;
- (g) what accountability measures will be in place to ensure that funds allocated for Area Mental Health Services are fully expended on these services; and

- (h) how will administrative costs for Area Mental Health Services be apportioned by Area Health Service Directors?
- (3) Does the Government propose that funding for Mental Health Services will be allocated to a separate budget with declared outcomes that is quarantined and separately audited?
- (4) If yes to Question 3, which senior executive officer will sign off on the Mental Health Services Budget and which Minister will be directly responsible for resource allocation and expenditure outcomes for the planning and delivery of Mental Health Services in Western Australia?

Dr G.G. JACOBS replied:

- (1) It is the intention of the Government to appoint a Deputy Director General of Mental Health in the Department of Health who will report to the Director General of Health.
- (2) (a) It is proposed that the Deputy Director General of Mental Health will be directly accountable to the Director General of Health.
- (b) The Deputy Director General of Health is directly accountable to both the Minister for Health and the Minister for Mental Health.
- (c) Yes, it is proposed that the Deputy Director General of Mental Health will have executive responsibility for Mental Health Services statewide.
- (d) No.
- (e) The Deputy Director General Mental Health will relate to the Area Chief Executives through the Department of Health State Health Executive Forum. The Deputy Director General Mental Health will relate to Area Directors of Mental Health through the Mental Health Organisational Review Committee and other governance processes yet to be determined.
- (f)-(h) Budget processes are under determination.
- (3) The Government proposes that funding for Mental Health Services will continue to be part of the WA Health Budget with declared outcomes and an identifiable budget for Mental Health.
- (4) The Deputy Director General of Mental Health will sign off with the Director General for Health on resource allocation and expenditure outcomes for the planning and delivery of Mental Health Services in Western Australia.

MENTAL HEALTH — DISCLOSURE POLICY

1040. Mr R.H. Cook to the Minister for Mental Health

- (1) Do Western Australian Mental Health Services have an implemented *Policy on Open Disclosure* in line with the *National Standard on Open Disclosure* endorsed by all Australian Health Ministers in 2003; and
- (a) if not, why not?
- (2) If yes to Question 1:
- (a) is this policy applied as a mandated practice subject to monitoring;
- (b) what provisions are in place to measure compliance with this policy in practice; and
- (c) is the policy required to be applied in the management of complaints by consumers and carers?
- (3) Does the Chief Psychiatrist apply this policy in his enquiries into complaints about clinical management of patients by consumers and carers?

Dr G.G. JACOBS replied:

- (1) The WA Open Disclosure Policy is a state-wide policy that came into effect on 28 May 2009 for commencement of implementation by June 2009.
- (a) Not applicable.
- (2) (a) Compliance with the WA Open Disclosure Policy is mandatory.
- (b) Compliance with the policy will be a performance indicator in the WA Health Operational Plan 2009-2010 via the WA Strategic Plan for Safety and Quality in Health Care 2008-2013 Year 2 Action Plan.

Following the implementation of the WA Open Disclosure Policy within Mental Health Services monitoring will be conducted as part of the Chief Psychiatrist's Clinical Governance Review Program.

(c) No.

- (3) Following the implementation of the WA Open Disclosure Policy the Chief Psychiatrist and Mental Health Services will be required to be compliant with the Policy. Both parties are also required to comply with the Mental Health Act 1996 (MHA).

As the requirements under the MHA are legislated where there are conflicts between the WA Open Disclosure Policy and the MHA the legislation will prevail.

UUA DESALINATION PLANT AND WATER PIPELINE — GOLDFIELDS

1041. Mr J.J.M. Bowler to the Minister for Water

- (1) After supporting the proposed UUA desalination plant and water pipeline to Kalgoorlie-Boulder when in opposition, when will the Minister sign off on this project, which will be at no capital cost to the Government?
- (2) Given the continuing problems relating to metropolitan and South West water supplies, and the sub-standard water that people in the Minister's home town of Esperance are forced to drink, what reasons are there for not signing?
- (3) Is the Minister aware this project could save up to 40 megalitres a day being pumped to the Goldfields and therefore a saving to the metropolitan area?
- (4) Has the Minister changed his stance on this project and if not, when will he sign?

Dr G.G. JACOBS replied:

- (1) The Government is not in a position to sign off this project, as the UUA has not approached the current Government with a proposal for consideration. The Government and the Water Corporation remain willing to consider a contract with the UUA that provides water at a comparable cost and similar reliability to the service from the current Goldfields and Agricultural Water Supply Scheme.
- (2) There is no current proposal before the Government for consideration.
- (3) Yes.
- (4) No, pending a favourable economic analysis.

STANDING TIMBER — VOLUME AND QUALITY

1044. Mr C.J. Tallentire to the Minister for Agriculture and Food

- (1) In what years has the Auditor General received independent advice regarding the volume and quality of standing timber?
- (2) What are the names and qualifications of the various independent experts used?
- (3) Can the Minister provide a copy of the independent expert reports?

Mr D.T. REDMAN replied:

- (1)-(3) Each year, the Auditor General assesses the FPC's valuation of natural resource assets, and this may involve the use of "independent foresters" for specific expertise. Requests for further information should be directed to the Auditor General.

AUSTRALIND TRAIN — DIESEL FUMES EMISSION

1046. Mr C.J. Tallentire to the Parliamentary Secretary representing the Minister for Transport

- (1) Is the Minister aware of health risks posed by the diesel fumes emitted by the TransWA *Australind* train when it departs from platform 3 at Perth Central Railway Station?
- (2) What action will the Minister take to ensure people waiting on platform 4 for trains travelling on the Thornlie line do not have to breathe the diesel emissions from the *Australind*?

Mr M.J. COWPER replied:

- (1) The Minister is aware that the exhaust system which expels diesel fumes from Platform 3 at the Perth Train Station was damaged in the course of works for the City of Perth on the car park facility above the station and was functioning at reduced capacity. This was not considered to be a significant safety issue but rather one of discomfort.
- (2) The Public Transport Authority had arrangements in place for the City of Perth to repair the damage to the exhaust system as a priority, with the works completed in July.

ALCOHOL MANAGEMENT PLAN — INDIGENOUS YOUTH IN NORTH-WEST

1049. Mr T.G. Stephens to the Minister for Indigenous Affairs

- (1) Can the Minister specify what action he and his Government are taking towards establishing responsible Alcohol Management Plans in the Pilbara and Kimberley to tackle the issue of indigenous youth at risk in these regions?
- (2) Will the Minister detail what, if any, culturally appropriate Youth at Risk Diversion Programs the Government is putting into place to respond to the needs of indigenous youth in the Pilbara and Kimberley?

Dr K.D. HAMES replied:

- (1) The State Government has prioritised developing alcohol management plans in the Pilbara and the Kimberley regions. Integral to the plans is the development of strong partnerships between government and communities to address the needs of youth at risk.

In the Pilbara, alcohol management plans are in place in Jigalong and Port Hedland and are being developed for Newman, Roebourne, Karratha, Wickham and Onslow.

In the Kimberley, alcohol management plans are in place in Fitzroy Crossing, Wangkatjungka, Oombulgurri and Halls Creek and are being developed for the Dampier Peninsula (Beagle Bay, Ardyaloon, Djarindjin and Lombadina), Bidyadanga, Nookanbah and Kununurra.

- (2) State Government agencies are delivering a number of culturally appropriate Youth at Risk Diversion Programs for Indigenous young people in the Pilbara and Kimberley regions.

Specifically, in the Pilbara, the relevant State Government activities and programs are:

Services to Indigenous youth at risk are provided by Paraburdoo Youth Centre, Karratha Youth Housing Project — Outreach, Roebourne Youth Centre, Onslow Youth Centre, Tom Price Youth Centre and the Lawson St Youth Centre, South Hedland.

Two Indigenous positions have been established to focus on recreational programs and other activities to support at-risk youth in the Western Desert and Roebourne through funding from the Department of Sport and Recreation, Newcrest and BHP.

A covered basketball court has been built in the Western Desert community of Punmu.

The Young Person's Opportunity Program is available in the Pilbara. It is a culturally secure early intervention illicit drug diversion program and is supported by a suite of culturally appropriate promotional and treatment tools.

The Pilbara Aboriginal Drug and Alcohol Program provides drug and alcohol services to Indigenous persons as part of the Regional Partnership Agreement for Indigenous Employment.

The Shire of East Pilbara received a \$5,000 grant to engage Indigenous youth in designing and painting a mural as part of the Nullagine public toilet upgrade to decrease future vandalism of the building.

The Federation of WA Police and Community Youth Centres received \$20,000 for a youth development program for young people aged 8-18 years in the Roebourne area.

The Shire of Roebourne received \$11,915 to run hip hop workshops delivered by an Indigenous hip hop crew at local schools and youth groups to provide messages about alcohol and drug use and improve school attendance.

A Juvenile Justice Team Coordinator and a Regional Community Conferencing Coordinator will be appointed in the Pilbara to provide young Aboriginal persons from remote communities with diversionary programs.

In Port Hedland, \$2.7 million has been allocated under the 'Royalties for Regions' program for the refurbishment of the JD Hardie Centre which will include opportunities for youth at risk.

The Hedland Youth Plan has been co-funded by the Department of the Attorney General, BHP and the Port Hedland Aboriginal Justice Agreement.

In the Kimberley, the relevant programs and activities are:

The Responsible Parenting Initiative (ParentSupport) is being rolled out across the Kimberley (Kununurra, Halls Creek, Broome) to match the commencement of income management, which is aimed at families with young people at risk.

The State Government contributes staff and resources to the Broome HYPE program which is administered by the Shire of Broome and works with young people on the streets who are placing themselves at risk.

The State Government provides funding to the Kimberley Aboriginal Law and Culture Centre to provide weekend and school holiday bush trips for Aboriginal young people and to run the Kimberley Aboriginal elders' highly successful Yiriman Project.

The State Government funds a Youth and Family Engagement Worker in Broome.

The State Government is establishing a new youth facility in Kununurra.

The Young Person's Opportunity Program is available in the Kimberley. It is a culturally secure early intervention illicit drug diversion program and is supported by a suite of culturally appropriate promotional and treatment tools.

The Shire of Wyndham-East Kimberley received a grant to increase youth diversionary activity programs, skills development and positive recreation for children 5-18 years.

In the East Kimberley, a number of agencies have collaborated to develop an East Kimberly Substance Abuse (Petrol Sniffing) Strategy and Implementation Plan for responding to petrol sniffing and preventing substance misuse.

Juvenile Justice Team Coordinators have been appointed in the West and East Kimberley, and Regional Community Conferencing Coordinators have been appointed for the Kimberley and the Pilbara regions to provide young persons from remote Aboriginal communities with diversionary programs.

In both the Pilbara and the Kimberley, Aboriginal Justice Agreements play a key role in developing community and government collaborations to find local solutions to local problems and all of them feature youth diversionary strategies.

State Government agencies are also exploring ways to ensure that "wrap around" services such as counselling, education and training accompany alcohol restrictions to achieve improved outcomes. To this end, a draft Kimberley-wide alcohol plan has been developed and is currently being considered by the Kimberley Interagency Working Group. Plans are also in place to develop a Pilbara-wide plan.

FAMILY PLANNING AND REPRODUCTIVE HEALTH — DEVELOPMENT GOALS

1051. Mr J.N. Hyde to the Minister for Health

Can the Minister inform:

- (a) what action the Western Australian Government is taking to ensure that it meets the internationally agreed development goals, including the International Conference on Population and Development (ICPD) Programme of Action and the Millennium Development Goals (MDGs), specifically in relation to Family Planning, Reproductive Health and in meeting the needs of Young People; and
- (b) if the Government will commit to adequately funding the relevant budget lines to meet these goals?

Dr K.D. HAMES replied:

- (a) The Australian Government has primary responsibility in assisting neighbouring countries in meeting the internationally agreed development goals. Within Western Australia (WA), the goals outlined in the International Conference on Population and Development program have already been met, with the Infant Mortality Rate at 3.7 deaths per thousand for non-indigenous infants and 17 deaths per thousand for Indigenous infants (2006 figures). Similarly, the maternal mortality rate of 7.7 deaths per 100,000 live births is well below the target figures. The Department of Health also has an on-going and sustained commitment to family planning, reproductive health and young people, as evidenced by the long term funding of Family Planning WA.
- (b) The Australian and Western Australian Governments have already committed to funding these goals within WA. The Council of Australian Governments has committed to working together with Indigenous Australians to 'Close the Gap' in Indigenous disadvantage and agreed to the following targets which underpins the work to be undertaken by Government:
 - Close the life expectancy gap within a generation;
 - Halve the gap in mortality rates for Indigenous children under five within a decade;
 - Halve the gap for Indigenous students in reading, writing and numeracy within a decade.

Family Planning WA is funded under a recurrent contract to provide sexual health and reproductive health services. The organisation is also a major training organisation for nurses, doctors and health educators to build service capacity in sexual and reproductive health services within WA.

The Department of Health's Nursing and Midwifery office is committed to providing education and training for Western Australian nurses and midwives in international health through the scholarship program in 2010-2015, which supports Australia's commitment to the Millennium Development Goals.

SCHOOLS IN ALFRED COVE ELECTORATE — UNFLUED GAS HEATERS

1052. Dr J.M. Woollard to the Minister for Education

An article published in *The West Australian* on 29 May 2009 stated that nearly 200 unflued gas heaters will be ripped out of Western Australian public schools before the end of the year. Can the Minister advise:

- (1) Will any of the following schools have their heaters removed:
 - (a) Applecross Primary School;
 - (b) Applecross Senior High School;
 - (c) Ardross Primary School;
 - (d) Attadale Primary School;
 - (e) Bicton Primary School;
 - (f) Booragoon Primary School;
 - (g) Mount Pleasant Primary School;
 - (h) Palmyra Primary School?
- (2) For those schools listed above who prefer to install reverse-cycle air conditioners rather than have the gas heaters replaced, will the Department of Education provide that school's Parents and Citizen's Association with the amount it would cost to replace the gas heaters, to go towards installing the air conditioners?

Dr E. CONSTABLE replied:

- (1)
 - (a) Applecross Primary School — No (no unflued gas heaters identified);
 - (b) Applecross Senior High School — Yes (one in S & E Office);
 - (c) Ardross Primary School — Yes (one in Music Room);
 - (d) Attadale Primary School — No (no unflued gas heaters identified);
 - (e) Bicton Primary School — No (no unflued gas heaters identified);
 - (f) Booragoon Primary School — No (no unflued gas heaters identified);
 - (g) Mount Pleasant Primary School — No (no unflued gas heaters identified); and
 - (h) Palmyra Primary School — No (no unflued gas heaters identified).
- (2) No. Listed schools are not included in the Department's air-conditioning zone. Accordingly no funds will be provided in lieu of this installation.

SENIOR EXECUTIVES — VOLUNTARY REDUNDANCIES

1054. Mr E.S. Ripper to the Premier

- (1) What are the names, titles and levels of the senior executives who have taken voluntary redundancies since 23 September 2008?
- (2) Have their positions been refilled, either in an acting or substantive way and if so, which ones?
- (3) For each of the voluntary redundancies:
 - (a) what was the total cost of these Voluntary Redundancies;
 - (b) what were the conditions of payment for the senior executives to receive the voluntary redundancies;
 - (c) will the Premier table a copy of the conditions; and
 - (d) if not, why not?

Mr C.J. BARNETT replied:

Public Sector Commissioner advises:

- (1)-(2) There have been 8 compensation payments accepted in accordance with section 59 of the Public Sector Management Act 1994 since 23 September 2008, the following table refers:

Name	Agency	Position & Classification	Comment
Hyde, Phil	Chemistry Centre	Managing Director Class 1	Position abolished. 5 months compensation.
Marsh, Mike	Department of Agriculture & Food	Director Business Services Class 1	Position abolished. 10 1/2 months compensation.
O'Dwyer, Roger	Department of Agriculture & Food	Executive Director Industry & Rural Services Class 2	Position to be abolished, leave date 31/08/09. 4 months compensation.
Dawson, Wendy	Department for Child Protection	Other Functions Level 9	Position abolished. 8 months compensation.
Boots, Kevin	Department for Child Protection	Executive Director Strategic Services Level 9	Position abolished. 12 months compensation
Stafford, Paul	Public Sector Commission	Director Class 1	Position abolished, leaving date 23/10/09. 10 1/2 months compensation.
Longson, Ian	Department of Agriculture & Food	Chief Executive Officer Group 3 max	Malcolm Goff acting in the position. 3 months compensation.
Warner, Adrian	WorkCover WA	Chief Executive Officer Group 1 max	Michelle Reynolds acting in the position. 8 months compensation.

(3) (a) \$880,966.

(b) Section 59(4) of the Public Sector Management Act 1994 requires that if a person who receives a compensation payment is subsequently employed or engaged in the public sector before the expiry of the period equivalent to the payment amount, the person must refund an amount equivalent to the compensation proportional to the unexpired period for which they received compensation.

The table refers the compensation period for each person who has accepted a compensation payment.

(c)-(d) Not applicable.

“BUILDING THE EDUCATION REVOLUTION” — SCHOOL NOMINATIONS

1056. Ms A.J.G. MacTiernan to the Minister for Education

(1) What process has been adopted by Western Australia for the nomination of schools for each of the following rounds of funding under *Building the Education Revolution* (BER):

- (a) National School Pride Programme;
- (b) Primary Schools for the 21st Century; and
- (c) Science and Language Centres for 21st Century Secondary Schools?

(2) In relation to each programme what was the cut-off date for applications?

(3) Have contracts been let for any BER projects in advance of a decision by the Federal Government in respect of the particular project?

Dr E. CONSTABLE replied:

(1) (i) All schools were eligible for funding under this element of “Building the Education Revolution” program. The Commonwealth Government determined funding allocations by school enrolment. Architectural consultants visited each school to discuss the most recent Building Condition Assessment report and determine priorities and scope with school principals.

- (ii) All eligible schools with a primary aged enrolment (pre-primary to Year 7) and education support schools were required to submit applications to the Department by 13 March 2009. The Commonwealth Government determined notional funding allocations by school enrolment. The Department assessed applications to ensure compliance with Commonwealth priorities. Consultation with schools occurred with Department Project Officers and Building Management and Works appointed architects.
 - (iii) All schools with secondary student enrolments were eligible to apply for funding under this element of the “Building the Education Revolution” program. Funding under this element will be allocated via a competitive process to those projects that satisfy the eligibility criteria. Unlike the other two elements of “Building the Education Revolution”, the funding will not be allocated to the State on a school by school basis relative to student enrolment.

Applications from public schools in Western Australia were required to be submitted to the Department by 1 May 2009. The Department was required to categorise each application as high, medium or low level of priority and submit a shortlist to the Department of Education, Employment and Workplace Relations in Canberra.
- (2) (i) “National School Pride” program — Round 1 submitted to the Department of Education, Employment and Workplace Relations on 24 March 2009 and Round 2 on 8 May 2009 for final approval.
 - (ii) Primary schools for the 21st Century — Round 1 was required to be submitted to the Department of Education, Employment and Workplace Relations for final approval on 9 April 2009, and Round 2, 15 May 2009. Round 3 closed on 10 July 2009.
 - (iii) Science and Language Centres — Submitted to the Department of Education, Employment and Workplace Relations 31 May 2009.
- (3) No.

PUBLIC SECTOR — REVIEWS, BOARDS, COMMITTEES AND TASKFORCES

1057. Mr M. McGowan to the Premier

I refer to the recent hearings of Legislative Assembly Estimates Committee A and specifically Supplementary Information Request No. A36 regarding reviews, boards, committees and taskforces created by the Government since 23 September 2008 and ask:

- (1) Would the Premier individually name the 130 reviews, boards, committees and taskforces created by his Government since 23 September 2008?
- (2) Could the Premier individually name any additional reviews, boards, committees and taskforces created since his response to the additional information request of 28 May 2009?
- (3) What is the individual cost associated with each of these reviews, boards, committees and taskforces?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

(1)-(3) [See paper 1111.]

CHRIS ELLISON — MEETINGS WITH PREMIER

1058. Mr M. McGowan to the Premier

- (1) Could the Premier provide the dates of all meetings relating to Government – both formal and informal – with the former Western Australian Senator Chris Ellison since 23 September 2008?
- (2) Could the Premier advise for each of the dates requested in question 1:
 - (i) who else was in attendance at the meeting; and
 - (ii) where did the meeting take place?

Mr C.J. BARNETT replied:

Office of the Premier advises:

- (1)-(2) I have not met Chris Ellison in a formal capacity since 23 September, 2008. I may have met him informally during this time at one of the many community, business and government functions I have attended

NGURRAWAANA COMMUNITY REMOTE SCHOOL — RELOCATION

1059. Mr T.G. Stephens to the Minister for Education

- (1) When, where and how was the Ngurrawaana Community informed their remote school would be closed and the buildings relocated?
- (2) Which school buildings have been so far been removed from the site?
- (3) To what locations have those removed school buildings been relocated?
- (4) What was the total cost for removing, transporting and relocating those buildings?
- (5) Did the department receive any application from the Ngurrawaana Community to purchase these buildings;
 - (a) if so, was any consideration given to those proposals; and
 - (b) why was this proposal not successful?

Dr E. CONSTABLE replied:

1. The school is not closed. Surplus buildings have been re-located as is standard practice. Since May 2008 Department of Education and Training representatives from have been regularly consulting with Ngurrawaana Community members, including weekly school based meetings.
2. The Manual Arts building and the secondary composite room have been re-located.
3. The Manual Arts building was re-located to Roebourne District High School and the secondary composite room to Eden Hill Primary School.
4. Manual arts building with associated equipment: \$150 000
Secondary composite room: \$78 000
5. No record of a formal application has been seen.
(a)-(b) Not applicable

SCHOOL BUS SERVICES — “WAIT BEFORE YOU WALK” CAMPAIGN

1060. Mr M.J. Cowper to the Parliamentary Secretary representing the Minister for Transport

In relation to the *Wait Before You Walk* campaign run by School Bus Services:

- (1) Which individual/s devised the program?
- (2) Was there any consultation with school bus operators or peak body?
- (3) How long will the campaign run?
- (4) How much will it cost?
- (5) How many children have been killed or injured near school bus services in the past two years?
- (6) How many children have been killed or injured near metropolitan school bus services?
- (7) Why is the program targeted at 11–16 year olds as opposed to 5–10 year olds?
- (8) How will the Public Transport Authority gauge the success of the program?

Mr W.R. MARMION replied:

- (1) Transperth’s Information and Event Services Team in conjunction with School Bus Services devised the program.
- (2) The campaign was devised as a result of the concerns regularly raised by the School Bus Industry during safety management audits. Industry fear is that children are getting too close to the bus or moving in front or behind the bus which makes it difficult for other drivers on the road to see them when passing a stationary bus.
- (3) The campaign will run until the beginning of August 2009 and forms part of the ongoing safety education for children using public transport.
- (4) \$23 000.
- (5) There have been no deaths of children near School Bus Services in the past two years. There have however, been a number of injuries and near misses during this same period as a direct result of students not observing safe road practices.

- (6) I am not aware of any death of a child embarking or disembarking from a metropolitan Transperth School Bus Service and also unaware of the number of children who may have been injured near a metropolitan Transperth School Bus Service. Transperth keep incident reports where there has been an accident involving one of its buses but those reports do not provide the specification with respect to the age of a passenger who may have been injured as a result of the accident.
- (7) The program was targeted at 11-16 year olds as this age group is more likely to be travelling independently unlike children who are younger. Children in the 11-16 year old age group are also more likely to be involved in distracting behaviour around buses and display more risk taking behaviours than the younger age group. The campaign messages can also be applied to younger children however with a finite budget it was determined that the campaign would be better focused on children in the higher age group.
- (8) The success of the program will be gauged through feedback from School Bus Service contractors, Transperth bus operators and traffic to the Wait Before You Walk website page.

MUSEUMS IN FREMANTLE — BUDGET CUTBACKS

1061. Mr J.N. Hyde to the Minister for Culture and the Arts

Can the Minister confirm on which extra days the Maritime Museum and any other museum in Fremantle will be closing as a result of budget cut-backs?

Mr J.H.D. DAY replied:

As part of meeting the three percent budget efficiencies, all of the Western Australian Museum's public sites will be closed on Wednesdays. This includes all the Western Australian Museum's Fremantle sites.

The first day the closures will take effect is Wednesday 5 August 2009

The closures will be the first in a series of measures the Western Australian Museum will consider in achieving its budget targets.

The Fremantle History Museum closure is not part of the 3% efficiency dividend and was a decision made by the Fremantle City Council in consultation with the Western Australian Museum and the Fremantle Arts Centre.

STREET LIGHTS ON HAY STREET, WEST PERTH

1062. Mr J.N. Hyde to the Minister representing the Minister for Energy

- (1) What is the number of street lights on Hay Street in West Perth between Thomas and George Streets?
- (2) How many of the street lights on Hay Street in West Perth are working as of 9 June ?
- (3) How often does Western Power or its contractors inspect lighting in West Perth?

Mr C.J. BARNETT replied:

- (1) 26 that are maintained by Western Power.
- (2) 21. Five were not working because of an electricity supply fault. This was rectified on June 16.
- (3) Western Power has two Streetlight maintenance programs in West Perth, one a preventative maintenance program and the other a re-active maintenance program.

The preventative maintenance program, Bulk Globe Replacement, is designed to replace the globes and maintain each streetlight in a sector once every four years.

The re-active maintenance program, Streetlight Fault Repair, is designed to repair Streetlights that have been identified as faulty via a customer report to Western Power.

WORKERS' COMPENSATION PAYMENTS — CONTINGENCY PROFIT MARGIN

1064. Ms J.M. Freeman to the Minister for Commerce

I refer to workers' compensation payments and given the 9.9% increase in Recommended Premium Rates for 2009–2010 I ask:

- (1) Did Workcover make a policy decision to increase the contingency/profit margin from 8% to 10%; and
 - (a) if yes, why?
- (2) Is the contingency/profit margin the margin set for Insurers' returns?
- (3) Would the Recommended Premium Rate for 2009–2010 have increased if there had been no increase in contingency/profit margin; and
 - (a) if yes, by how much?

- (4) How much would the Recommended Premium Rate for 2009–2010 be if there had been no increase in contingency/profit margin?
- (5) Did Workcover Authority consider an actuarial report without an increase in contingency/profit margin?

Mr T.R. BUSWELL replied:

- (1) Yes.
- (a) The decision to increase the contingency margin was made by the WorkCover WA Board, based on the recommendations of an actuarial review undertaken by the scheme actuary, PricewaterhouseCoopers Actuarial Pty Ltd.
- (2) No. The contingency margin is one of a number of variables which must be considered in ensuring the financial viability of the workers' compensation scheme. It is related to the cost of raising the capital required to underwrite workers' compensation premiums.
- (3) Yes.
- (a) Refer to question 4.
- (4) If there had been no increase in the contingency margin the recommended premium rate would be 1.691% of total wages as opposed to 1.738%.
- (5) WorkCover did not consider an actuarial report on the recommended premium rates for 2009-10 with an unadjusted contingency margin.

LAKE KEPWARI RECREATION FACILITY, COLLIE — PROGRESS

1065. Mr M.P. Murray to the Minister for Regional Development

Referring to the Lake Kepwari recreation facility east of Collie, I ask;

- (a) in this year's budget, what is the allocation of funding for the completion of this project;
- (b) what is the time frame for the opening of this facility to the public;
- (c) can the Minister explain the hold-up with regard to the land tenure agreement of the project;
- (d) can the Minister explain the process for the hand-over of the land to enable the facility to be used for public recreation purposes; and
- (e) as mentioned in the Estimates Committee hearings, given the Minister intends to let tenders to commence Stage 1, will the Minister list all the components of this tender proposal, including site works, environmental studies and the building of access roads?

Mr B.J. GRYLLES replied:

- (a) \$2,922,931 carried forward from 2008/2009 budget.
- (b) South West Development Commission has a target date of January 2010.
- (c) The delay has been due to an absence of verification data that all rehabilitation works required under the mine closure plan have been completed.
- (d) The Department of Environment and Conservation (DEC) and the Collie Coal Mining Environment Committee (CCMEC) are required to sign off on the Mine Closure Plan and the Abandonment Notice to enable the Minister for Mines and Petroleum to make a determination on acceptance of the land and future liability.
- (e) Components of the Stage 1 Construction Tender (\$2,857,996) include:
- Road repairs and forming
 - Road sealing
 - Parking areas
 - Drainage
 - Boat Ramp and Jetty Construction
 - Geo-Technical Testing
 - Ablutions
 - Recreational Beach Facilities
 - Rehabilitation Works
 - Path Construction
 - Retaining Walls
 - Irrigation

- Entrance Feature
- Sculpture
- Walk/Cycle Track
- Lake Edge Plantings
- Wildlife Sanctuary
- Event Control Tower
- Cultural interpretive Centre etc.

The Environmental Tender (\$64,935) includes assessment of future river flows through the lake.

RURAL BUSINESS DEVELOPMENT FUND

1066. Mr M.P. Murray to the Minister for Agriculture and Food

I refer to the Budget Paper No. 2, Volume 3, page 876, *Total Appropriations for the Rural Business Development Fund* and the drop of Total Appropriations from \$1,694,000 in the 2008–2009 budget to \$196,000 in the 2009–2010 budget, and ask:

- (a) what are the components of the decrease of appropriations for the coming financial year;
- (b) is this fund to be disbanded;
- (c) what scheme is planned to replace this service for farm business development; and
- (d) how many full-time equivalent jobs will be lost as a result of the reduction in funding?

Mr D.T. REDMAN replied:

- (a) \$1.5m in 2008-09 for a new one year program titled FarmTraining WA
- (b) I assume the question relates to Rural Business Development Corporation, in which case the response is no.
- (c) The Australian Government FarmReady program commenced in February 2009 and provides training cost reimbursement to eligible persons. In addition a new two year \$0.5m State funded (from RBDC internal funds) FarmLink scheme commenced 1 July 2009 to provide for any gaps in eligibility for funding under the Australian Government FarmReady program.
- (d) Nil

WA MEAT INDUSTRY AUTHORITY — FUNDING

1067. Mr M.P. Murray to the Minister for Agriculture and Food

I refer to the Budget Paper No. 2, Volume 3, page 882: Western Australian Meat Industry Authority. and the Total Cost of Asset Investment Program, and ask:

- (a) why are there no Forward Estimates on this program;
- (b) what allocation of funding is to be set aside to build the regional saleyards in Katanning;
- (c) what allocation of funding is to be set aside to build the regional saleyards in Mount Barker;
- (d) how much money realised from the sale of the Midland Saleyards remains after the building of the Muchea Facility; and
- (e) if there is any money remaining from the sale of the Midland Saleyards, then where has the remainder of the money been distributed?

Mr D.T. REDMAN replied:

- (a) There are no agreed capital works plans expenditures required to be in Western Australian Meat Industry Authority Forward Estimates at this stage.

I am reviewing the Western Australian Saleyard Strategy as it currently stands and considering options for its future implementation. Officers of the Department of Agriculture and Food are developing a range of options for me to consider in relation to Government's future role in livestock saleyards in this state. Stakeholder consultation is occurring on the matter including with WAMIA.

- (b) No specific recommendation regarding allocation will be made until I have considered the saleyards options paper to be developed by the Department of Agriculture and Food.
- (c) No specific recommendation regarding allocation will be made until I have considered the saleyards options paper to be developed by the Department of Agriculture and Food.

- (d) I am advised by Western Australian Meat Industry Authority that the sale of land assets to date will realise \$79 million and the cost of the Muchea Facility is expected to be approximately \$55 million. This may leave approximately \$24 million. Please note these figures are interim and there is further land that may be sold when the Midland Saleyard site is fully decommissioned. Details of decommissioning and remediation and other land issues are still being finalised with WAMIA and other agencies and this could impact on the residual amount.
- (e) I am informed the funds are in accounts currently managed by the Western Australian Meat Industry Authority. The usual process for Government in these cases is for the funds to go through the Economic and Expenditure Reform Committee for consideration and allocation.

PREMIER'S OFFICE — MOBILE PHONES ALLOCATED TO STAFF

1068. Mr E.S. Ripper to the Premier; Minister for State Development

In respect of the Premier's Office, including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet and the Office of the Premier advises:

- (a)-(f) [See paper 1131.]
- (g) No. Premier's Office receives Bill View Cost Centre Report every month showing cost incurred for each mobile phone.
- (h) Yes..

DEPUTY PREMIER'S OFFICE — MOBILE PHONES ALLOCATED TO STAFF

1069. Mr E.S. Ripper to the Deputy Premier; Minister for Health; Indigenous Affairs

In respect of the Deputy Premier's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Dr K.D. HAMES replied:

- (a)-(f) [See paper 1127.]
- (g) No
- (h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1070. Mr E.S. Ripper to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Dr K.D. HAMES replied:

- (a)-(f) [See paper 1125.]
- (g)-(h) No

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1071. Mr E.S. Ripper to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr B.J. GRYLLES replied:

- (a)-(h) [See paper 1124.]

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1072. Mr E.S. Ripper to the Minister for Education; Tourism

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Dr E. CONSTABLE replied:

- (a)-(f) [See paper 1126.]
- (g) No
- (h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1073. Mr E.S. Ripper to the parliamentary secretary representing the Minister for Transport; Disability Services

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr M.J. COWPER replied:

- (a) (f) Please refer to attached table. [See paper 1113.]
- (g) No.
- (h) Not applicable.

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1074. Mr E.S. Ripper to the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works

In respect of the Treasurer's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr T.R. BUSWELL replied:

- (a-f) [See paper 1119.]
- (g) No
- (h) Department of Housing phone bills are itemised, all others are not.

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1075. Mr E.S. Ripper to the Minister for Police; Emergency Services; Road Safety

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr R.F. JOHNSON replied:

- (a)-(f) [See paper 1122.]
- (g) No
- (h) No

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1076. Mr E.S. Ripper to the Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr T.K. WALDRON replied:

- (a)-(f) [See paper 1110.]
- (g) No.
- (h) Yes.

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1077. Mr E.S. Ripper to the Minister for Planning; Culture and the Arts

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr J.H.D. DAY replied:

- (a)-(f) [See paper 1114.]
- (g) No
- (h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1078. Mr E.S. Ripper to the Minister representing the Minister for Energy; Training

In respect of the Minister's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);

- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr C.J. BARNETT replied:

The Minister for Energy; Training has been provided with the following response

(a)-(f) [See paper 1121.]

- (g) No
- (h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1079. Mr E.S. Ripper to the Attorney General; Minister for Corrective Services

In respect of the Attorney General's Office including staff on secondment, placement and attachment to the Office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial Offices; and
- (h) are mobile phone bills itemised?

Mr C.C. PORTER replied:

(a)-(f) [See paper 1120.]

- (g)-(h) No

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1080. Mr E.S. Ripper to the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial offices; and
- (h) are mobile phone bills itemised?

Dr G.G. JACOBS replied:

(a)-(f) [See paper 1129.]

- (g) No
- (h) Not applicable.

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1081. Mr E.S. Ripper to the Minister for Water; Mental Health

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial offices; and
- (h) are mobile phone bills itemised?

Dr G.G. JACOBS replied:

(a)-(f) [See paper 1112.]

(g) No

(h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1082. Mr E.S. Ripper to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial offices; and
- (h) are mobile phone bills itemised?

Mr G.M. CASTRILLI replied:

(a)-(f)

POSITION	OCCUPANT	EMP STATUS	EQUIPMENT ISSUED — MOBILE	TOTAL COST	FUNCTION	ADDITIONAL COST
Minister	Castrilli, Giovanni	S68 Contract	Nokia E51	\$779.70	Voice	-
Chief of Staff	Brennan, Gary	S68 Contract	Blackberry 9000	\$1,608.67	Voice, Email, Internet, Calendar / Contact Sync	\$54.50 / month
Principal Policy Adviser	Siekierka, Sheryl	Seconded (Dept. of Commerce)	LG TU550	\$19.08	Voice	-
Media Adviser	Turner, Rhys	S68 Contract	Blackberry 9000	\$1,351.74	Voice, Email, Internet, Calendar / Contact Sync	\$54.50 / month
Principal Policy Adviser — Multicultural Interests	Gomes, Walter	Placement (OMI)	Nokia 6120	\$88.98	Voice	-
Executive Officer	Grealish, Mel	S68 Contract	LG TU550	\$71.85	Voice	-
Liaison Officer	Thompson, Bob	Placement (DLGRD)	Sim Card Only	\$139.70	Voice	-
Liaison Officer	Stolp, Gordana	Permanent Public Servant (Part-time)	LG TU550 — minder of spare phone only	\$116.44	Voice	-
Appointments Secretary	Douglas, Janeice	S68 Contract	Nokia 6120	\$56.81	Voice	-

- (g) No.
- (h) Not applicable.

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1083. Mr E.S. Ripper to the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial offices; and
- (h) are mobile phone bills itemised?

Mr D.T. REDMAN replied:

- (a)-(f) [See paper 1130.]
- (g) No
- (h) Yes

MINISTERIAL OFFICES — MOBILE PHONES ALLOCATED TO STAFF

1084. Mr E.S. Ripper to the Minister representing the Minister for Environment; Youth

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated;
- (d) what functions and delivery of service are utilised by each staff member on their mobile phones (including email, internet, downloads);
- (e) what additional costs are associated with the functions listed in (d);
- (f) what is the total cost expenditure for each mobile phone since 23 September 2008;
- (g) are mobile phone bills sent directly to Ministerial offices; and
- (h) are mobile phone bills itemised?

Dr G.G. JACOBS replied:

- (a)-(f) [See paper 1123.]
- (g) No
- (h) Yes

FOOD HYGIENE REGULATIONS — PUBLIC LISTING OF OFFENDERS

1085. Mr C.J. Tallentire to the Minister for Health

With regard to the Department of Health website that lists food outlets that have breached health regulations:

- (a) can the Minister advise of action he is taking to ensure that all local governments provide information that enables the public listing of offences that are contrary to the requirements of the *Health Act 1911*, the *Health (Food Hygiene) Regulations 1993* and the *Australian New Zealand Food Standards Code*; and
- (b) can the Minister advise what action he will take against local governments that fail to supply information on food outlets that commit offences that are contrary to the requirements of the *Health Act 1911*, the *Health (Food Hygiene) Regulations 1993* and the *Australian New Zealand Food Standards Code*?

Dr K.D. HAMES replied:

- (a) Public listing of offences is not a requirement of the Health Act 1911, the Health (Food Hygiene) Regulations 1993 or the Australian New Zealand Food Standards Code. Presently, the Department of Health has an agreement with Local Government to report legal cases they have completed as they occur. This information is then used to update the Department of Health website.
- (b) As there is no requirement under the above named legislation, there is no ability to take action. However, the Food Act 2008 (the Act) when fully proclaimed and implemented will require Local Government to forward details of any proceedings for an offence under the Act to the Department of Health. It is anticipated the Act will be proclaimed on 30 October 2009 and the Department of Health intends to work collaboratively with Local Government to ensure this requirement is effectively implemented following proclamation.

END OF TERM-OF-GOVERNMENT CONTRACT PAYMENT — MEMBER FOR NEDLANDS

1086. Mr M. McGowan to the Premier

- (1) Did the present Member for Nedlands receive an end of term-of-government contract payment in 2001; and
 - (a) if so, how much was that payment?
- (2) On what date did the Member for Nedlands commence his term-of-government contract?
- (3) At what classification was his contract?
- (4) Previous to this term-of-government contract, what classification was the Member for Nedlands as a permanent public servant?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) Yes
 - (a) \$95,218.75. (Not including accrued and pro-rata leave entitlements)
- (2) 14 November 2000
- (3) Class 1
- (4) Level 8.3

PETER CONRAN — MANAGEMENT INITIATED REDUNDANCY

1087. Mr M. McGowan to the Premier

- (1) Did Peter Conran receive a management initiated redundancy in 2001?
 - (a) if so, how much was that redundancy?
- (2) On what date did Peter Conran commence work with the Howard Government in 2001?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) Yes, the Gallop Government requested that he be removed upon taking office. Mr Conran was a public service officer at the time.
 - (a) \$206,731. (Not including accrued and pro-rata level entitlements)
- (2) Mid-May 2001.

END OF TERM-OF-GOVERNMENT CONTRACT PAYMENT — DEIDRE WILLMOTT

1088. Mr M. McGowan to the Premier

- (1) Did Deidre Willmott receive an end of term-of-government contract payment in 2001?
 - (a) if so, how much was that payment?
- (2) Was Ms Willmott a public servant prior to becoming a term-of-government contract?
 - (a) if yes, at what level and on what date did she become a public servant?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) Yes
- (a) \$61,797.24 (Not including accrued and pro-rata leave entitlements)
- (2) Yes.
- (a) Ms Willmott's salary of \$52,345 pa part time was not tied to a public service classification level, however it equated to the full time salary between level 9.2 and level 9.3. Ms Willmott commenced employment on 8 March 1994.

END OF TERM-OF-GOVERNMENT CONTRACT PAYMENT — HON MIA DAVIES

1089. Mr M. McGowan to the Premier

- (1) Did the Hon Mia Davies receive an end of term-of-government contract payment in 2008?
- (a) if so, how much was that payment?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) No
- (a) Not applicable

END OF TERM-OF-GOVERNMENT CONTRACT PAYMENT — NARELLE CANT

1090. Mr M. McGowan to the Premier

- (1) Did Narelle Cant receive an end of term-of-government contract payment in 2001?
- (a) if so, how much was that payment?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) Yes
- (a) \$22,113.19 (Not including accrued and pro-rata leave entitlements)

END OF TERM-OF-GOVERNMENT CONTRACT PAYMENTS IN 2001

1091. Mr M. McGowan to the Premier

- (1) How many end of term-of-government contract payments were made in 2001?
- (2) What was the total cost?
- (3) What were the names of all the recipients of these payments?

Mr C.J. BARNETT replied:

Department of the Premier and Cabinet advises:

- (1) 91
- (2) \$1,870,886
- (3) [See paper 1128.]

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1096. Mr J.N. Hyde to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport

- (1) Can the Minister list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Mr B.J. GRYLLES replied:

- (1)-(2) Committee: Ord East-Kimberley Expansion Ministerial Committee
Chair: Hon Brendon Grylls MLA
Sitting fees: Nil
- Committee: Gascoyne Food Bowl Local Consultative Committee
Chairperson: Hon Wendy Duncan MLC
Sitting Fees: Nil

Board: Western Australian Land Authority Board

Chairperson: Monty House

Sitting fees: \$74,400 pa plus superannuation

Board: Mid West Development Commission Board

Chairperson: Murray Criddle

Sitting Fees: \$770 per full day, \$500 per part day plus \$9,000 pa (up to a maximum of \$19,100 pa)

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1097. Mr J.N. Hyde to the Minister for Education; Tourism

- (1) Can the Minister list all boards, committees, working groups etc within her portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Dr E. CONSTABLE replied:

Please refer to Legislative Assembly Question on Notice 482. This provides the names of people on government boards and committees and fees paid.

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1098. Mr J.N. Hyde to the parliamentary secretary representing the Minister for Transport; Disability Services

- (1) Can the Minister list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Mr M.J. COWPER replied:

Please refer to Legislative Assembly Question on Notice 483.

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1103. Mr J.N. Hyde to the Minister representing the Minister for Energy; Training

- (1) Can the Minister list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Mr C.J. BARNETT replied:

The Minister for Energy; Training has been provided with the following response

- (1)-(2) Please refer to Legislative Assembly Question on Notice 488

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1104. Mr J.N. Hyde to the Attorney General; Minister for Corrective Services

- (1) Can the Attorney General list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Attorney General name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Mr C.C. PORTER replied:

- (1)-(2) Please refer to Legislative Assembly Question on Notice 489.

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1106. Mr J.N. Hyde to the Minister for Water; Mental Health

- (1) Can the Minister list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Dr G.G. JACOBS replied:

Please refer to Legislative Assembly Question on Notice 491.

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1108. Mr J.N. Hyde to the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education

- (1) Can the Minister list all boards, committees, working groups etc within his portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Mr D.T. REDMAN replied:

- (1) Please refer to Legislative Assembly Question on Notice 493.

BOARDS, COMMITTEES, WORKING GROUPS — LIBERAL/NATIONAL PARTY CHAIRPERSONS

1109. Mr J.N. Hyde to the Minister representing the Minister for Environment; Youth

- (1) Can the Minister list all boards, committees, working groups etc within her portfolio and agencies that are chaired or convened by Liberal/National/Government members of Parliament or former Liberal/National/Government MPs?
- (2) Can the Minister name all such chairpersons and indicate any sitting fees or expenses paid to chairs?

Dr G.G. JACOBS replied:

Please refer to Legislative Assembly Question on Notice 494.
