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LEGISLATIVE ASSEMBLY ESTIMATES COMMITTEE B

Thursday, 26 May 2016

Legislative Assembly

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ESTIMATES COMMITTEE B

The meeting commenced at 9.00 am

Division 45: Commerce, \$65 749 000 —

Mr N.W. Morton, Chairman.

Mr P.T. Miles, Parliamentary Secretary to the Minister for Commerce.

Ms A. Driscoll, Acting Director General.

Mr D. Goodwin, Chief Finance Officer.

Mr P. Gow, Executive Director, Building Commission.

Ms K. Berger, Acting Executive Director, Labour Relations, Industry and Innovation Division.

Mr D.M. Hillyard, Acting Executive Director, Consumer Protection.

Mr L. McCulloch, Executive Director, WorkSafe.

Mr K.D. Bowron, Executive Director, EnergySafety.

Mr J. Lee, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The parliamentary secretary may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the parliamentary secretary to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the parliamentary secretary's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if the parliamentary secretary asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mandurah.

Mr D.A. TEMPLEMAN: I refer to pages 507 and 512, "Energy Safety". I have a couple of questions about some serious incidents. The first question relates to the electrocution of two young Mandurah students in March 2015 and the subsequent EnergySafety investigation. Has a final report into that incident been completed? If so, why has that report not been made public given that immediately after the incident, the Minister for Energy initially blamed the City of Mandurah as a pole ownership issue. The pole became electrified and electrocuted the two students. If a report has been completed, why has it not been made public?

Mr P.T. MILES: I will refer that question directly to Ken Bowron, whose agency is responsible for that report.

Mr K.D. Bowron: The incident was in March 2015 and the two children were hurt in that incident. Obviously, it was to do with a metal street pole that had been struck by a vehicle some significant time before the incident. Dr Nahan, the Minister for Energy, informed Parliament in April that Western Power's internal investigation had found that the network operator was partially responsible for that accident. We have now completed our investigation. It took some significant time because of the complexity of the case and getting access to the victims who were hurt in the incident. At this stage we will not be publishing our findings of the investigation, because we have initiated legal proceedings against parties and we need that information for those proceedings. Certainly as a corrective action, we have sought and been given assurances by Western Power that whenever any incident like this occurs, it will ensure that poles are made properly safe at the beginning.

Mr D.A. TEMPLEMAN: In speaking to the chief executive officer of the City of Mandurah recently, the city would like formal feedback about the report's outcomes, even if they are not made public, because it was initially blamed by the Minister for Energy for being responsible for the poles. The poles are not the issue

essentially; rather, it is how they became electrified, and that would have been part of the investigation. The City of Mandurah—it is a key stakeholder having been blamed by the Minister for Energy—would like to know when it might receive some formal assurances and feedback about the report, even if that feedback is confidential. Will that happen, parliamentary secretary?

Mr P.T. MILES: I will need to refer that to Ken for comment because obviously the commission is responsible for the investigation. I want to make it clear that we know what happened on the day. It is my understanding from the briefings I have had that when the department does its investigations, it needs to go right the way back to how the pole became energised. I think that is part of the report, which I have not seen and to which I am not privy. I will ask Ken Bowron to add further.

Mr K.D. Bowron: The member is certainly right in that the prime issue of pole ownership is not something that was particularly part of our primary investigation. We do believe the pole is owned by the City of Mandurah, but that is secondary to what we were looking at. We looked at what caused the situation to be such that there was live infrastructure in a public place, and that is what the investigation has focused on. We will certainly be able to talk to the City of Mandurah once we have dealt with the case.

Mr D.A. TEMPLEMAN: I again refer to “Energy Safety” on page 512 of the *Budget Statements*. My further question relates to an incident in February 2015 after a fatal explosion at Morley Galleria shopping centre. The government committed to include minimum safety standards for safe electrical work practices. Why has this not been done? Is it still being proposed? Since the announcement of the proposed changes back in February 2015, have any other workplace fatalities been caused by electrocution?

[9.10 am]

Mr K.D. Bowron: We immediately moved—well not immediately—within two weeks of the Morley Galleria shopping centre incident to ban live work on that particular brand of switchgear. Further investigation meant that within another two weeks of that, we had banned that type of switchgear rather than the specific brand. Those bans have been in place since relatively soon after the incident. That switchgear was designed and brought into practice some 40 years ago, when standards and practices were significantly different from what they are today. The incident raised concerns about people working on switchgear and doing live work. I think the second part of the member’s question was whether there had been any further incidents.

Mr D.A. TEMPLEMAN: Yes.

Mr K.D. Bowron: There has been one fatality of an electrician working in a roof space since that time. The preliminary investigations of that incident indicate that it involved live work. That really concerned us, and it concerned WorkSafe as well, and we have approached the government on that basis. The incident of the death in the ceiling space was very similar to the electrocution of Jayden Zappelli in East Bunbury in 2011. We constantly remind electricians and electrical contractors of the importance of isolating work. Both EnergySafety and WorkSafe have codes of practice that state that people should do that, but, obviously, live work is still being done. We have proposed an amendment to the legislation to mandate safety precautions. In July 2015, the minister endorsed the general policy principles of the legislation and in October 2015 we received clearance to draft the amendments from the regulatory gatekeeping unit. We have undertaken significant stakeholder communications to make sure that these amendments were supported by all sides of industry and to make sure that the basis of the legislation would not preclude people from being able to do their jobs. Effectively, Parliamentary Counsel is drafting legislation for both WorkSafe and EnergySafety that will ban live work, with certain exemptions, and will make it mandatory for workers to turn the power off whenever they enter a roof space.

Mr P.T. MILES: I will just ask the WorkSafe Western Australia Commissioner to add what that agency is doing about this matter as well, because obviously it was a workplace accident. I know that both these agencies are working in tandem on these issues. Can Lex McCulloch add what WorkSafe is doing in this space, please?

Mr L. McCulloch: We are doing an investigation as well. EnergySafety is looking at its responsibilities and we are looking at ours in relation to the incident at Morley Galleria. Obviously, when the regulation comes in about turning power off when people are working in roof spaces, it will affect a lot of people in general industry, because not just electricians go into roof spaces; people put in batts and security and those types of things. We will get information out to those groups as well to remind them that power needs to be turned off when they are working in the roof space.

Mr D.A. TEMPLEMAN: This is serious and it concerns me how long this has taken. The government promised in February last year after the serious incident at Morley Galleria that these new sections would be added to the regulations. We now know that this process was signed off by the minister in July last year in terms of general acceptance. Why has the process taken so long and when will these amended regulations be tabled so we can make sure that electricians and others working in roof spaces or whatever are safe? This process has taken too long. When will the regulations come into this Parliament to be tabled so we can sort this issue out? We have known about this issue for a long time—it is over a year now—and I think the government is dragging its feet. When will we see these regulations in place?

Mr P.T. MILES: Thank you, member. The issue has been dealt with. Obviously, once the investigations had been done, I understand that some immediate orders were issued about working on live sites. The minister made that very clear at the time. I think he made a public statement as well as statements in this house. I will refer the question about the regulations to the acting director general and ask her to respond, because I know the department has been working quite diligently with Parliamentary Counsel to get those regulations up.

Mr D.A. TEMPLEMAN: Will the regulations be here before July, because that will be one year since the incident?

The CHAIRMAN: Wait for the answer, member. Then you can ask a further question.

Mr P.T. MILES: I ask the acting director to respond.

Ms A. Driscoll: It has taken some time because there has been quite a lot of consultation with the Commission for Occupational Safety and Health and Energy Safety stakeholders. The important thing for industry is that there will not be unintended consequences on productivity and efficiency, because there are some incidences in which live equipment needs to be maintained and/or managed in a particular way. There has been extensive consultation to allow for processes in exceptional circumstances and to avoid unintended consequences. The situation right now is that the drafting is well and truly underway, and there has been much exchange between Parliamentary Counsel and the agency to settle those regulations.

The other thing important to say here is that WorkSafe's general advice to electricians, in particular, has always been that they need to switch off power when they are working in spaces that are likely to have a live electricity flow. Obviously, that information is out there and people understand the risk. That raises questions. Of course it is important to regulate, but it is well known that it is dangerous and people have been educated from day one that this is a dangerous activity and they must turn off the power. Electricians know that air-conditioning systems et cetera are not covered by residual-current devices and the like, and this education program has been in place for decades. So, yes, we can regulate, but the issue is that people then need to comply; they should already know the dangers associated with this practice. It is a high-priority issue and Parliamentary Counsel is actively working on the draft, and we hope to have it finalised as quickly as we can.

Ms J.M. FREEMAN: I refer to page 513 of the *Budget Statements* and the line item "Employees (Full Time Equivalents)" in table 4, "Labour Relations". In 2014–15, we were told at the estimates committee hearing that there had been a reduction of 19 workers, and in 2015–16, we were told there had been a reduction of another 16 workers, but it appears in the budget papers that only an additional eight workers lost their jobs. Can the parliamentary secretary confirm that since 2013–14, the government has gutted 27 staff positions in labour relations in order to meet milestones? What does the mean for the agency in terms of delivering services?

Mr P.T. MILES: I will ask the acting DG to respond to that day-to-day matter about full-time equivalent positions.
[9.20 am]

Ms A. Driscoll: I would have to take on notice the detail of what was said in past estimates. In broad terms, the way that the full-time equivalent positions are allocated in the budget papers reflects the dollar allocations that are applicable to each division. Over the last 12 months we have undertaken an agency expenditure review process and a range of other savings were applied. As members would imagine, over that 12 months we have had a number of changes to our staffing profiles. We are now seeing an FTE that reflects the current allocation across divisions. It is helpful that it has been recognised that labour relations has had significant reductions in past years. What we are seeing between 2015–16 and 2016–17 is obviously the same reduction. Yes, there has been a process to somewhat recalibrate labour relations relative to cuts that have occurred in past years—in 2014–15 and the prior year. Our focus has been on getting the best possible structure for that area but we have not made major imposts on salary allocation. I am not sure whether the CFO would like to further elaborate.

Mr D. Goodwin: Certainly over the last few years some budget cuts have been applied to labour relations, as they have been applied to all sections of —

Ms J.M. FREEMAN: Extreme budget cuts have been applied to labour relations. That is very polite.

The CHAIRMAN: Let us just listen to the answer and then the member can ask further questions.

Mr D. Goodwin: Nonetheless, two or three years ago the numbers were sitting at around 60 FTE. The number targeted for the next financial year is 49, as per the budget papers. I think that represents the fact that management has sought to minimise the impact on the FTE by restructuring any efficiency gains et cetera. In fact, I do not think the FTE reflects the full extent of the challenges that have been faced in that area.

Ms J.M. FREEMAN: The acting director general said that she would take on notice or provide by way of supplementary information the specifics of the staff reduction since 2013–14 and whether 27 staff have gone. I count it to be 27 staff. Can the parliamentary secretary confirm by way of supplementary information that that is the case?

Mr P.T. MILES: I will ask Ms Driscoll to respond.

Ms A. Driscoll: We are very happy to go back and have a look but I reiterate that that may have been the case historically. This year we have looked across all divisions as to the appropriate resourcing and the degree of —

Ms J.M. FREEMAN: It has been gutted everywhere. I get that.

Ms A. Driscoll: What might have existed back then does not necessarily apply now. I am happy to take that on notice.

The CHAIRMAN: Parliamentary secretary, can you just clarify what will be provided?

Mr P.T. MILES: I am happy to provide by way of supplementary information past FTE counts. I think that is what the member is looking for.

The CHAIRMAN: I think the member was seeking the number of FTE in 2013–14.

Mr P.T. MILES: I am happy to provide that information.

[Supplementary Information No B65.]

Ms L.L. BAKER: I wish to continue the discussion about efficiency indicators, the average cost an hour et cetera and staff, as set out on page 513 of the *Budget Statements*. The 27 staff that we have calculated over the last two years have gone and \$1.5 million in funding has gone with that. I am not at all surprised that a number of things are not being done anymore. In relation to the pay equity unit, which was closed last year, and the fact that the gender pay equity gap has increased substantially under this government, could the parliamentary secretary please let me know whether pay equity is still a policy project? Is any work being done to try to address this or is that one of the decreases?

Mr P.T. MILES: I think there were a couple questions there. Pay equity in the public service, which is mainly in that policy range, is still very much always looked at by all agencies within government across the board.

Ms L.L. BAKER: But there was a unit, parliamentary secretary.

The CHAIRMAN: Member, you can ask a further question. That is not a problem. Just listen to the answer.

Mr P.T. MILES: Because there may be a unit in an agency does not necessarily reflect that it goes around to all the other agencies and says, “You haven’t paid somebody this or you haven’t paid somebody that.” The whole policy of equal wages for equal jobs in the public sector has very much been done and has always been monitored by the appropriate directors general and ED people around the government sector.

The member was also suggesting that she has worked out that 27 jobs have been taken out of IR. We can get that information for the member.

Ms L.L. BAKER: That is okay. I think that has been covered already.

Mr P.T. MILES: We obviously need to reflect on the fact that the industrial relations area of Commerce has had a considerable change in a way that it now needs to move forward.

Ms J.M. FREEMAN: Chair, the parliamentary secretary is just filibustering.

Mr P.T. MILES: Obviously the Fair Work Commission takes on quite a bit of the work that it used to do.

Ms J.M. FREEMAN: Parliamentary secretary, stop filibustering.

The CHAIRMAN: Member, you can ask further questions.

Ms J.M. FREEMAN: He needs to give answers.

The CHAIRMAN: He will give answers how he sees fit and you will ask questions how you see fit. I did say at the start that questions and answers should be short and to the point, so, parliamentary secretary, I will ask you to keep that in mind; but, members, you cannot ask him to answer the question how you want to hear it answered. I will give you as many further questions as you want and I will make that a priority, but allow the parliamentary secretary to answer and then I will obviously allow you to ask further questions. Have you finished, parliamentary secretary?

Mr P.T. MILES: Yes, I was finishing and I was going to refer to the director general so she could add to the answer that was asked by the member for Maylands.

The CHAIRMAN: I will make the point that no government member has put their name down for a question, so, at this point, it is all opposition questions. You will get as much opportunity as you like.

Ms J.M. FREEMAN: I am just trying to get them to focus on the fact that it notes —

Mr P.T. MILES: Chair —

The CHAIRMAN: Parliamentary secretary, a question is now being asked so we will listen to the question.

Ms J.M. FREEMAN: All I am saying is that in relation to the question that was asked of the parliamentary secretary, if he goes to the second note under service 4, “Labour Relations”—if he bothers to look at the budget—it states —

This is due to a decrease in the number of policy projects expected to be progressed.

The question is very clear: does that mean that one of the things that the government is no longer doing as a policy project is pay equity?

Mr P.T. MILES: I am happy to complete the previous answer I was giving by referring that specific part to the director general.

Ms A. Driscoll: It is the case that the pay equity unit closed on 30 June 2015. The labour relations and industry innovation division continues to monitor and provide policy advice to government on pay equity as it applies industrially and in terms of legislative issues. It is important to note that part of the thinking in its closure is a recognition that this work is now being done at the federal level. The Workplace Gender Equality Act requires reporting by employers of greater than 100 people. Importantly for small business, extensive information and resources are available for business on how to apply and audit pay equity. There is some recognition that there was duplication. In times of having to weigh up the maximum impact of resources, the change reflects the uptake in the federal arena.

Ms L.L. BAKER: The department is required to provide advice to government. Has the government asked the department for advice on pay equity and the gender pay gap in the last 12 months? Has it provided anything in response to that request?

Mr P.T. MILES: I will refer that direct question to Kristin Berger, who is our executive director.

Ms K. Berger: As was stated by Ms Driscoll, we provide regular advice. Whether there was a specific question last year, I will have to take that on notice.

[9.30 am]

Ms L.L. BAKER: Would you? Thank you.

The CHAIRMAN: Is the parliamentary secretary providing supplementary information?

Mr P.T. MILES: The supplementary information is on what advice —

Ms L.L. BAKER: What advice has been requested by government to the department concerning the gender pay gap and pay equity.

Mr P.T. MILES: I am happy to provide that to the member as supplementary information.

[*Supplementary Information No B66.*]

Ms J.M. FREEMAN: I refer to the heading “Labour Relations” on page 513. In 2015–16 the total cost of services was \$9.2 million, which was revised down to \$8.4 million in the agency expenditure review. The estimated actual for 2015–16 is \$7.6 million. Can the parliamentary secretary confirm that labour relations has been gutted by \$1.589 million over the last year?

Mr P.T. MILES: There have been some changes to its budget. I would not say that it has been gutted; that is being very alarmist. I will ask the acting director general for further comments about the budget.

Ms A. Driscoll: The observation that the estimated actual for labour relations is low does not reflect the fact that that is more broadly the case for all divisions. The estimated actual of 2015–16 was really low because the department imposed a recruitment freeze as soon as it knew it was part of the agency expenditure review in November 2014. It began to constrain its spending then so that by the time we kicked into 2015–16 we had already been subject to a freeze. Then, of course, a government-wide freeze was imposed after that. That very much contained expenditure. To some extent the labour relations spend was, for some years, having difficulty in dealing with the cost cutting that occurred. The important thing here is that the staffing allocation continues at much the same level. As I said, in some ways what the member is seeing is a reflection of what is happening across the agency. The AER savings have hit us broadly. I can report that we are making a lot of savings in the new year that fortunately do not impact our effectiveness. We are rationalising our accommodation to two sites rather than three, which will save us \$2 million. Therefore, some of this is savings, too, that are non-salary impacts. We have tried to be as cautious as we can with our cost cutting. As reported last year, we have very much focused on administrative roles as well as moving to web-based education rather than publications et cetera, but I will not go on any further.

Ms L.L. BAKER: Under the same category of labour relations on page 513, can the parliamentary secretary tell me whether the Wageline service will continue and be staffed?

Mr P.T. MILES: I will refer to Kristin for that information. I have seen Wageline in practice. It is one of those good parts of the agency at which people can make contact, especially if they are under the state awards. There is still quite a bit of confusion out there because of the fair work stuff, but I will ask Kristin to comment further on Wageline.

Ms K. Berger: Yes, the Wageline service is continuing.

Ms J.M. FREEMAN: In 2015–16, the Department of Commerce’s Wageline referred 127 clients to the Employment Law Centre of WA. During the last estimates, the department could not tell us how many clients were referred in 2014. Can the parliamentary secretary tell me how many clients the department has referred to the Employment Law Centre in 2014, in 2015 and so far in 2016? Given that Commerce discontinued funding to the Employment Law Centre, which was \$440 000 in 2014–15, is it fair that it continues to refer people to a service that it does not fund?

Mr P.T. MILES: Yes, at a state level we do not fund the law centre. Previously it was funded in part by the Department of the Attorney General because the minister was discussing it further with his federal colleagues. My understanding is that it is funded purely for federal workplace —

Ms J.M. FREEMAN: Does Commerce not refer anyone from Wageline to the Employment Law Centre?

Mr P.T. MILES: I personally do not have that information. For the member’s information, Wageline takes 35 000 inquiries a year, which is substantial. I will ask whether Kristin has any information about referrals to the law centre. It would only be that way because that is the federal space.

Ms K. Berger: I have no statistics to hand on referrals to the Employment Law Centre. I would have to check whether we still keep those statistics.

Ms J.M. FREEMAN: Has Commerce specifically directed Wageline not to refer to the Employment Law Centre on the basis that it does not fund it?

Mr P.T. MILES: I am not aware of that.

Ms K. Berger: There has been no such direction.

Ms J.M. FREEMAN: The income in the table on page 513 is in continual decline. We are gutting the agency of money and then the income is in continual decline. In 2013–14, it was \$93 000; in 2014–15, it was \$46 000, despite the budget forecast of \$189 000; and, in 2016–17, the forecast is for \$40 000. Can the parliamentary secretary explain why the income is in continual decline?

Mr P.T. MILES: I will refer to David, the chief finance officer, who is now advising the advisers. I will reiterate some of the comments that have already been made. Part of the savings that this agency has been able to gain is from the consolidation of its services into two locations, which has had a substantial saving in accommodation costs.

The CHAIRMAN: Could we use surnames because there are at least three advisers called David, just so I know who you are giving the call to.

Mr P.T. MILES: Okay, no worries. I think we might have to come back to —

Ms J.M. FREEMAN: I can have it as supplementary information.

Mr P.T. MILES: I will refer to Ms Driscoll.

Ms A. Driscoll: My recollection was that income for this area was a small amount of federal funding, but we will need to take the question on notice.

The CHAIRMAN: Is the parliamentary secretary prepared to give that as supplementary information?

Mr P.T. MILES: We are happy to take that on —

The CHAIRMAN: Can you just clarify what you are providing, then?

Mr P.T. MILES: Does the member want to know where the funding is from?

Ms J.M. FREEMAN: No, I want to know why it is in continual decline.

Mr P.T. MILES: For labour relations?

Ms J.M. FREEMAN: Yes.

Mr P.T. MILES: We will provide supplementary information about where the funding for the agency has come from and why it has declined over the last couple of budget cycles.

[Supplementary Information No B67.]

[9.40 am]

Ms L.L. BAKER: My question is also about labour relations. I refer again to the same table on page 513 and the average cost per inspection or investigation. I note the figures show across the estimates that investigations and inspections will decrease by 28.3 per cent this year, and that is after it decreased last year by nearly 10 per cent. Can the minister tell me why? Are there still the same number of inspectors or has the inspectorate been gutted as well?

Mr P.T. MILES: I will refer the question to Ms Driscoll first and then I will follow up.

Ms A. Driscoll: Firstly, I make the observation that this is about the unit cost per inspection investigation. It is not necessarily about the number of investigators; it is about how effectively that is done. There has been, as I mentioned before, a major restructure in this area, with the intention of providing an integration of the legal policy area with the compliance team to provide more depth in the analysis of issues and to some extent a bit more firepower in the review of compliance issues and the actions that are taken. Just because there is a change in the unit costs, it can be about the effectiveness of the process as opposed to less staff, but I will ask Ms Berger to comment.

Mr P.T. MILES: We ask Kristin Berger to respond.

Ms K. Berger: Is the question I am responding to: are there fewer inspectors?

Ms L.L. BAKER: Yes, thank you.

Ms K. Berger: There has not been any decline in the number of inspectors in the last year, but, as has been pointed out, we have reorganised and restructured, and that is reflected in the staff numbers.

Ms J.M. FREEMAN: Further to that, not in the last year, but since 2013–14, which is during the same period that the agency lost 27 staff, has the agency lost inspectors in the inspectorate area? Are inspectors part of the 27 staff that have been gutted from the agency since 2013–14?

Mr P.T. MILES: We are talking about this year's budget; the member should have asked that last year.

Ms J.M. FREEMAN: I did ask this last year and the year before, and that is a why I know that 27 staff have been gutted. I have been here every year asking why the government is gutting staff from the agency and I am just asking what implication that is having.

Mr P.T. MILES: The agency —

The CHAIRMAN: I think the parliamentary secretary will be providing information on the declining numbers.

Mr P.T. MILES: We are providing in the supplementary information what the member asked for before, so we will be getting that information to her.

Ms J.M. FREEMAN: Could the parliamentary secretary make sure that information also has the classifications and job titles of the workers who have been removed from the department?

Mr P.T. MILES: We said that we will be getting that information to the member in the prior supplementary information, so we will make sure that we do.

The CHAIRMAN: To clarify, that supplementary information was allocated under supplementary information No B67.

Ms R. SAFFIOTI: I refer to page 515 and the activities of the Building Commission. My question relates to some information provided to the Parliament on 10 May about inspection works and some unlicensed and unregulated works at Elizabeth Quay. On 10 May, the Building Commission stated that it was investigating who carried out the plumbing work at Elizabeth Quay. Have those investigations concluded? Can the Building Commission provide information on who instigated the investigation? Can it confirm that unlicensed or unregulated plumbers undertook work at Elizabeth Quay?

Mr P.T. MILES: We are happy to provide that information via the executive director, Mr Gow.

Mr P. Gow: The investigation is continuing. In answer to the second part of the question about unlicensed plumbing work, yes, unlicensed plumbing work has been found. Who did that and the circumstances of that are part of the investigation that is currently underway. Sorry, what was the third part of the question?

Ms R. SAFFIOTI: In the answer it said that there was a contractor from interstate who was not regulated in WA. Can it be confirmed that that is the case?

Mr P. Gow: Yes, that is the case; a contractor from the eastern states was not licensed in Western Australia.

Ms R. SAFFIOTI: How was the investigation instigated? Were reports conveyed to the Building Commission? For example, what prompted the Building Commission to begin investigations?

Mr P. Gow: The Building Commission, on behalf of the Plumbers Licensing Board, carries out a regular and comprehensive program of inspections and audits. That was carried out as part of this. It was on the commission's volition to carry out that inspection; it was not asked to do so by anybody. In terms of the timing, the concerns that were raised about Elizabeth Quay and the water playground certainly sparked the first investigations down there, although I must emphasise that we have found nothing that is related to the problems with the water park; our plumbing issues are different.

Ms R. SAFFIOTI: On what date were the investigations started? In relation to what has been found so far, can the parliamentary secretary provide an update on other faults or defects in the plumbing at Elizabeth Quay?

Mr P. Gow: I cannot now give you the exact date on which the investigation commenced, but I can take that on notice and provide it.

The CHAIRMAN: Is the parliamentary secretary prepared to provide that?

Mr P.T. MILES: Does the member need that?

Ms R. SAFFIOTI: That would be fantastic, by way of supplementary information.

Mr P.T. MILES: I am happy to provide the date of commencement of the investigation.

[Supplementary Information No B68.]

Mr P. Gow: I will give the types of noncompliant plumbing work in broad terms rather than in technical detail, which I would have to get specific advice on. In the water park plant room, there was a failure to put a non-return device or back-flow prevention device in one of the water supply lines. There was noncompliance with the standards in the way an overflow was connected to the sewer. Elsewhere in the general area of Elizabeth Quay there have been sewer installations without the required inspection points or manholes to give access to those inspection points. One pipe was found not to be graded correctly.

Ms R. SAFFIOTI: That is quite a comprehensive list. Again, I am not a plumber, but my question relates to the initial point the executive director made about the lack of back-flow devices in the plumbing room. Can he explain what that device should do or currently is not doing?

Mr P.T. MILES: Before I refer that question to Mr Gow, I also need to make it clear on the record that the investigations that the commission is doing are against the company that did all the works, which in this case is Leighton and its subcontractors, so the commission's investigation is nothing to do with the Metropolitan Redevelopment Authority. I am happy for Mr Gow to speak about the back flow.

Mr P. Gow: In principle, fresh water is in the pipes from the Water Corporation and it is fed through the plumbing supply. They are often fixed-connected to devices such as hot water systems and then specialist things that we might get in hospitals, such as a calorifiers, autoclaves and things like that. In this case there was a direct connection to the chlorinator that chlorinates the water for the water park. Correctly, under the rules, that should have a device to prevent excessively chlorinated water going back into the normal water supply. That was missing.

Mr P.T. MILES: Is this the fresh water supply, not the sewer pipe?

Mr P. Gow: Yes.

[9.50 am]

Ms R. SAFFIOTI: Was the risk there that heavily chlorinated water was coming through the drinking fountains?

Mr P. Gow: No, there was a risk that that could happen if the chlorinator failed in some way. If the chlorinator worked properly, there would not be any backflow, but the backflow prevention device is a belt-and-braces thing in case there is a failure. There was no failure and as a result there was no actual backflow, but there was noncompliance with the rules that require a prevention device.

Ms R. SAFFIOTI: There was a lack of inspection pipes; points, I can understand; not enough manholes or person holes —

Ms J.M. FREEMAN: Access holes. I can help the member there!

Ms R. SAFFIOTI: There were not enough access holes. The other point was the pipes being laid at the wrong grade. I understand they were the drainage pipes.

Mr P. Gow: Yes, it was a sewerage drainage pipe. We detected that using an inline camera. Effectively, the pipe has bowed down, so that instead of the water and contents flowing uniformly, it ponds in the bottom of the pipe.

Ms R. SAFFIOTI: The drainage pipes drain into the inlet; is that correct? Was there any risk of contamination?

Mr P.T. MILES: Did the member ask whether they drain into the inlet?

Ms R. SAFFIOTI: Yes, the drainage pipes, not the sewerage pipes, as in the stormwater drains.

Mr P.T. MILES: The member is talking about stormwater drains. I doubt it, but I will have to refer that question to Mr Gow.

Mr P. Gow: The jargon in plumbing terms is that there is freshwater supply plumbing and there is drainage plumbing that flows into the sewers. We are talking about pipes that are connected to the sewer, not stormwater drainage that might flow out into the inlet. None of what I am talking about flows into the inlet; it is all connected to the Water Corporation's sewer.

Mr P.T. MILES: I do not think even stormwater would go directly into the Swan River. The member would probably need to clarify that through another agency.

Ms R. SAFFIOTI: I think it does.

Mr P.T. MILES: I have a sneaky suspicion that goes into the sewer line as well.

Ms R. SAFFIOTI: The stormwater?

Mr P.T. MILES: I believe so.

Ms R. SAFFIOTI: I will check that with the Water Corporation.

The other key point was that the contractors did not issue notices of intention to conduct work. I think that was eight failures. What was the total fine for that and have those fines been paid?

Mr P. Gow: I am not able to give the member up-to-date information on whether the fines have been paid or the exact value of them. I am happy to take that on notice.

Mr P.T. MILES: We are happy to provide supplementary information on the fines that were issued and whether they have been paid.

[Supplementary Information No B69.]

Ms R. SAFFIOTI: Was the overflow connection at all connected to the sewer? The executive director spoke about the issues with the backflow device in the plumbing room, but he also mentioned the overflow issue. Can he explain what issue that was in relation to the overflow facility?

Mr P. Gow: The member would be aware that in things like baths and hand basins there is a slot high at the back so that if they are overfilled or if the tap is accidentally left on, the water can overflow. That flows into the drainage system and down into the sewer; it is a fairly normal approach. The plant room that served the water park had the risk of water building up excessively and that then had an overflow that was connected to the sewer. That connection, though, did not comply with the plumbing standards for the venting of gases and ultimate backflow prevention devices, so that has now been capped and other arrangements are being made to deal with the overflow.

Ms R. SAFFIOTI: Can I just clarify that there was not sufficient prevention of backflow in that connection and as a result that pipe has now been capped to prevent any risk of backflow from that sewer connection?

Mr P. Gow: Yes.

Ms R. SAFFIOTI: Are the defaults or problems that have been identified in this particular project stock standard for government projects around the city or is this a unique situation?

Mr P.T. MILES: It is not stock standard at all. That is why the government uses tier 1 level contractors who, as we know, did the work on this site. I understand that contractor may need to review some of its policies on how it employs subcontractors.

Ms R. SAFFIOTI: You think?

Can I ask for confirmation from the Building Commission that that is not something that happens on a regular basis? I want to satisfy myself that when I send my children to water parks this is not something that is stock standard that happens on projects around Perth.

Mr P.T. MILES: I am happy for the Building Commissioner, Mr Gow, to comment on projects around town and how they are inspected.

Mr P. Gow: Unfortunately, it is not uncommon to find plumbing installations that do not comply with the standards, be they on government or private projects. It is not a high rate of noncompliance, but it does exist. However, I can say that some of the types of noncompliance we have found at Elizabeth Quay are not ones we would expect to see on a major project.

Ms L.L. BAKER: While we are on the subject of plumbing and pipe checking, I thought I would ask this question. Has there been an occasion in the past three years when the Building Commission has checked the pipes at Fiona Stanley Hospital, particularly in relation to water recycling? If they have been checked, has there been an occasion on which they have not been compliant with Australian standards?

Mr P. Gow: Yes, the Building Commission plumbing inspectors have inspected plumbing work at Fiona Stanley on a number of occasions. Some issues have arisen, but I am not able to give the member the detail of them now. I am happy to do so as supplementary information.

Ms L.L. BAKER: That would be fantastic.

Mr P.T. MILES: The supplementary information we will provide the member is what has been inspected at Fiona Stanley Hospital and has not conformed to the building code.

Ms L.L. BAKER: Particularly to the Australian standards around plumbing.

[*Supplementary Information No B70.*]

Ms J.M. FREEMAN: I have a plumbing question on the same section. Last year, the member for Mandurah asked about proposals for Indigenous communities, specifically plumbing for water supply and drainage. The commissioner outlined that while there was a general agreement, a consultation paper was being released and an outcome was pending in the near future. Has that been completed? I just need a quick yes or no.

Mr P.T. MILES: I have just been advised that it has been completed and it is currently with the minister.

Ms J.M. FREEMAN: The Building Commission sat on the white set plaster working group. When will the white set plaster report be presented to the minister and released to the public? Given the Building Commission's press release on 26 June 2014, I think it was, recognising the issue, how has the commission ensured that consumers are fully aware that the standards on lime content and the moisture of plaster must be upheld to ensure that walls are durable? When is the report coming to the minister and how is the commission telling consumers about the issue?

Mr P. Gow: The working party examining white set plaster was established through Master Painters and Decorators Australia and the Building Commission is participating in that, but it is up to the master painters to release the report. It is not a government report, so it is not going to the minister per se. I am advised that it is due in the middle of this year, so it is imminent. In terms of the issues relating to white set plaster, broadly that group has found that if the plaster is done in accordance with the Australian standard and the recommended processes, it should be adequate. We are preparing industry bulletins and technical notes ready to go out in association with the report when it is released, to ensure that plasterers and builders are aware of the need to comply strictly with the relevant standards.

[10.00 am]

[Mr I.C. Blayney took the chair.]

Ms J.M. FREEMAN: I did not ask about the industry; I asked about the consumers. There is concern that one in six houses has substandard plaster on its walls. This means that paint does not stick and that bits of plaster fall off. That is a huge consumer issue. Consumers think that this is just normal plaster. The department has known about this issue for two years. How are consumers being told to make sure that the plaster on their walls is up to the standard that it needs to be?

Mr P.T. MILES: I refer to Mr Gow.

Mr P. Gow: At this point, we do not have a specific consumer-focused or consumer-oriented information program. That is partly because it is difficult for a consumer to tell, by looking at plaster, whether it is good or bad.

Ms J.M. FREEMAN: When it falls off the walls, or their paint does not stick, they might know.

Mr P. Gow: The effort that we believe is needed is to ensure that the plasterers and the builders are doing it correctly in the first place. That has been our focus, but I can certainly take the point that there is a need to ensure that consumers are advised as well, and we will look at that.

Ms S.F. McGURK: I do not know whether I am on the right track and whether it is different, but, as I understand, the Building Commission worked with the City of Perth to determine whether the use of cladding in identified buildings complied with the fire performance requirements in the Building Code of Australia. I think there were some buildings in the central business district that had a type of cladding similar to that used in the construction of the Lacrosse building. The specified cladding had been certified as compliant, but that was found not to be the case. Have there been inspections in the CBD of the cladding that might have been at risk, and how often have there been inspections?

Mr P.T. MILES: Yes, there have been inspections, and I will refer to Mr Gow in a moment. This issue came up at a minister's building forum that I attended in Brisbane a couple of months ago because of the Lacrosse incident in Victoria. All agencies around the country did an urgent review of that particular product. I will refer to Mr Gow, because I know that his agency has been involved in that investigation.

Mr P. Gow: As the parliamentary secretary said, after the Lacrosse fire in November 2014, there was a rapid response by all jurisdictions to test whether there was a significant hazard. In Western Australia we did that, initially in association with the City of Perth and then in association with the Town of Victoria Park, particularly looking at high-rise residential buildings where the risk was seen to be greatest. The audits carried out in association with the City of Perth have not identified any noncompliance in the use of those aluminium panels. They were used in about eight or nine of the 70 or so buildings that were examined, so it is not a product in common use in apartment buildings here. Those audits with the City of Perth and the Town of Victoria Park are now essentially complete. We have found no noncompliance of concern. There are some detail issues, as can be

imagined when anything is audited. We have found some small areas that we are continuing to investigate, but nothing of major concern. We are now moving on and looking to see whether there are any other areas of risk. We are working with Building Management and Works to look at large public buildings, and we are also looking at the potential of apartment buildings in other local government areas. In general, our rapid response and investigation indicated that there are no major problems here, so we are now taking a more measured approach to determine whether there are any specific problems with these panels.

Ms J.M. FREEMAN: I would like to move on to WorkSafe. I refer to the WorkSafe table on page 514 of the *Budget Statements*. I note that the total cost of service has changed from \$30 million to \$25 million and then to \$26 million. I note that last year's forward estimate for 2016–17 was actually \$27 million, and that has decreased to \$26 million. I will not say that the government is gutting that part of the department, but is it slowly starving WorkSafe of funds; and, if not, given past performance, what assurances are there that WorkSafe's allocated 2016–17 budget of \$26.674 million will not face further cuts?

Mr P.T. MILES: I will ask Mr Goodwin to respond to that one.

Mr D. Goodwin: As previously noted, several factors have influenced the total cost of all services over a period. Notably in the case of WorkSafe, the revenue estimates that were made in 2015–16 were perhaps, in hindsight, overly optimistic.

Ms J.M. FREEMAN: They were wrong!

Mr D. Goodwin: Wrong, but also the changing market conditions mean that there has been a downturn in the level of activity, so through the midyear review process alone, the revenues and, therefore, the related expenditure for WorkSafe were revised downwards, if you like, to the tune of about \$3 million. I think that accounts for the majority of the fluctuation there.

Ms J.M. FREEMAN: Last year the parliamentary secretary said that the government was reviewing the whole agency, which included WorkSafe. In answer to a question about the WorkSafe library, he could not at that time confirm that the WorkSafe library would still operate because he was reviewing the whole agency. Has that review been completed; is the WorkSafe library safe and still operating; and what is the staffing of the library?

Mr P.T. MILES: I will refer to Mr McCulloch, but my understanding is that the WorkSafe library is safe. I will ask Mr McCulloch to give some further information on that.

Mr L. McCulloch: At the time we were here last year we were looking at a whole lot of things across Commerce. I am pleased to say that the WorkSafe library is still open; it is located at Cannington, and we have one librarian, Judith, who is still there working away.

Ms J.M. FREEMAN: It is out at Cannington. It was not always out at Cannington, was it? It used to be in West Perth.

Mr L. McCulloch: In August 2014, WorkSafe moved from West Perth to Cannington, so there you go; we have relocated out there and we work away.

Ms J.M. FREEMAN: In 2013–14 WorkSafe employed 182 full-time equivalent employees. Despite the budget target in 2015–16 being 182, in last year's budget the workforce was reduced by 27 staff to 156 in 2015–16. How many staff took redundancies, and can the parliamentary secretary give me supplementary information on the classifications and titles of the jobs made redundant?

Mr P.T. MILES: I think that level of detail would have to be provided by way of supplementary information. I am happy to provide that. We will provide the member with the detail of the redundancy packages.

[*Supplementary Information No B71.*]

[10.10 am]

Ms J.M. FREEMAN: The 2016–17 budget target is for an additional nine workers, so we are now up to 36 staff gutted from the agency. I am sorry, the word is not gutted, but the 2016–17 budget target shows an additional nine workers coming back into the agency. What positions are vacant? What levels are these workers? The explanation for significant movement states that \$929 000 is to be added to the budget to fill the vacancy. Are these vacancies being filled at reduced classification rates under the new workplace change policy in which positions are at a lesser classification? What is that policy called?

Ms A. Driscoll: It is the public sector workforce renewal policy.

Ms J.M. FREEMAN: It is the workforce renewal policy; thank you. Can the parliamentary secretary give me the classification of the additional nine workers coming in and are they part of the workforce renewal policy?

Mr P.T. MILES: Initially I will get Ms Driscoll to respond and then take it from there.

Ms A. Driscoll: In some ways the full-time equivalent positions that are allocated here directly relate to the allocation. To some extent there is flexibility about how we staff, which I think is the question. It is the case that six inspector positions are currently not filled due to the recruitment freeze, so they will obviously be a priority. It is the case that the amount of available salary to the Department of Commerce into this new year is more than we had in the previous year by a considerable amount and, therefore, we can do some additional recruiting through the other positions that have become vacant over the freeze period. But we need to have an eye on the future as well, in that, as the member mentioned before, we have a continuing requirement to manage out year reductions associated with the public sector workforce renewal process.

Mr P.T. MILES: I ask Lex to add to that, because he has some advertising in process at the moment.

Mr L. McCulloch: We have nine positions we want to fill, which works out at about \$900 000. We have six inspectors who will be at the same level as previously. We have three other positions in our legal area. We have two legal officer positions for which we have had people on secondment, so we will fill them; and there is a sort of paralegal vacancy. There are only nine vacant positions in WorkSafe for which we will advertise to bring those people in permanently.

Ms J.M. FREEMAN: In answer to a question asked by Hon Kate Doust on 24 March, the minister outlined that there were 87 WorkSafe inspectors and he detailed their responsibilities. Is it right that the additional six inspectors will take that up to 93 WorkSafe inspectors? Will WorkSafe employ 93 inspectors? The authorisation is usually for 103 but WorkSafe employs only about 92, but in March 2016 the minister advised there were 87 inspectors, so another six inspectors will take the number to 93. Will the number of inspectors increase to 93?

Mr L. McCulloch: Yes.

Mr P.T. MILES: Mr Lex McCulloch has already answered that, and the answer is yes.

Ms J.M. FREEMAN: On page 507 of budget paper No 2 the last dot point refers to the proposed work health and safety bill. The parliamentary secretary does not need to refer to that page as I have a general question on that bill. Given the protracted nature of the introduction of the bill, when will the review of the health and safety regulations be completed so that the bill can go ahead? Is it a lack of human resources that continues to delay the implementation of the bill? Will the three additional legal officers be allocated to progressing the bill, regulations, codes of practice, guidance material, community consultation and education?

Mr P.T. MILES: My understanding is that the bill is just waiting to be brought into the parliamentary cycle. I do not think we are able to get it into Parliament and get it through both houses before it drops off the table because of the election. The agency is still working towards completing all aspects of that so it can come in straight after the election, no matter what. It is now out for consultation on the regulations, but I ask Ms Driscoll to add some finesse to that.

Ms A. Driscoll: The tenor of the member's question was whether the available policy staff impacted on the process. The answer is no. The legal officers to whom Mr McCulloch referred are involved in prosecution actions et cetera. We have dedicated policy staff, who have been working very effectively to finalise some consultation papers on the regulations, and we are now moving ahead of the bill and have already had some preliminary consultation with the commission. An extensive discussion paper will be released on 1 June. It is imminent and progressing very proactively.

Ms J.M. FREEMAN: On page 514, under "WorkSafe", I refer to the line item "Average Cost per Client Contact to Provide Information and Advice". I referred last year to the 10-year successful ThinkSafe small business program that was abolished in 2014. Again I ask: What has been done to educate businesses and workers on their responsibility under the act? What new materials have been produced in 2015–16 to do this? Will the trade engagement program have anything to add to the understanding of small businesses and businesses of occupational health and safety, or does that relate only to consumer protection?

Mr P.T. MILES: I ask Mr McCulloch to respond to that.

Mr L. McCulloch: Yes, the ThinkSafe small business program did cease, but we did some work around what is a sort of online tool that small businesses can use to get to understand their responsibilities. When our inspectors are out and about, they promote the use of that tool to small businesses. This resource takes them to a series of questions and if they answer "No, I don't know that", then they can go to links on our website for the things that they need to know. We also run a number of workshops. I give the member a bit of an example. We had a focus on bullying, and when a complaint has come in from someone saying they are being bullied, we have gone back to businesses and held workshops with businesses saying, "We are not saying there's bullying going on at your business, but come in and learn some of the things you need to know about what happens in the space." That is something we have developed this year, particularly around that issue. Our community education officers are also running workshops, and our forethought sessions are continuing.

Ms J.M. FREEMAN: I have been told of a significant reduction in the number of workplace health and safety representatives in businesses, which is concerning, especially with the growth in the number of employees in Western Australia. Is the parliamentary secretary able to give me details about the number of occupational health and safety representatives authorised in 2014–15, 2015–16 and 2016–17 up to this point in the cycle? That is, for the last two years and up to date, what is the number of workplace OHS representatives who have been authorised through the agency, so that we can confirm anecdotal advice that there has been a large reduction in the number?

Mr P.T. MILES: I ask Mr McCulloch to finish off, but my understanding is that workplace safety officers are not authorised by WorkSafe, so I am not aware of that.

[10.20 am]

Mr L. McCulloch: I will take it from there, parliamentary secretary. The number of health and safety reps across the state has stayed at around 6 000, but I do not know off the top of my head what the trends have been over the last three years, which is what the member asked for. If the parliamentary secretary is happy to do so, we will be able to provide that information. I check the mail a couple of times a week and see the forms come in for the —

Ms J.M. FREEMAN: Accreditation, if it is not authorisation.

Mr L. McCulloch: Yes, for the membership—for them to be health and safety representatives, yes.

Ms J.M. FREEMAN: Can we get the supplementary information on that?

Mr P.T. MILES: What is the member asking for?

Ms J.M. FREEMAN: Can we get the number of occupational health and safety representatives for the past three years and how many have come through and been accredited, authorised or whatever the word is, because they have to be trained and various things because they can give notices? Can we get them for the past three years and as a proportion of the total workforce?

Mr P.T. MILES: We can take that on supplementary, Mr Chairman. We are happy to provide the last three years of the number of authorised —

Ms S.F. McGURK: Can the parliamentary secretary include the raw numbers as well as the proportion of the workforce? A consistent Australian Bureau of Statistics figure on the workforce can be used so that we have an idea.

[*Supplementary Information No B72.*]

Ms S.F. McGURK: My question relates partly to the number of inspectors and the work that is being done, but really all the work of WorkSafe Western Australia. How many fatalities were there in 2014–15, and from July 2015 to the end of May 2016? Were any of the fatalities suicides; and, if so, how many of them were suicides?

Mr L. McCulloch: In answer to the first part of the question, in 2014–15 there were 22 workplace fatalities. So far this financial year there have been 16 workplace fatalities. The second part of the question referred to suicides. I have just had a quick look and none of the 16 workplace fatalities from July 2015 to date have been suicides.

Ms S.F. McGURK: I can see that over the last, say, five or six years the numbers have been fairly steady, if not increasing slightly. Is there any thinking about whether fatalities are happening in different industries or whether those fatalities have different characteristics?

Mr P.T. MILES: From what I have seen, member, clearly some industries are a lot more dangerous than others, but I will refer that question to Mr McCulloch to maybe provide a breakdown by industry. I think you have that information there, Lex.

Mr L. McCulloch: The three big ones, which account for 50 per cent of fatalities, are construction and mining, agriculture and forestry, and fishing. Those are the three industries that still create challenges for us. Given the nature of the fatalities, it is very hard to see a trend. One trend that has been emerging is that of people being hit by moving objects on both construction sites and farms. We are doing a lot of work around that. One of our proactive projects in the next year will be around that. We have a particularly good relationship with the agriculture sector. We have an agriculture safety advisory committee, which comprises members from Farmsafe WA Alliance, WAFarmers and the Pastoralists and Graziers Association. They provide a strong voice for us about those issues through their magazines. Touch wood, we do not have the same quad bike workplace fatalities in Western Australia as there seem to be in other states. We have had only three quad bike workplace fatalities since 2009, whereas the number of quad bike workplace fatalities in other states seems to be out of control. We use the agriculture groups. We target those industries. Obviously, in the mining sector, Resources Safety has responsibility in that space.

The CHAIRMAN: Members, can you keep your conversation down, because it is starting to distract me.

Ms S.F. McGURK: I understand that in the instance of a fatality that occurs when people are driving to and from work on a mine site, such a fatality may not be considered in the statistics. Can the parliamentary secretary confirm whether that is the case for people who drive from a work camp to the mine site itself?

Mr L. McCulloch: I cannot confirm that about the mining space because I do not know how Resources Safety does that. However, in general industry there are lots of road accidents in which people may be working and driving, but we do not count every road accident in which a worker is killed as one of our fatalities. The police do their investigation initially and if they believe that factors such as fatigue or poor maintenance of equipment are involved, they refer the incident to us and then we look at it from that prospective. If something has happened under our act, it will be counted. For example, if I had an accident while I was driving to or from work, it would not be counted. I cannot say that about the mining industry, sorry.

Ms L.L. BAKER: I refer to the heading “Consumer Protection” on page 511. My question relates to a project that the Consumer Protection Division was embarking on about a year ago. I would like to know what happened to it because it vanished. This is a slight change of pace and gears. I am sure that the parliamentary secretary would have been expecting a question like this from me at some point during the estimates. I refer to the sale of puppies and kittens in pet shops. Consumer Protection started to do research into an education campaign that told consumers why they should not do that. Consumer Protection sent somebody to interview me about the work that we are doing on this, but it has disappeared. I have not heard any news about it being progressed. It is important that Consumer Protection does this. I am interested to know what happened to it.

Mr P.T. MILES: I refer that question to Mr Hillyard.

Mr D.M. Hillyard: Thank you, and through the parliamentary secretary, there was certainly some media coverage of those things —

The CHAIRMAN: Members, can you take conversations outside because they are slowly getting louder and louder and distracting everybody.

Mr D.M. Hillyard: There was media activity around complaints that had been coming in and some particular issues. It has not progressed into a major education campaign, if you like, in putting out publications, developing websites and the like, but it has been a fairly consistent and constant theme in consumer products around consumers’ rights when buying pets and their rights under the Australian Consumer Law.

[10.30 am]

Ms L.L. BAKER: I think that has partly answered my question, but at the time that I was approached, I understood a more intensive campaign would be produced around this to lift awareness of the issue and educate consumers. I know that it is an ongoing issue within the department, and I am grateful for the department’s interest, but is there a plan to do any more to intensify the education campaign?

Mr P.T. MILES: I will refer this one to Ms Driscoll.

Ms A. Driscoll: As I understand it, there is a dilemma of consumer rights versus the way that the puppies are bred. If people go to private breeders —

Ms L.L. BAKER: I am terribly sorry, but I do not need to know about that; I am very aware of that.

Ms A. Driscoll: In terms of a consumer getting redress —

Ms L.L. BAKER: I am sorry to interrupt. I totally understand all of that and the department does a great job, but is any more money going to be spent to do more on this issue?

Ms A. Driscoll: Yes, obviously, it is a balancing act and there is a range of issues that we are continuing to manage. There is material available, generally.

Ms L.L. BAKER: So the answer is no; there is nothing planned at the moment.

Ms A. Driscoll: In terms of consumers buying a puppy and being able to seek redress, there is information available.

Ms L.L. BAKER: I am aware of that.

Ms A. Driscoll: In terms of the conditions under which puppies are bred, to some extent that becomes a consumer choice. If there are issues about animal welfare, there are probably other arenas in which that can be managed.

Ms L.L. BAKER: There is not, but thank you.

Mr D.A. TEMPLEMAN: I will stand because I may be hidden behind a chair.

The CHAIRMAN: It is called a commanding presence.

Mr D.A. TEMPLEMAN: I have always wanted to stand in this place—like they do in the House of Lords.

I refer to page 508 and the seventh dot point on the statutory review of the retirement villages legislation. I am aware that one bill has passed through this place that relates to a range of concerns and issues associated with the operation of retirement villages, but a second bill needs to be presented to Parliament. Firstly, when will we expect to see that second bill introduced to Parliament? Secondly, I would like to know how many retirement village owners or villages are currently under investigation by the department for alleged breaches of the act or other acts?

Ms A. Driscoll: Perhaps I will deal with the last question first. It is necessary for us to provide that list on notice. Certainly, both the acting commissioner and I regularly keep an eye on investigations in this domain. To make sure that we do not miss any investigations, we will get back to the member with the list.

Mr D.A. TEMPLEMAN: I am happy to receive that list as supplementary information.

Mr P.T. MILES: I will provide by way of supplementary information how many retirement village owners and/or retirement villages are currently under investigation for alleged breaches of the act or other acts.

[Supplementary Information No B73.]

Mr D.A. TEMPLEMAN: The parliamentary secretary may not be able to answer the second question. The department is aware of one Mandurah retirement village. I would like to know the status of the department's investigation into the Willow Creek Mews retirement village at this point?

Mr P.T. MILES: We will not need to provide that by way of supplementary information; I think Ms Driscoll can answer that question. We will provide supplementary information for the other question. I will ask Ms Driscoll to answer the remainder of this question.

Ms A. Driscoll: Firstly, I can respond to the member's question about the second bill relating to retirement villages. Work is underway to advance that legislation, but it is exceedingly complex. The issues being dealt with include memorials on titles and pre-contract transparency. Importantly, the member will be pleased to know, there will be further consideration of the registration of retirement villages and there will be a process to ensure that memorials are in place for each organisation portraying itself as a retirement village. Probably the most difficult area is the question of reserve funds, given we are dealing with the history of various villages that have quite different frameworks for that, but we want to provide transparency in arrangements going forward. There is also the treatment of strata title villages. Again, we have a bill that tries to deal with every scenario and there are complexities associated with that. A new issue that is emerging, particularly as villages age, is that there are often long and short-term rental tenancies in place as well as long-term leases. Those are the sorts of issues that we are trying to address in the second bill. Work is underway on that legislation, but I really cannot give the member a date for when we might have a discussion paper for that.

Mr D.A. TEMPLEMAN: And what is the status of the Willow Creek Mews investigation?

Ms A. Driscoll: There are two aspects to the Willow Creek Mews case. At first blush, the Consumer Protection Division was quite concerned about the contracts the village had in place and that there appeared to be a number of elements of those contracts that did not comply with the law. Now, through intensive work done by the division and the provider, all tenants, with one exception, have new leases. The remaining tenant without a new lease is in the process of selling their occupancy or their lease. Another thing to point out is that there is a new management arrangement at that village. The owners do not have day-to-day contact with the village and a third party is now involved in the management of that village. An investigation into a number of other breaches has been finalised. I understand that the findings and the legal assessment from that investigation will be presented to the commissioner in the near future.

Mr D.A. TEMPLEMAN: Thank you.

The CHAIRMAN: Members, can I get some guidance; at 11 o'clock I have to put division 45 and division 46.

Ms J.M. FREEMAN: Although the Western Australian Industrial Relations Commission does great work, we only need five minutes for division 46.

The CHAIRMAN: That is all I need to know. Member for Mirrabooka.

Ms J.M. FREEMAN: I want to talk about commerce and consumer protection at page 522 and the line item "Rental Accommodation Account" in the table "Details of Administered Transactions", particularly how the account allocation has been reduced. I will jump around a bit, but it will make sense. Note 2 under the heading "Explanation of Significant Movements" at page 511 states —

The increase in income between the 2014–15 Actual and the 2015–16 Budget of \$6.8 million ... is largely due to the Department abstaining from fully recouping its operational costs from the Rental Accommodation Account in 2014–15.

But I was given supplementary information that a \$6.3 million reimbursement would be taken from the rental accommodation account in 2014–15. The budget papers state that the difference will be \$6.8 million because the department abstained from recouping its operational costs. Was any money taken from the account? Given there is a difference of \$6.8 million, how much money did the department take from the rental accommodation account? I will come back with a question about the breakdown of the rest of the \$6.8 million.

[10.40 am]

Ms A. Driscoll: I will just paint a picture of why this occurred. The member would recall that I mentioned earlier that we have learned about the AER saving and other savings that would be required. The agency constrained its expenditure immediately, knowing it had quite a few serious issues to deal with in the upcoming financial year. In that process, it found itself significantly underspending. It was also very worried about the interest being earned on the rental accommodation account and the impact that would have on the tenancy advice network and also obviously the funds for the Magistrates Court. Because it had a surplus coming out of that year, it sought the Treasurer's agreement to not take any money out of the rental accommodation account for that year.

Ms J.M. FREEMAN: Did the department not take the \$6.3 million?

Ms A. Driscoll: The timing of that decision and our capacity to do that may have conflicted with these estimates in that we realised that we could not drawdown the normal \$6 million. Usually we would draw down about \$6 million and use about \$2 million from our own savings. That year we thought, "Hold on a second; we can actually not draw down anything", so that was the decision made and the agreement that was reached with the Treasurer.

Ms J.M. FREEMAN: So the department drew down nothing. The supplementary information that was given to me last year about the residential accommodation account that provides funding for 16 not-for-profit agencies that provide tenancy advice and education services for residential tenancies stated that in 2014–15, it was \$3.6 million; in 2015–16, it was \$3.7 million; in 2016–17, it is \$3.8 million; in 2017–18, it will be \$3.9 million; and in 2018–19, it will be \$4 million. Is it true that these amounts have now been reduced to \$3 million in each of the next three years, effectively cutting \$2.7 million of significant funds from the delivery of those services?

Ms A. Driscoll: That is correct. With interest rates as they are, both Commerce and the tenancy advice network have been asked to make considerable savings and find efficiencies because the fund cannot manage. Within Commerce we will be saving \$2 million in 2016–17. Some of that is being achieved through the efficiencies of the online tenancy bond arrangements. We decided to be very up-front with the tenancy advice network. We have given it over 12 months' notice that we would have to impose this. There is transparency through this process about the earnings on that account. If we compare the predicted earnings last year with this year, we can see the difficulties. We have worked intensively with each of the network providers. We are now comfortable that they can all operate under a new extension, albeit with limited resources and, of course, we will be renegotiating the sorts of outcomes that are expected. We are well placed to collectively manage the reality that we confront.

Ms J.M. FREEMAN: I want to go to the issue of transparency and being transparent in this budget. In last year's budget, there was a line item in the table headed "Details of Administered Transactions" that showed the expenses of grants to charitable and other public bodies and rental accommodation account grants for \$3.6 million, \$3.6 million and \$3.8 million. Although this budget shows the amount that Commerce is receiving from that account on page 522, I cannot see—I am happy to be shown otherwise—that payment to those not-for-profits in the budget. In terms of transparency, the seniors have been shifted to "Supplies and services". Have the rental accommodation account grants also been shifted from "Details of Administered Transactions" to the line item "Supplies and services" under the heading "Expenses" in the income statement?

Mr P.T. MILES: I will ask Mr Goodwin to respond.

Mr D. Goodwin: The member is quite correct. In reviewing last year's and this year's budget papers, there does seem to be a consolidation of both those accounts. I cannot give the member a precise answer at this stage, except to say that the format of the budget papers is done in liaison with Treasury, and it would seem that that would be its preference this year.

Ms J.M. FREEMAN: It is not very transparent though, is it? In the interests of transparency and so we know exactly what is occurring, can the parliamentary secretary give a breakdown of "Supplies and services", as shown on page 518, for 2015–16, 2016–17 and into the forward estimates? I would like to know where those supplies and services are going so we are clear about the amounts being allocated to the rental accommodation grants and the senior housing information service; otherwise, although we will know how much is in the rental accommodation grant in future budgets, we will not be aware of how much is being afforded to the not-for-profits. As the parliamentary secretary knows, the schedule to the act sets out who gets the money, but the thing about the not-for-profits is that it is all at the discretion of the minister. The budget needs to be clear how much those not-for-profits are getting paid. I just think that needs to be done by the parliamentary secretary outlining the supplies and services, not giving me just that account amount, so that we will know what is going on in that line item.

Mr P.T. MILES: I will ask Ms Driscoll to respond to that.

Ms A. Driscoll: I am not aware of why the format was changed either. It is interesting why the government would herald its anticipated spend for independent suppliers. Again, I do not know the rationale for this. We had contracts in the past and they were optional for future years. It was probably reflecting the anticipated spend. It is interesting. It is the case, as the member outlined before, that the average amount per annum was about \$4 million and now it is moving to \$3 million. As I said, it has been an open process. Whether we should be indicating how much we expect to spend on services that we are effectively procuring into the future is an interesting question in itself. Normally, we would leave it to the market to determine a reasonable price for services.

Ms J.M. FREEMAN: I am asking for a detailed outline of the supplies and services referred to on page 518. What was or will the \$24 million in 2015–16, \$23 million in 2016–17, \$25 million in 2017–18, \$27 million in 2018–19 and \$26 million in 2019–20 be spent on?

Mr P.T. MILES: I will ask Mr Goodwin to respond.

Mr D. Goodwin: The payments to the NGOs that the member initially started to discuss are on the administered part of the budget statements. They are considered to be administered because the department does not necessarily have direct control over those. The analysis that the member is seeking for the NGOs, if I understand that is what she is after, would be analysis of the payments under the “administered” line.

Ms J.M. FREEMAN: Where is that?

Mr D. Goodwin: It is in the first table that the member was referring to—the “administered” items towards the end of the budget papers.

Ms J.M. FREEMAN: What is the page number?

Mr D. Goodwin: It is on page 522. The payments to the NGOs would be part of the line item “Rental Accommodation Account” under “Expenses” and “Other”. The other line item that the member was particularly referring to in the income statement on page 518 is “Supplies and services”. That is payments to supplies and services for the department to deliver its services. That would be quite different.

[10.50 am]

Ms J.M. FREEMAN: Does that include the seniors housing information service payment but not the rental accommodation?

Mr D. Goodwin: It does not include the rental accommodation because that is in the administrative —

Ms J.M. FREEMAN: But it includes the seniors housing information service payment.

Mr D. Goodwin: To the extent that it may use it, yes.

Ms J.M. FREEMAN: The seniors housing information service payment used to be a separate item under controlled grants and subsidies. The seniors housing information service payment is now under supplies and services. Under that \$23 million, is there any other supplies and services money that goes to non-government organisations similar to the seniors housing information service? I do not want to know about the department’s paper clips or paper, but clearly the seniors housing information service payment is being put into supplies and services, which does not seem very transparent in terms of grants to not-for-profit organisations.

Mr P.T. MILES: I was just speaking to Mr Goodwin. It is found on page 519 of the budget papers. I will ask Mr Goodwin to take the member through it.

Ms J.M. FREEMAN: Can we get the answer by way of supplementary information?

Mr P.T. MILES: It is there.

Mr D. Goodwin: I draw the member’s attention to the heading “Details of Controlled Grants and Subsidies” on page 519. The member will see the payments listed for the seniors housing information service. I am sorry if I misled the member earlier; it is not part of supplies and services. The payment to the seniors housing information service is part of grants and subsidies.

Ms S.F. McGURK: Can the parliamentary secretary tell me which line item the money to Tenancy WA, for instance, and other tenancy services comes under?

Ms J.M. FREEMAN: It is the residential accommodation account.

Ms S.F. McGURK: I just got an answer from this side. Is it the residential accommodation account?

Ms A. Driscoll: Yes.

Ms S.F. McGURK: I understand that those not-for-profits have been advised of a 25 per cent reduction.

Mr P.T. MILES: Yes.

Ms S.F. McGURK: I have visited not only Tenancy WA, but also other not-for-profits that give tenancy advice—for instance, Midland Information Debt and Legal Advocacy Service Inc. Would that include advice for women escaping domestic violence situations?

Mr P.T. MILES: Yes, that would be correct. It would be advice for anybody seeking —

Ms S.F. McGURK: So there has been a 25 per cent reduction in funding for those not-for-profits that give tenancy advice, including advice to people escaping family and domestic violence situations. Has any assessment been done on what impact that could have on victims of domestic violence?

Mr P.T. MILES: I will refer to Ms Driscoll to answer that detail.

Ms A. Driscoll: There has been engagement with each of the 16 providers and quite a detailed analysis of the profile of the people they work with. Certainly, the new contractual arrangements will emphasise that services need to be directed to those with the greatest need. That will be very much part of the contractual parameter.

The CHAIRMAN: Members, if you want to spend five minutes on the next division, we need to close this one.

Ms S.F. McGURK: I have a further question. Is that analysis available?

Mr P.T. MILES: I refer to Ms Driscoll.

Ms A. Driscoll: That is really commercial in confidence. It has been part of the detailed review of the activities of each provider. Detailed information has been provided about their profiles, capacity, leases, staff costs and all sorts of issues. No; it is really a contractual inquiry with each of the providers to make an assessment of what is reasonable going forward.

Ms S.F. McGURK: However, there has been a 25 per cent cut in funding to those services. What work will they not be able to perform now as a result of those cuts?

Mr P.T. MILES: I refer to Ms Driscoll.

Ms A. Driscoll: Obviously, an array of people come in to seek assistance. As I said, an assessment will need to be done of those with the greatest need. It is important to say that the Consumer Protection Division itself provides an enormous level of support to people in terms of tenancy advice and dealing with breaches of the regulations et cetera. Consumer Protection is the better place to go to when people have greater means. However, we also recognise the importance of having services situated in the local area where people feel safe and secure to make inquiries. It is about balancing the resources and directing those who can help themselves to a greater degree into Consumer Protection.

Ms S.F. McGURK: With due respect, I imagine that if they could help themselves, they would not be coming in for help. I have one quick last question. Were bushfire victims directed to any of those agencies that received —

Mr P.T. MILES: No, I do not think we have any information about that specifically.

Ms S.F. McGURK: I can see from Tenancy WA's website that it provided advice to bushfire victims.

Mr P.T. MILES: We have no specific advice on who accessed what after the bushfires. Specific agencies went down there to help those people out, but not our department.

Ms S.F. McGURK: Can I have supplementary information on whether any of the 16 agencies receiving funding under that line item gave advice to the bushfire victims in Yarloop or Esperance in any of those other situations?

Mr P.T. MILES: We have no specific information on that. We can ask the agencies whether they were involved with any of the victims of those specific fires to which the member referred and provide that by way of supplementary information.

[Supplementary Information No B74.]

Ms J.M. FREEMAN: We will not worry about moving on to the Western Australian Industrial Relations Commission division. I apologise to the commission for that but we have run out of time. We can ask whatever we need to know through questions on notice.

In finishing off, I refer to the line item "Sale of Goods and Services" on page 522. How is it that in the 2014–15 budget the sale of goods and services was \$6.2 million, but the net appropriation spent was only \$261 000? The budget then goes back up to \$5 million and \$5.2 million in the forward estimates.

Mr P.T. MILES: I will ask Mr Goodwin to respond.

Mr D. Goodwin: I believe the inconsistency would arise out of reclassification of the revenues during the period, but I would need to —

Ms J.M. FREEMAN: Can that be given to me as supplementary information?

Mr P.T. MILES: In what regard?

Ms J.M. FREEMAN: Explain to me why there is a drop in the budget figure for the sale of goods and services from \$6.2 million to \$261 000.

Mr P.T. MILES: By way of supplementary information, we can provide information on why that figure dropped from \$6 million to \$261 000 and how that was reclassified.

[*Supplementary Information No B75.*]

The appropriation was recommended.

[11.00 am]

Division 46: Registrar, Western Australian Industrial Relations Commission, \$13 742 000 —

The appropriation was recommended.

Division 68: Local Government and Communities (Except Service 5: Promotion and Support of Multiculturalism), \$100 954 000 —

Mr N.W. Morton, Chairman.

Mr A.J. Simpson, Minister for Local Government.

Ms J. Mathews, Director General.

Mr C. Johnson, Director, Financial and Business Services.

Ms E. Delany, Executive Director, Corporate Services.

Mr R. Peters, Director, Community Funding.

Mr B. Jolly, Executive Director, Sector Regulation and Support.

Mr S. Hollingworth, Executive Director, Community Building and Services.

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are both short and to the point. The estimates committee's considerations of the estimates will be restricted to the discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the division. It would greatly assist Hansard if members could give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number to it. If supplementary information is to be provided, I seek the minister's cooperation to ensure that it is delivered to the principal clerk by Friday, 3 June 2016. I also caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

Minister, please introduce your advisers.

[Witnesses introduced.]

The CHAIRMAN: I give the call to the member for Mandurah.

Mr D.A. TEMPLEMAN: I refer to the first dot point on page 767 about the accountability and performance of local government. Has the Minister for Local Government met with or spoken at all to the Lord Mayor of the City of Perth about the ongoing investigation and subsequent State Administrative Tribunal investigation regarding the allegations against her; and, if so, when?

Mr A.J. SIMPSON: I have had no conversation with the Lord Mayor.

Mr D.A. TEMPLEMAN: The minister has had none on this matter at all?

Mr A.J. SIMPSON: No.

Mr D.A. TEMPLEMAN: The minister has had no meetings with or calls from her? The Lord Mayor has not sought the minister's advice on the allegations that currently remain unresolved?

Mr A.J. SIMPSON: No.

Mr D.A. TEMPLEMAN: When was the last time the minister spoke to the Lord Mayor of the City of Perth?

Mr A.J. SIMPSON: I think it was late last year, probably around November.

Mr D.A. TEMPLEMAN: Does the minister not find it remarkable that this investigation is now more than six months after the original Corruption and Crime Commission report? Does he agree that the status of the City of Perth, and indeed the status of the role—not the person currently filling that role—of Lord Mayor of Perth has been damaged by the extensive time it has taken for the alleged breaches to be investigated?

Mr A.J. SIMPSON: I make the point that the Department of Local Government and Communities has done a very good job in this investigation. Quite a large body of work had to be undertaken. I think I have said in the house that the director general has now passed it on to the State Solicitor's Office to prosecute the case. With regard to the Lord Mayor, I very clearly make the point that the local government operates itself; this is an investigation into one individual. It is going through that process. It will play its way from there. I can only point out that this will be resolved as soon as it can be.

Mr D.A. TEMPLEMAN: Given that the City of Perth Bill passed this Parliament earlier this year, and part of the act provides for the establishment of the Committee for Perth, when will the Committee for Perth meet? When it meets, will it be the first time that the minister will actually meet with the Lord Mayor since the last time he says he spoke to her late last year?

Mr A.J. SIMPSON: Yes, it will be. We are now in that process. The act comes into effect on 1 July. The member would be very much aware that the legislation allows for a committee to be formed with the Lord Mayor, myself and the Premier. That will be kicked off in the second half of this year, or I imagine very shortly after 1 July. I think as we speak the wheels are in progress to put that together.

Mr D.A. TEMPLEMAN: Has the minister or his department received or had concerns raised about the ongoing investigation and its impact on the status of the council and, indeed, the status of the Lord Mayor's position, given that the Deputy Lord Mayor recently expressed his view that the Lord Mayor should stand aside while these investigations continue? Has the minister and/or the department received any calls, formal letters or anything of that nature regarding the damage to the status of the City of Perth and/or the Lord Mayor's position?

Mr A.J. SIMPSON: No, I have not received anything. I point out, though —

Mr D.A. TEMPLEMAN: Has the department received anything?

Mr A.J. SIMPSON: With regard to the effect on the city, I will ask the director general to answer that question. In reality, I make one thing clear about the goings on at the City of Perth: it is an elected body. The Local Government Act clearly states that an elected body will govern the local government. Yes, the Lord Mayor and the Deputy Lord Mayor have had a bit of a discussion and moved a motion that resulted in a 5–4 vote. If I was to dismiss every council that moved a motion that resulted in a 5–4 vote, I would run out of commissioners! Let us be honest about this: the City of Perth has the highest status of our local governments. What is more important for me as the Minister for Local Government is to implement the Local Government Act, under which administrations provide services to ratepayers, such as picking up bins and sweeping roads. The operation of that is fine. Yes, there are some issues to do with the elected body, and the process is being worked through. It is more important for me as Minister for Local Government to implement the Local Government Act, and that is what I am doing.

[11.10 am]

Mr D.A. TEMPLEMAN: I have a further question about that answer. The minister has already made comment in recent media, using terms such as “disgraceful”, about the recent meeting when the council moved a motion of no confidence in the Deputy Lord Mayor, and the minister said that they were behaving like children in a playground —

Mr A.J. SIMPSON: They were.

Mr D.A. TEMPLEMAN: — and that it was disgraceful. Has the minister's communication with the City of Perth since late last year been mainly via the media?

Mr A.J. SIMPSON: That is correct.

Mr D.A. TEMPLEMAN: The minister's comments have been to the media. I have a final question. The minister will probably need to provide this as supplementary information. Can the minister provide a list of all current investigations being carried out by the department into alleged breaches of the act, or concerns or complaints against councils, council staff and elected members?

Mr A.J. SIMPSON: I will. Is that for every local government in Western Australia?

Mr D.A. TEMPLEMAN: Yes, for every local government in Western Australia.

Mr A.J. SIMPSON: So the 138 local governments?

Mr D.A. TEMPLEMAN: Yes.

Mr A.J. SIMPSON: I am happy to do that.

Mr D.A. TEMPLEMAN: Included in this is the minister's so-called on-watch list.

Mr A.J. SIMPSON: Yes.

The CHAIRMAN: Can the minister clarify that for *Hansard*?

Mr A.J. SIMPSON: I will provide to the member as supplementary information the ongoing investigations on all local governments in Western Australia in regard to any councillors and staff.

[*Supplementary Information No B76.*]

The CHAIRMAN: Was that the member's final further question on that topic?

Mr D.A. TEMPLEMAN: Yes. But, lastly, the minister indicated that he has not spoken to the Lord Mayor since late last year. Does that include that he has not spoken to her at any function related to local government in that period?

Mr A.J. SIMPSON: Correct; I have not spoken to her since last year.

Mr D.A. TEMPLEMAN: Is there any reason for that?

Mr A.J. SIMPSON: Actually, she has just put in a request to meet with me, and I think that is going to happen in the next week or so. I think that has come through the channels. We will just have a chat about the City of Perth and the committee, and I think that is coming up in my diary. In the next couple of weeks I will be meeting with her.

Mr D.A. TEMPLEMAN: Did the minister not think it was perhaps appropriate for the minister to have made contact with the Lord Mayor?

Mr A.J. SIMPSON: As I said, I am following the Local Government Act quite closely to make sure that we keep this transparent. I am just concerned about making sure that I follow the Local Government Act. The Lord Mayor wrote to me seeking a meeting and we have followed that through and are about to have a meeting. It is the first time she has made contact to ask for a meeting, so we are happy to take that on board.

Ms M.M. QUIRK: I refer to the third row in the second column of the table under "Relationship to Government Goals" on page 767 of the budget papers, which reads —

Seniors received concessions and rebates administered by the Department.

From time to time both the minister and Premier have said that we have the most generous concessions scheme of anywhere in Australia. I want to know the basis for that claim, how it has been calculated and whether it includes potential discounts available to seniors, or is it just solely on concessions?

Mr A.J. SIMPSON: We have compared concessions in Western Australia with those in the other states. The nearest state to us that offers the most concessions is, I think, Queensland. After that, the member will find that Victoria and New South Wales—the larger states—offer only around five or six concessions. We have compared the states on the amount of concessions and the dollar value of the concessions available with the WA Seniors Card. We have come up with the monetary value that people can obtain through their Seniors Card discounts and concessions and so forth. When we say that it is the most valuable seniors card in Australia, that is based on a number of issues, such as the amount of concessions received and the dollar value received when accessing concessions.

Ms M.M. QUIRK: Is the minister saying that that claim is based on the concessions and possible discounts, or is the claim based also on concessions that stand alone?

Mr A.J. SIMPSON: To clarify, it is on concessions with the card, which is the amount of concessions received when people can get a discount. I have a list in front of me and there are about 15. I am happy to table this document that contains 15-odd concessions.

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

Mr A.J. SIMPSON: As to the dollar value, Western Australia is the only state with a cost-of-living cash payment. Last year South Australia changed its council rebate; it took it away and gave it back as a cost-of-living rebate. South Australia has copied us. It took away rates concessions and then made a cash payment. South Australia is the second state to give a cash payment; prior to that we were the only state that did. Of course, the discounts go right through, with energy, water and shire rates still in play. I think the important part is to acknowledge the amount of work we do in this area to support seniors in our community.

The CHAIRMAN: Is the minister tabling that document?

Mr A.J. SIMPSON: Yes, I will; it shows 14 concessions.

Ms M.M. QUIRK: In terms of monetary value, does the minister still contend that that is the case?

Mr A.J. SIMPSON: I will just check with my director general, but I think the figure we came to is around \$1 500 a year with the WA Seniors Card. Can one of my advisers clarify that in the documents? They are savings people would get if they were to exercise the concessions.

Ms M.M. QUIRK: No, I am talking about concessions alone.

Mr A.J. SIMPSON: I would have to go through and look at all the concessions, including water, power and shire rates concessions and the discount on drivers' licences, fishing licences and so forth. I do not have the individual figures.

Ms M.M. QUIRK: We might get that by way of supplementary.

Mr A.J. SIMPSON: I am happy to provide supplementary information on the value of the concessions people receive with a WA Seniors Card.

Ms M.M. QUIRK: And interstate comparisons?

Mr A.J. SIMPSON: Does the member want interstate comparisons?

The CHAIRMAN: Is the minister comfortable with that?

Mr A.J. SIMPSON: I am, as long as I can get the information from the eastern states. I think I should be able to.

Ms M.M. QUIRK: The minister has already told us he has used it as a comparison.

Mr A.J. SIMPSON: I have, on the total value.

[Supplementary Information No B77.]

Mr F.A. ALBAN: I refer to the details of controlled grants and subsidies on page 774. The fifth line item refers to companion animal shelters. I recall that that funding initiative was for a limited time, and then a media release came out last year extending the funding for two more years. The 2016–17 budget has an allocation listed through the forward estimates. Can the minister update us on this funding and the shelters it is targeted at?

Mr A.J. SIMPSON: Yes; I thank the member for Swan Hills for his question. Yesterday I went out and did another media release to launch another \$800 000 over four years. That will bring the total money invested by this government to support companion animals to \$1.6 million. We originally started that support because we had made some huge changes. This government has been very committed to companion animals. We reviewed the Dog Act and brought in the cat legislation. We have done a huge amount of work to make sure companion animals are well protected and well resourced throughout the community. The facts are that to date the funding has assisted in more than 14 000 domestic pets being rescued, 11 000 domestic pets being rehomed, and 11 600 being sterilised, which is very important to reduce the number of unwanted pets. The Cat Haven in Shenton Park received an annual allocation of \$75 000, the Dogs' Refuge Home in Shenton Park, where I was yesterday, received \$75 000, the Animal Protection Society of WA in Southern River received \$12 500, the Swan Animal Haven in South Guildford received \$12 500, the K9 Rescue Group received \$12 500, and the Saving Animals From Euthanasia shelters statewide received another \$12 500, making a total of \$200 000. We have now allocated \$800 000 over the next four years to make sure that we can support companion animals in our community. More importantly, we will support those organisations that do fantastic work. The dog home I was at yesterday has more than 100 volunteers at one time or another to help out with looking after companion animals. It is a fantastic that we support companion animals in our community.

Ms J.M. FREEMAN: I refer to the youth grants under "Details of Controlled Grants and Subsidies" on page 774. Why has there been \$175 000 worth of cuts to the youth grants, considering that they are such minor amounts? Last year's forward estimates allocated \$1 149 000, but that has now been cut to \$974 000. What programs will be cut, and what is this government's commitment to youth, given this massive cut? Nothing on youth appears in the outcomes and key efficiency indicators.

[11.20 am]

Mr A.J. SIMPSON: The government is very supportive of youth. It has done a fair bit of work with youth. Since I have been the Minister for Youth, my department has done some great work with the Youth Affairs Council of WA. We moved the youth awards from April to November and have had an increase in the number of people applying for the awards. They had been dropping off. It has been very well done and we have worked closely with YACWA to do that. We have done a raft of work around Youth Week. We are also currently working with the Hong Kong government on an exchange program for later this year, which was part of the reason for my trip to the youth symposium in July last year. With regard to the figures in the realignment—I will pass over to the director general to give more details—the drop is more to do with the realigning of other grants and moving them around.

Ms J. Mathews: There has been a slight reduction but that is more due to a review of the various programs that are now available to youth and looking at new initiatives that are being developed for young people. There are some significant new initiatives, including funding by the country local government fund. An amount of \$1.4 million has been made available to support young people in local government. Although there has been a slight diminution —

Ms J.M. FREEMAN: In the regions?

Ms J. Mathews: In the regions.

Ms J.M. FREEMAN: By royalties for regions?

The CHAIRMAN: Member, we will have a question, we will have an answer, we will have a question and we will have an answer. Let the director general finish. You can ask as many further questions as you see fit.

Ms J. Mathews: If I may say, the member has referred to a particular line item. I am highlighting a reduction in a particular line item around youth grants. That has been supplemented by a range of different funding across the youth portfolio in other areas. It just does not show up in that particular line item.

Yes, the country local government fund, for example, has a major new initiative supporting young people to undertake traineeships and scholarships with local government, which was a really important strategic initiative. Although there might have been a reduction in a couple of the small grants-type programs, we are looking increasingly at strategic initiatives that support young people. For example, enhanced funding has gone into supporting some quite significant collective impact and collaborative activities for youth, such as the south east metro youth corridor partnership, which is a significant program. It is being carried out through a number of local governments in the south east metropolitan corridor to support young people across a range of areas. The overall effort in youth is significant. Approximately \$5.6 million per annum goes into supporting the youth portfolio.

Ms J.M. FREEMAN: I am looking at supplementary information A47 that was given to me in 2013: The minister gave me an outline of all the youth programs. If I add this up, about \$6.5 million was spent on youth in 2013–14. There was \$5 million from 2013–14 over a range of programs, and given that the government has cut \$175 000 out of the youth grants section, that would not indicate that there has been a significant movement. So that the minister can show me that, can he give me as supplementary information all of the Department of Local Government and Communities youth services expenditure? I would like it to follow the same format as the information he gave me on 22 August 2013. Can he give me the same information so that I can see how it matches up with what he gave me in that period?

Mr A.J. SIMPSON: I am happy to provide as supplementary information the breakdown of the grants that are given out and the youth services that are provided through the Department of Local Government and Communities.

Ms J.M. FREEMAN: Can I clarify that it will take the same format as the previous supplementary information that was given to me in 2013, supplementary information A47, so that it can be compared?

Mr A.J. SIMPSON: Yes.

[Supplementary Information No B78.]

Mr J.E. McGRATH: I refer to the first dot point on page 767 under “Significant Issues Impacting the Agency”. Earlier this month the Minister for Local Government launched the MyCouncil website, where people can log on and find out how their council is performing. Does the minister have any figures that might indicate whether the community has embraced this initiative? What feedback has the minister had from the local government sector?

Mr A.J. SIMPSON: The MyCouncil webpage is a fantastic webpage to enable the community as a whole to understand where its local government is spending its money. When it was launched last month, it had just over 23 000 hits in the very first week. Even now it has 500 to 750 hits a day. It is a fantastic information tool to get access to what a local council is spending money on. One of the key issues for the department and me is that each year with rate notices—we are about to roll out another round of rate revenue—it is important for the ratepayers to be very much educated about where the council is spending their money. Ratepayers can see very clearly on that webpage how the rate revenue has risen in the past 12 months and they can go back over the previous four years to see the rate revenue. They can look at the council’s budget and how much is spent on wages and compare it with that spent by neighbouring councils. The important part is to educate the ratepayer. Most of the feedback I get is from councillors, who now have a better understanding of where their council is spending money. It has been one of those issues for councillors to try to understand. Prior to that, they had to work out ratios. Ratios came up on a screen and the average person, unless they were an accountant, would not understand what they meant. The easy-to-use format has been a useful tool for not only councillors and staff, but also ratepayers. We are trying to put downward pressure on rates. Now the ratepayers can be far more informed about the decision their council is making. When the council starts talking about this year’s rate increase, the

ratepayers can see quite clearly how much the council has raised in rate revenue, how much has come in as grants and fees and how much has come in as fees and charges. People would be surprised at how many councils make a fair bit of money out of parking, especially those close to the city. The webpage is working very well. It is educating the ratepayer and, hopefully, that is the way we can get some transparency around local governments and how they spend ratepayers' money.

Mr J.E. McGRATH: Is the minister able to give some indication of which communities are making the most hits on the site and which councils are attracting the most interest from their communities? Is there a premiership ladder for it?

Mr A.J. SIMPSON: I do not have a premiership ladder but I can point to the outer metropolitan growth councils where the pressure is strong to deliver services. They have the larger rate increases because the greenfield growth of a new council trying to deliver infrastructure puts a lot of pressure back onto the ratepayers. The greenfield growth areas, where the first homebuyers are, wear the brunt of larger rate increases because the councils are trying to build a lot more infrastructure very quickly. It is mainly around there more than anywhere else to have a look at and understand how the council is spending their money.

Mr J.E. McGRATH: Would the minister be prepared to make that information public along the line so that we as members of the community get an idea about which councils are attracting more hits and whether people are happy or unhappy with them?

Mr A.J. SIMPSON: I encourage the member for South Perth as the local member to encourage his ratepayers to look at their council and, more importantly, to compare their local council with their neighbouring local council to get a comparison of how it is travelling in terms of rate increases, revenue, wages and staff, and to look at the population base. He should encourage his ratepayers to look at the website because they complain to their local member about rate increases: "My rates keep going up. What are you doing about it?" They should be directed to the webpage and they should be asking their councillors, not their local member, those questions. I encourage the member for South Perth to use that as a tool to help combat the issue of rate increases and to see what the council is doing and spending money on.

Mr D.A. TEMPLEMAN: The minister did not answer the question about feedback from councils on the MyCouncil website. I understand that some councils, including mine, have raised concerns about it. Secondly, the minister mentioned growth councils. Is it the department's intention to introduce a rate cap on councils in Western Australia?

[11.30 am]

Mr A.J. SIMPSON: I am on the record as saying that I do not support rate capping.

Mr D.A. TEMPLEMAN: That is not the question. Will the minister be introducing a capping system on councils?

Mr A.J. SIMPSON: I do not support rate capping, and I can clearly rule that out. We have no reason to bring in rate capping. The Local Government Act is written in such a way that it makes local councils independent bodies elected by ratepayers to make decisions on their behalf. What we need to do, and what we have done during my time as minister, is introduce more transparency with an integrated planning and reporting process, and community plans. Now the MyCouncil website introduces far more transparency, bringing the gift register online. Local governments will have to introduce more transparency. Every elected member of Parliament can see that. You can see that, Mr Chairman, when you travel and table the report in Parliament. Everything you do is available on the net, including your wages and the benefits you receive as a member of Parliament. This is what we have to do with local governments—put them in the same hemisphere of transparency and accountability.

Mr D.A. TEMPLEMAN: Prior to last year's Western Australian Local Government Association Local Government Week, the minister, as well as the Premier, made comments about capping. Is the minister now saying that the Liberal Party, going to the election next March, will not be mooting a capping process for local government?

Mr A.J. SIMPSON: In my speech for Local Government Week last year, which is available, I said that I am not in favour of rate capping. I do not believe that is the way in which local government should operate. Taking the New South Wales example, one of the key areas around rate capping is that it leads to efficiencies, but it will eventually affect infrastructure upgrades. That is one of the key issues around rate capping there. Victoria is going through it all now, and time will tell. From my perspective, local governments are autonomous bodies that can make their own decisions. They are responsible to their ratepayers. I do not support a rate capping system.

Mr D.A. TEMPLEMAN: Has the minister pursued that with the Premier? He has been overruled by the Premier on a number of occasions in the local government portfolio. Does the Premier agree with the minister's position?

Mr A.J. SIMPSON: I think the member should ask the Premier that question.

To finish up on the member's question about the City of Mandurah not being happy with the website, the City of Mandurah is a classic example of a fast-growing metropolitan council, and the member would know that. There has been greenfield growth in suburb after suburb in the 15 or 20 years that I have been associated with the area. Quite clearly, the city has to borrow to deliver some services—everything from tourist information through to roadworks. Its score was rather bad on only one indicator. The financial score was not as good as it could have been, and I take that on board, but it is only one of seven.

Mr D.A. TEMPLEMAN: It was the sustainability indicator. It is a pretty significant indicator.

Mr A.J. SIMPSON: Yes, but there are seven parameters that need to be applied to a local government to work out whether it is working. The most important thing about borrowings is that they must be able to be maintained on the rate base, and that is one of the key issues. Also, is the council able to replace its assets? The borrowing is one area that brings Mandurah down, but it is more important to acknowledge that Mandurah is both an outer metropolitan growth council and a regional centre. For example, it provides a performing arts centre that is used by everyone in the Peel region, including me, but they do not pay a cent to the City of Mandurah to maintain or run it. It is one of the key regional centres. Bunbury is similar in a lot of ways; it is a regional centre, and everyone from surrounding areas will come in and use its facilities. When we dig a bit deeper, we find that the City of Mandurah is travelling reasonably well. Its financial score was not quite as good, and it has a bit of work to do, but it is operationally good and it is ticking the boxes.

Mr D.A. TEMPLEMAN: I refer to the first dot point on page 767 of the *Budget Statements*, which is about transparency. This relates to the transparency measures that were part of the City of Perth Bill, which amended the Local Government Act. As the minister is aware, his department sent out a memo or a bulletin, not long after that bill passed through Parliament, with about eight or so examples of when gifts should be declared et cetera. This has caused some consternation amongst councils. How many councils have informed the minister that they are suspending activities that may be construed as relating to receiving gifts? How many such notices has the minister and/or the department received? What communication has the minister sent to local governments about the implications of the new transparency measures?

Mr A.J. SIMPSON: I have received no more than four or five letters from local councils about the gift register. The gift register has been there since 1995, and, as the member is aware, I did not change that legislation; we just replaced the annual return with an online system to get some transparency. We added some conditions that gifts must be declared within 10 days of being received. We have obtained some legal advice through the department on what constitutes a gift. As to the eight scenarios that were sent out, to a lawyer the question of what constitutes a gift would be black and white. I understand that it has caused a bit of angst in the wider community and I have seen a lot of stuff going back and forth internally and in local papers. We have worked with the department, the Local Government Managers Association and the Western Australian Local Government Association to form a committee to look at and review the issue of gifts. We started this three or four years ago, but it did not actually go anywhere. It was raised pretty much as soon as I first became minister in 2013. The president said at the time that the \$300 limit had moved on a bit, and now the return showed \$500, and it did not make sense why it was one and not the other. We agreed then to do some work, but that work did not progress far enough to produce any recommendations for changes.

We need to determine what a gift is, and that is one of the key issues that comes unstuck. If a councillor is receiving a gift for something in return, it will need to be declared. If a councillor mows his neighbour's lawn and then receives a cup of tea and a piece of cake afterwards, is that a gift? Not really, but if a developer who will be doing some work for the council takes a councillor to the football, that has to be declared because there is a conflict of interest, and there could be some sort of financial gain for the developer. We start pulling it apart and try to work out whether a Mandurah councillor has to declare that his cousin gave him a Blu-ray player for his birthday. The act is quite clear; it is black and white, and it states that, and that is the interesting part about it. We need to work together to review the gift provisions in the act, to clearly define whether the person we are dealing with has any involvement with the council. That is probably what the determination has to be. In that case, we can make sure we are being transparent.

Mr D.A. TEMPLEMAN: Part of this whole issue is communication. What communication is the minister currently sending, or has the minister sent, to 140 councils about this matter, not necessarily from the department but from the minister? I will give the minister a very quick example. Last night there was a dinner in Mandurah for a movie that is to be filmed and funded in the Peel region, with Ben Elton. The organiser of the dinner informed me last night that the Mayor and the CEO of the City of Mandurah declined to go, citing the issue of the gift. It is still causing concern, and, it seems, is preventing —

Mr A.J. SIMPSON: I will clarify that issue for the member, and I will pass the question to my director general to give him a clarification —

Mr D.A. TEMPLEMAN: This shows that councils out there are now saying that they will not be involved in this or that, citing these transparency measures. What is the minister doing to clarify and make this crystal clear, and to communicate with the councils, because it seems to be causing confusion?

The CHAIRMAN: Members, we will hear a question and then get an answer.

Mr A.J. SIMPSON: I will pass this question to the director general to clarify, but it is very clear that local governments should get their own advice. They are quite entitled to do that; it is not up to me or the department to write to them with advice, but we can provide some guidelines. I am pretty sure that if the local government declares attending a dinner to promote the Peel region with a film project as a gift, that is a way around the issue. That is the interesting part about it; the gift can be received, but it must be declared. The director general will provide a bit more information about how that can be done, what work we are doing in this area to make sure we can do it, and the information that has gone out.

[11.40 am]

Ms J. Mathews: The purpose of the amendments to the Local Government Act about gifts was to alter the timing and the method of declaration, but not the circumstances in which declarations are to be made. That was not changed. Prior to the act being amended and coming into force, the department sent out a number of circulars to local governments informing them, advising them, giving a heads-up and clarifying the point of those amendments. It subsequently sent out an information bulletin, because it was starting to get a few inquiries, and over the years has had a few inquiries, about the circumstances in which to declare gifts. In the past we have issued some guidelines around that and, more recently, we had the information bulletin setting out a range of scenarios in which to provide guidance to the sector around that. At the end of the day, it is up to each elected member to seek their own advice on what to declare. It is up to them to do that. Our role is to educate, and to provide advice and guidance around that. The response has indicated what is probably a gap in understanding the existing requirements. Those requirements have been in place since 1995, essentially since the Local Government Act was introduced. As I said, the circumstances have not changed for when a gift needs to be declared; it is the method and timing of the disclosure which, of course, now needs to happen as part of a gift register.

Mr D.A. TEMPLEMAN: I do not dispute that. Essentially, the amendments to the City of Perth Act and, ultimately, to the Local Government Act simply require councils to publicly publish on a website a gift register. I cited one example last night, but there are many others. The Western Australian Local Government Association has written about this in its publication, including the most recent “Western Councillor”. There is confusion and concern. What is the minister doing to allay that confusion and concern? If this is still continuing, as late as the example that I gave last night, the message is not getting through. What is the minister going to do? Is he going to issue a ministerial statement or write to all the councils as minister—not as the department—clarifying the situation, because that would help clarify this confusion?

Mr A.J. SIMPSON: The important part here is that each local government is entitled to obtain its own advice on what a gift is. It is clear from what the member said that when someone receives a gift valued at over \$200 that they declare it. All they have to do is declare it, and they can take the gift, go to the dinner and do what they want. That rule has not changed; it has always been there. The interesting part that I take on board is that there is a little bit of confusion. In fact, it worries me that local government councillors have all of a sudden woken up to the fact that the 1995 act outlines what a gift is, but they are saying that they did not understand what a gift was. That is concerning and hence why I have been pushing very hard for councillor training.

Ms M.M. QUIRK: Minister, the quotation marks will not come up in *Hansard*.

Mr A.J. SIMPSON: The interesting part is that we are working with WALGA to try to resolve this. It concerns me that the City of Mandurah cannot work out whether it should accept this gift. It means that it does not understand the Local Government Act, which is something that needs to be raised with them. I am sure that councillors can avail themselves of advice to find out what they have to do so that they can go to the dinner. In no way would I like to think that the mayor could not go along and represent her city at such a big event, such as screening of a film by Ben Elton on the Peel region, which is fantastic. It is right that the mayor of Mandurah attends, and possibly all the mayors from the surrounding regions should attend too. We are getting to the bottom of it. I am waiting for WALGA to come back to me. I have asked WALGA to put together a working group that will come back to the department. We need to define what a gift is. When that comes through, we can communicate that back to them. But advice is always available to local governments.

Dr K.D. HAMES: I refer to page 774 “Details of Controlled Grants and Subsidies”, the line item “Community Gardens”. Minister, community gardens is a popular initiative from the Liberal–National government and a group in my electorate received funding when it was first announced. From memory, funding was for a four-year period and continued into the out years. Can the minister update me on the rollout of the community gardens initiative?

Mr A.J. SIMPSON: I thank the member for Dawesville. This initiative came from the last election in which we supported community gardens as a whole. It is a fantastic use, normally of a vacant block down the road, so that a community can come together. The initiative goes a long way to supporting the community network and the fabric around a community to come together. I have found the opportunity as minister to visit quite a few

community gardens and it is amazing to see the wide spectrum of people—young and old—who get involved with their community garden. These gardens work really well. Another point is that community gardens help communities come together to build community spirit and understanding of their neighbours and also to combat problems in the community on a wider level. Community gardens are fantastic. Since its introduction, the program has provided grants worth \$350 000 to 27 community gardens throughout Western Australia. For the record, that is 11 in the metropolitan area and 16 in the regions, with \$20 000 available to create new gardens and \$10 000 for existing gardens. We will maintain those levels into the future and will continue to fund community gardens. They have been doing fantastic work. The member for Mandurah will be interested to know that the community garden in his electorate received \$9 900 back in 2014 to host an open day and to fund a guest speaker to deliver a smarter education session in the community. Community gardens are fantastic little organisations that operate throughout the state for communities. It is great that this government has recognised community gardens and has continued that funding for the next four years.

Dr K.D. HAMES: While we are talking about local government grants, I was recently in Kununurra and I spoke to the mayor of the Shire of Wyndham–East Kimberley who talked about the 130th anniversary of Wyndham. Are there any local government grants that would assist in such a celebration?

Mr A.J. SIMPSON: I am looking forward to that celebration in August. As an ex-Wyndham kid, I spent seven years of my life there. As Minister for Local Government I funded one of the organisations for that 130th anniversary celebration. I am happy to have a chat with the council about other grants that may be available. It is a very auspicious occasion. The port of Wyndham was a big part of the state's infrastructure, and also with the live export trade in recent years. In my day, the meat works employed over 500 people in its heydays of the 1970s. The Kimberley has changed and fortunately Wyndham will survive because of the port, but Kununurra has taken over from Wyndham. It is called the Shire of Wyndham–East Kimberley because Wyndham was the larger of the two towns in my day, but things have moved on a lot and it is now struggling. It will have a great celebration in August and I will have a chat with the member and make sure that we can find some grants to help out celebrations. I know that I have already helped one community organisation that had written to me, and I hope that we can find some more.

The CHAIRMAN: That was a long bow for a further question on community gardens, but I will let the member off because he was silent on the previous division.

Ms M.M. QUIRK: I refer to the table on page 767 and the reference to desired outcomes for concessions. Where is the plan to have a private company manage the Seniors Card that was supposed to be announced on 13 May? Where that is at and what is the rationale for doing it, and how much money does the government think it will save?

Mr A.J. SIMPSON: The government is trying to broaden the WA Seniors Card. Currently WA has over 300 000 Seniors Card holders. Every two years I print a booklet that tells people where they can get a discount with their Seniors Card, but unfortunately from the day it is printed it is almost obsolete; and if someone drops out or someone wants to come in, they have to wait two years. We are trying to partner with someone who can deliver more of an online service to seniors. The first stage has been to set up a WA Seniors Card portal. Recently we had 20 000 hits on that web page. This portal allows people to see what they can get with their WA Seniors Card. When people log in they will know when to apply for their cost of living rebate and what other milestones are coming up. We want to take that one step further. For instance, if I wanted to spend the day in Mandurah, I could hop onto this web page and find that I could travel on the train after nine o'clock for free. I would know when I got into Mandurah where I could get a cup of coffee, and that I could get a discount at Peel Zoo and where I can use my card to get a discount for lunch at a restaurant, and then I could make my way back to Perth. We are trying to make it easier for seniors to explore the metropolitan area, and if they are travelling interstate or in a regional area, so they know at which motels or other businesses that they can get a discount. We are trying to add value to the Seniors Card. It is little confusing when people have to walk into a shop and ask whether they can get a discount, so we are working with a company to see if we can make this information available online. The member is right. We went out for expressions of interest to see whether we could find a way to work with a company to set up the webpage with an available portal through which seniors could find out about available discounts. Consequently, it is separate from the WA Seniors portal; no information or data from the website will be transferred. It will be up to seniors to login to the webpage to see what concessions or trips are available. Obviously the company that owns it will sell advertising on the website, and I am guessing that such advertising will target seniors and advertise glasses and so forth or whatever the company wants to advertise. It has been a really good way of adding more value to the Seniors Card so that seniors can work out where to get discounts. We have also tried to make the user-friendly process a lot better. I understand that not all seniors have access to the internet, so what is currently in play for seniors will continue. Seniors can still phone the Seniors Card Hotline to find out where to get discounts. I advise local members of Parliament that the hotline is available if they want to help their seniors find information. The hotline will keep running. This will not change the paper system or the phone system. We are trying to add more value to the Seniors Card and we are trying to be more smart and savvy about how seniors can access that information.

[11.50 am]

Ms M.M. QUIRK: A booklet is published from time to time but it is no longer posted. Does the minister intend to publish the booklet under this system?

Mr A.J. SIMPSON: No, we will not publish the booklet, but it is now available online. If people want to print the booklet, they can do so, but it contains quite a few pages; or they can print the page that shows the restaurant or coffee shop that they want to go to. Seniors can look up the booklet online to get an address. They do not have to do much at all. It is available through the WA Seniors Card Hotline. Seniors can ring up and ask where they can do this or that. The problem with the booklet was that the minute it was printed, it was pretty much obsolete. Further, if businesses wanted to advertise in the booklet that their business offers a discount with the WA Seniors Card, they had to wait another two years to do so. The booklet will remain available online. Basically, since November 2015, 3 000 online account services have been registered. The booklet is still there, but in an online version. The cost of printing it and putting it together will be transferred to finding a better way to support seniors.

Ms M.M. QUIRK: Can the minister supply information about how much money will be saved by no longer publishing the booklet?

Mr A.J. SIMPSON: I am happy to provide as supplementary information the cost involved in putting together the biannual “WA Seniors Card Discount Directory”.

[Supplementary Information No B79.]

Ms M.M. QUIRK: One of the extended concessions that came in last year was free after-hours public transport for seniors. How many seniors are now travelling after hours?

Mr A.J. SIMPSON: I worked out that figure just the other month with the Premier. There have been quite a few.

Ms M.M. QUIRK: By way of clarification, minister, I have asked this question on notice several times and all I get is the total number for the period since it was expanded. I want to know who travels between 6 pm and 6 am.

Mr A.J. SIMPSON: I am happy to provide by way of supplementary information the number of seniors who travel between the hours of 7.00 pm and 6.00 am

[Supplementary Information No B80.]

Mr D.A. TEMPLEMAN: Mr Chairman, I have a procedural issue. On the program half an hour has been allocated to the Metropolitan Cemeteries Board. I understand that I indicated that we would need some time, but it is actually a part of this division. We will need only 15 minutes, so I request that the committee resolve —

The CHAIRMAN: It is set in stone.

Mr D.A. TEMPLEMAN: Can the committee resolve to change it?

The CHAIRMAN: The committee can resolve only to change the order of proceedings, but once the divisions within that time frame are set, they are set.

Mr D.A. TEMPLEMAN: But this is part of the division.

The CHAIRMAN: It is listed separately. Sorry, member. I understand the intent of what you are trying to do, but unfortunately I cannot accommodate your request.

MS S.F. McGURK: I refer to the spending changes on page 765 and the line item “Cessation of Beyond Gambling Grants”. Half a million dollars will be removed each year in the forward estimates. Was this money given to a not-for-profit to give that advice; and, if so, which not-for-profit? How many people accessed the service over the last three financial years?

Mr A.J. SIMPSON: I may have to take the question on notice about who received the grants. As the member noted, the gambling grant stopped and has been rolled into financial counsellors. As the member may remember, last year my department —

Ms S.F. McGURK: Money that you halved.

The CHAIRMAN: Hang on. I have been consistent about this the whole time. We will hear an answer and then members can ask a question.

Mr A.J. SIMPSON: As the member would be aware, the responsibility for financial counsellors was transferred from the Department for Child Protection to the Department of Local Government and Communities. To fund that, we have rolled the Beyond Gambling grants into that to fund financial counsellors in the metropolitan area. That is where that money has gone. Beyond Gambling grants were established in 2011 in partnership with the Department of Racing, Gaming and Liquor to build a social partnership to provide alternative engagement to

social gambling. Since the program inception, \$1.3 million has been provided for 20 projects that were undertaken by a number of community organisations to facilitate Beyond Gambling projects throughout Western Australia. The program has provided grants of up to \$200 000 for mainly non-profit community organisations and local government to deliver local solutions to address social gambling issues. Problem gambling can cause severe financial stress. The annual funding of \$500 000 Beyond Gambling grants has been redirected to the new financial counselling model in the metropolitan area.

Ms S.F. McGURK: Just to clarify, did the minister say 1.3 million visits?

Mr A.J. SIMPSON: Since the program's inception in 2011, \$1.3 million has been provided.

Ms S.F. McGURK: Has the state government done an assessment of problem gamblers and what is happening to people in the community who have issues with problem gambling?

Mr A.J. SIMPSON: The Minister for Racing and Gaming might have the statistics on how many people are affected by gambling. As the Minister for Community Services, I do not have any data about how many people have been contacted about gambling problems.

Mr J.E. McGRATH: I am interested in this. Is the minister saying that a lot of seniors have gambling problems?

Mr A.J. SIMPSON: No, not seniors—the general, wider community. Just to clarify, in 2011 Beyond Gambling grants for community organisation throughout Western Australia were established in partnership with the Department of Racing, Gaming and Liquor. An account was put aside from which the organisation could apply for funds as long as the organisation helped people with gambling problems address their concerns. Last year—and this year—\$500 000 was taken from those grants and rolled into financial counselling. It is not just seniors, member for South Perth, but the wider community in general.

[12 noon]

Ms S.F. McGURK: So that we are clear, was the money allocated for financial counselling halved? When the minister said that he had rolled half a million dollars into the new financial counselling arrangements, is that amount the same as the amount that has already been cut? Is the state government collecting any information about problem gambling in the community?

Mr A.J. SIMPSON: We collect data through the financial counselling services, and we could possibly get some data from those services about problem gambling.

Ms S.F. McGURK: I would be interested to receive that information.

Mr A.J. SIMPSON: I will look into the evaluation of problem gambling by financial counselling associations and provide supplementary information.

Ms S.F. McGURK: To clarify, I did not necessarily ask about the evaluation of problem gamblers. I would like to know whether there is any tracking of problem gamblers in the community and the number of cases that the association has seen. Also, while we are on this issue, can I have a list of the previous service providers of that advice?

Mr A.J. SIMPSON: I will provide a list of the service providers and an analysis of the number of people seeking financial counselling to do with gambling problems.

[*Supplementary Information No B81.*]

Mr F.A. ALBAN: I refer to the details of controlled grants and subsidies at page 774. I have six cadet programs and over 260 cadets in my electorate; the program is really popular. I know the minister is a big supporter of this program. Why can I not see funding for cadets in this budget?

[Mr I.C. Blayney took the chair.]

Mr A.J. SIMPSON: The member for Swan Hills is right; the cadet program has been rolled into the overall budget. The line item allocation of \$3.5 million comprises \$2.7 million for cadet programs, \$750 000 for instructor recognition award payments and \$50 000 for administration expenses to promote and coordinate grants. It is a whole-of-government community service partnership involving the state government, the Department of Education, the Department of Parks and Wildlife, the Department of Fire and Emergency Services, WA Police, the Australian Defence Force and the community sector. It is part of this government's commitment to develop youth leadership in Western Australia. Nearly 8 500 students participate in 200 cadet units, which are supported by 600 volunteers.

The member rightly should be very proud of the cadet units in his electorate. There are 26 police rangers at Swan Valley Anglican Community College, 30 Australian Air Force cadets at RAAF Base Pearce, 57 emergency

services cadets at Swan Christian College, 30 Army Corps cadets at Eastern Hills Senior High School and 72 bush rangers and 60 river rangers at Mundaring Christian College. The cadet program is fantastic. This year the program celebrates its twentieth year. I went to John Septimus Roe Anglican Community School where the program was launched 20 years ago. It was a great morning to celebrate the occasion with the then Premier, Richard Court, and a number of people from the department who were involved with the cadet program when it started. This is a fantastic program that encourages young people to get involved in leadership roles, team building and so forth. Participation in cadets can lead to roles such as volunteer firemen with the Department of Fire and Emergency Services and also roles with the State Emergency Service, which is also very good. It is a great program. The member is right that the cadet program does not show up as a line item but it is in the line item with the allocation of over \$3.5 million.

Ms S.F. McGURK: My question relates to page 766 and the Centre for Parenting Excellence. There is an allocation of \$200 000 per annum to be used to establish a cross-sector parenting centre. Where will the centre be based? Will a not-for-profit agency run the centre; and, if so, which agency? What will be the staffing profile and what services will be provided? How many parents does the minister expect the centre to see?

Mr A.J. SIMPSON: The current Parenting WA centre in Mt Lawley will be used for the new Centre for Parenting Excellence. The centre comes from a recommendation from the Commissioner for Children and Young People, which identified that we should have a centre where we can start these programs. The budget states quite clearly that the government is currently competing with the not-for-profit sector in providing parenting services, which is not a position the government should be in. The old-fashioned parenting workers are not going to the Parenting WA centre in Mt Lawley anymore; they are engaging in their communities at the community level, and that is where we need to have people working. The best thing for me to do as the Minister for Community Services is to work with the not-for-profit sector to deliver those services. We are kicking off the Centre for Parenting Excellence to look at how we can engage with best practice in parenting, to undertake monitoring and to provide a base for people involved in parenting programs to help them gain more skills. There is \$200 000 to kick off the program and it will be run by the department to start with. We will then work through how we will run the centre in the future. I am sure the director general can add more to that.

Ms J. Mathews: I will supplement what the minister has talked about. For us, this is a very exciting initiative and it has been very well received by the parenting sector, particularly the providers of parenting services we have spoken to. The idea is that the Centre for Parenting Excellence will be a focal point and a hub for parenting in this state. It will be responsible for best practice in the parenting sector and it will play a key role coordinating and integrating parenting services. That appears to be the real gap in the sector in terms of what is available at the moment. There are many parenting centres in the community, but there appears to be a lack of oversight and coordination. The department proposes that the Centre for Parenting Excellence will play that key role. The centre will be staffed by departmental officers, but the idea is that it will be oversighted and steered by a steering committee. The steering committee will be co-chaired by me, as director general, and an eminent expert and practitioner in the field—we are in the process of approaching key people for that role at the moment—and will comprise representatives from the commonwealth; representatives from key state government agencies involved in the parenting space including the Department for Child Protection and Family Support, the Department of Health and the Department of Education; and a number of key not-for-profit agencies in this area, such as Ngala and Centrecare. We are really trying to bring together a number of key stakeholders to align what we can achieve in the parenting sector to ensure that over time parents are getting the support they need.

One of the first tasks of the new parenting centre will be to do a stocktake of and map the sector. We propose that that will be one of the first initiatives of the Centre for Parenting Excellence. As the minister mentioned, it is proposed that the centre will be located at Mt Lawley.

Ms S.F. McGURK: One of the specific questions I asked was: what staffing profile can the department provide with \$200 000 per annum? The second question is: how does that compare with the savings from abolishing the Parenting WA courses and the Best Start program?

Mr A.J. SIMPSON: I will let the director general answer the question about staffing levels. But, importantly, we are putting money into parenting programs. Ceasing the operation of Parenting WA in Mt Lawley will allow support of over \$1 million to be put in the not-for-profit sector to make sure that we can support parents in the community. That funding has been accepted by the Western Australian Council of Social Service and the not-for-profit sector because they have identified that that is where the funding needs to be. We are happy to work with them.

Ms S.F. McGURK: Excuse me, minister. It was a bit hard to hear how much funding the minister said he is cutting and how much funding he is putting into the not-for-profit sector.

Mr A.J. SIMPSON: I will let the director general answer the question about the staffing levels. The line item in the budget is for funding for the parenting centre.

[12.10 pm]

Ms J. Mathews: Savings will be achieved through the cessation of Parenting WA. In the first half of that year, that will amount to around \$1.3 million and going forward, that will be up to \$2.5 million per annum. That is reflected in the savings measures as part of the agency expenditure review. An extra \$1 million will support the not-for-profit sector in the delivery of parenting services. That will bring the total contribution from the department to the not-for-profit sector up to just under \$6 million per annum. That will be put out to the not-for-profit sector to support parenting services. That is certainly a considerable increase from the current funding that goes out to support the not-for-profit sector in the parenting space.

In addition, an initial amount of \$200 000 has been put aside for staffing. We are looking at having one of our existing senior staff members commence as an inaugural director of the centre. She is already a staff member within the department. That will be supplemented by two other positions that will be advertised. That is what the staffing will look like and that is what the bulk of that \$200 000 will go to. In addition, we will be looking at an operational budget for the centre. This has been evolving for a little while. Obviously, one of the key things is to get the steering committee to come together and meet. We are really aiming and hoping that the steering committee will help to provide input and support the co-design of the centre in its key tasks and its terms of reference. We want to do this very much as a partnership and collaborative effort with other state government agencies and the not-for-profit sector.

Ms S.F. McGURK: I am pleased to hear the adviser's enthusiasm about these initiatives but the reality is that from the figures that were just given, over \$1 million has been cut from parenting programs and advice on parenting to families under this budget. Over \$1 million has been cut per annum. Is that correct?

Mr A.J. SIMPSON: More importantly, we are delivering these services through the community sector, which will give us better value for money. I am confident that the service delivery will be the same if not better.

Ms S.F. McGURK: Because they pay cheaper wages.

Mr A.J. SIMPSON: Not at all. As the Minister for Community Services, I know that my not-for-profit sector can deliver these services a lot better than a government agency can ever do. People in the sector are far more in tune with their community; they know their community a lot better. Some fantastic community organisations are delivering their services right through the south east corridor that I represent as a local member.

Ms S.F. McGURK: The minister said before that he was confident that the not-for-profit sector can provide this sort of advice and deliver these sorts of services a lot better than government employees. On what basis does he make that claim? What assessments have been made that compare the government provision of those services with the not-for-profits or is it just a hunch that the minister has?

Mr A.J. SIMPSON: At the Western Australian Council of Social Service awards I clearly saw outstanding individuals and organisations receiving awards for the amount of work they are doing in our sector. I am very much in tune and out quite regularly with the 350-odd non-profit organisations in Western Australia. I am constantly meeting and talking with the 150 non-profit organisations that I fund through the Department of Local Government and Communities to the tune of \$25 million a year. They have accepted this parenting service as a really good thing. They reckon that that is where we need to be as a government. It is a really good outcome for the sector as a whole. It is about delivering services to the community; it is not about basing people in a house in Mt Lawley, which is unacceptable for public transport reasons. They are not going to go there. The services have to go to the communities. That is where we put the services. In addition, we have a call centre and a few other things that are happening but the face-to-face contact dropped from nearly 1 200 in the first quarter of 2011–12 down to 596 in 2014–15, so half the number of calls are coming in. The reason for that is that far more non-profit organisations in this hemisphere are taking the calls directly out in the community. We as a government have reacted to the downturn in the number of people coming in by looking at our model of providing parenting services. It is not about basing them in a house in Mt Lawley; it is about having them out in the community where the parents are supporting the non-profit organisations to deliver services to their communities.

Ms S.F. McGURK: I reiterate my question about whether there has been any formal evaluation of the government assessment of delivery of those services in regard to the decision to hand over some of those funds—not all the funds that the government is cutting from the services—to the not-for-profit sector. I agree that the not-for-profit sector does a good job but, in my experience, so do state government employees who are doing this. I think they would be very concerned to hear their minister speaking about their work in the way that he has in answering these questions both today and in the Legislative Assembly during questions without notice. I repeat: has there been any formal assessment of the delivery of those services?

Mr A.J. SIMPSON: Just to clarify the staffing level, we have already started off with the department and the non-profit sector through WACOSS looking at those key staff who are working for the government already, delivering those services out in some of the suburban areas to make sure that we can work with them and ensure that they have the knowledge and the background so we can hook them up with the non-profit sector to make

sure there is some transition and continuity of the services they are delivering. We are working on that as we speak. We still have until 31 December this year, so another seven months to go, but we have a lot of work to do before the evaluation process. All my tender contracts go out for three and five years. An evaluation is taken at the end of that contract to ensure that the agency is delivering those services and that the department is happy with them. They all get evaluated on renewing their contracts to make sure that they are delivering the services. We constantly monitor where their money is being spent and, more importantly, the amount of contact they have with the sector as a whole to make sure that the taxpayers of Western Australia are getting value for money from the services being provided to their communities.

Ms M.M. QUIRK: In light of the time, I will try to merge two questions into one. I refer to the third dot point on page 766, which relates to the demographic information of our ageing community. I want to ask two questions. The first relates to the prevalence of elder abuse, particularly financial elder abuse, and the fact that we have the highest number of people who have been a victim of scams in Australia. I think seniors are overrepresented in that regard. I want to talk about that. Yes, there is the elder abuse hotline but other measures such as amending legislation and so on have not been progressed. I just want the minister's response on how we will progress these issues.

Mr A.J. SIMPSON: The elder abuse hotline is funded through my department. It has been fantastic. Advocate provides services to seniors. It is a very good one-stop shop for handling any type of abuse. Obviously, if there are any medical issues or issues that need to be dealt with by the police, they are redirected. The member is right; the scams that have occurred in the last number of months have impacted on seniors. I have raised those concerns with the Minister for Commerce to make sure that we are putting some programs in place. I spoke to him about cards that we put in doctors' surgeries and common places where senior citizens meet to make them aware of these scams. That is similar to the program we put in place with the elder abuse hotline. The most important thing we can do is make sure that we talk about elder abuse in general, whether or not that relates to scams. More often than not, the abuse comes from inside the family, perhaps from people's siblings and also extended families. As the world has moved on, we now have a lot of extended families. We find that most of the abuse occurs very close to home.

I take the member's concerns on board. We have set up the elder abuse hotline. More importantly, I am working with the Minister for Commerce to make sure that we can get some information out to make seniors aware of it. A number of organisations, including the Council on the Ageing, National Seniors Australia and the Association of Independent Retirees, send out a fair bit of information to their membership to make them aware of the scams that are occurring. It is important that we are always very vigilant about what is happening in our community. These scammers can hide behind computer screens and get access to seniors.

The government has a continuous commitment to supporting seniors. It has invested more than \$570 000 to the community service sector, promoting social, emotional and physical wellbeing for seniors. This is funded through the Department of Local Government and Communities in partnership with organisations such as the Northern Suburbs Community Legal Centre, which provides for seniors experiencing or at risk of experiencing elder abuse, and Playgroup WA for facilitating intergenerational activities between seniors and families and young people through the Learning Together course. The City of Greater Geraldton and the Seniors Recreation Council have facilitated a range of activities and programs that support seniors to maintain an active and healthy lifestyle.

[12.20 pm]

Ms M.M. QUIRK: One of the issues, as the minister said, is that a lot of financial elder abuse is instituted within a family situation. One of the problems identified is the misuse of enduring powers of attorney. The minister said that he has had discussions with the Minister for Commerce. How have the discussions with the Attorney General been going to close some of the loopholes?

Mr A.J. SIMPSON: Enduring powers of attorney are interesting. I am going through that right now with my mother-in-law, my father-in-law and my wife, who is their only child, and a fair bit of work needs to be done. I have seen firsthand what my father-in-law has to do in terms of recording every time he fills the car with petrol, goes shopping or pays a power bill, and it then goes off to get credited. Every year we reapply for the EPA. My mother-in-law cannot walk or talk and is basically in the late stages of Alzheimer's disease. I see that very clearly. My wife is quick to raise the issue that her dad should not have to do all this recording and reporting and then get it checked, but the system is set up in a way to protect the wellbeing of Val, more importantly. We can look at it with clear eyes and see that my father-in-law has a heart of gold and does this fantastic work of being a full-time carer, but if the tables were turned and he was not doing that, one would have to wonder who would look after the welfare of the person affected. The classic example is if something were to happen and my wife's dad did not do what she would like him to do, she would be on the doorstep of her local member complaining that her father is not spending the money how it should be spent. Enduring powers of attorney work well, but it is a legal document and quite cumbersome. I know firsthand how well an enduring power of attorney works. The Public Trustee is the next level up and more information has to be provided, which is quite a lot of work for an individual. I have seen what my father-in-law has gone through and I wonder how seniors go through it because it is a lot of work. Jennifer Mathews can add a little more to that.

Ms J. Mathews: The Department of Local Government and Communities has been in discussion with the Department of the Attorney General and we have held workshops and sessions with the Office of the Public Advocate to ensure that some of the services and tools and the helpline are properly promoted through correct channels. Clearly, it has a key role in supporting seniors around drawing up, for example, an enduring power of attorney, and it can highlight the risks of going down that path.

Ms M.M. QUIRK: The minister mentioned that he has a family member with Alzheimer's. Obviously, with an ageing population, the number of people with dementia is increasing. In the last few days, the media has reported a number of cases in which people have gone wandering and are missing. I wonder whether there is any role for the Minister for Seniors and Volunteering to raise community awareness about the issues with people with early stage dementia if a person sees someone wandering the streets.

Mr A.J. SIMPSON: It has been an interesting experience. I met with Rhonda Parker from Alzheimer's Australia. She has done a fair bit of work on a social innovation method. We are re-funding her so that she can continue to do that great work. When we launched that report last year in Joondalup, she told an interesting story about a couple of people from a small country town. The father would walk into the supermarket and grab something from the shelf and then walk out without paying. Initially, this caused a lot of conflict, but the daughter created an account at the supermarket and now they know to put things on the account and she will come in and fix it up. Her dad knows where to go to get the paper and the milk and how to get home, but society is not designed for that situation. The problem was identified and the solution was simple, but we have to be conscious of keeping an eye on it. Over 12 years ago, when my mother-in-law came to visit me, she knocked on the door of John's house next door. He had to tell her that I lived next door and send her across, and that was when she was very much capable of walking around. The condition slowly creeps up on a person and one can see very clearly when they are confused. Foremost in our minds should be how we deal with this debilitating disease. In the early days of onset, it is very hard on the person especially and it can be very frustrating. I can tell the member that it is not much better at the other end either. However, we are funding Alzheimer's Australia, and in trying to build the capacity of local government, we have established the Age Friendly Communities Local Government Grants program, which very much looks at how we will design our communities in the future to ensure that they are age friendly and take into consideration what dementia and Alzheimer's does to our wider community, and how we integrate and support those people more than anything else.

Ms M.M. QUIRK: I refer to the table headed "Western Australian Family Foundation Special Purpose Account" on page 778. I asked some questions about this last year and it seems that the only people who are aware of it or how one goes about applying for it are members of National Party. I thought that they already had a trough of their own. I still cannot get information on this account. I had a couple of cases that I thought would fall under this kind of funding, but I have not been able to find how we go about accessing this fund.

Mr A.J. SIMPSON: The member could have written to the minister.

Ms M.M. QUIRK: I did and I did not get a reply.

Mr A.J. SIMPSON: Seriously?

Ms M.M. QUIRK: Yes.

Mr A.J. SIMPSON: My apologies. I will have to chase that up for the member for Girrawheen.

Ms M.M. QUIRK: It was about a year ago.

Mr A.J. SIMPSON: I apologise. I will go through a couple of the areas that have been given money under the Western Australian family foundation special purpose account. This year we have given \$20 000 to the Waroona Community Resource Centre in response to the Waroona bushfire. We have also given funds to the Pilbara Childrens' Education Trust and the Boonderu Music Academy. That is a fantastic music academy run for Aboriginal children at the school, which I visited in July last year—it was fantastic to see. We have also helped out Carnamah Historical Society and Museum, which is not based in Carnamah. It involves virtual volunteers over the internet and it has been an outstanding project. We also helped out Waroona with its oval reconstruction. During the fires, the oval was used as an emergency base and was quite badly damaged. So the Minister for Sport and Recreation, the Department of the Premier and Cabinet and the Department of Local Government and Communities got together to put in some money and help out. We are also running another trial called SilverSport, which is very similar to KidSport.

Ms M.M. QUIRK: Does the minister know something about that?

Mr A.J. SIMPSON: Yes, I do. I put money into SilverSport —

Ms M.M. QUIRK: Just on that, how were the four areas that run the pilot program identified? The metropolitan area is substantially under-represented.

Mr A.J. SIMPSON: We did a review and based the pilot program in the areas with the highest number of seniors with pension cards. A person must have a pension card to access the money. We wanted to try it out in some rural and metropolitan areas. The pilot program is basically run through the Department of Sport and

Recreation, but as the Minister for Seniors and Volunteering, I thought that I should be part of that process. We have allocated \$60 000 to help support the trial program for SilverSport to see whether it can work. It is very similar to the KidSport program. SilverSport will be a program for seniors. It is a way to help sponsor those seniors in the community who do dancing, yoga and those types of activities if they cannot afford to do them.

Ms M.M. QUIRK: I am familiar with the program. I just cannot work out why 40 per cent of the program is based in the electorate of the Minister for Sport and Recreation.

Mr A.J. SIMPSON: The member will have to ask the Minister for Sport and Recreation about that. We have also funded the Carnarvon Police and Community Youth Centre's Drop-in Girls Space, which is really good. Carnarvon has a huge problem with kids on the street late at night, so we have been very supportive of youth there, especially girls, by providing a drop-in space for girls at the PCYC. There are a number of other programs that we help out with, including the Hong Kong exchange program that I spoke about. As of this year, the fund will cease to exist. We are now winding up that program and will not be funding the Western Australian family foundation account from this year onwards.

Ms S.F. McGURK: Considering the time, this answer may need to be provided by way of supplementary information. I refer to the fifth dot point on page 766 and the education and care regulatory unit. When will the review into the case in which two children were taken from a holiday-care centre in North Perth be completed and will it be tabled in Parliament? Are there any regulations around access gates at after-hour or holiday-care centres; and, if so, were they breached? I have a range of questions around that issue.

[12.30 pm]

Mr A.J. SIMPSON: Does the member want me to take that as a supplementary?

Ms S.F. McGURK: It would be good if I could be provided with that.

Mr A.J. SIMPSON: I will provide supplementary information on the investigation into the North Perth incident.

Ms S.F. McGURK: Yes. What is happening with the investigation, when will it be completed, when will it be tabled in Parliament, and are there any regulations around access gates at after-hours or holiday-care centres?

[*Supplementary Information No B82.*]

The CHAIRMAN: We are dealing with division 68. The question is that the appropriation be recommended.

Mr D.A. TEMPLEMAN: I have a point of order.

The CHAIRMAN: All those in favour say aye.

Mr D.A. TEMPLEMAN: I have a point of order. The problem we have is that —

The CHAIRMAN: I am sorry; I have to put the question. All those in favour say aye; to the contrary —

Mr D.A. TEMPLEMAN: The point of order is —

Ms S.F. McGURK: It is a point of order!

Mr D.A. TEMPLEMAN: It is a point of order, Mr Chairman.

The CHAIRMAN: No; I have to put the question.

Mr D.A. TEMPLEMAN: We are putting a division that includes the next item, yet we will be dealing with the next item separately. I believe we should be putting the division at the end of the discussion we are about to have about cemeteries.

The CHAIRMAN: Member, this is the way it is done.

Mr D.A. TEMPLEMAN: Yes, but we cannot put part 14 separately.

The CHAIRMAN: If the member has an issue with doing it this way, I suggest he put it forward to the Deputy Speaker afterwards, and we will look at it then. We cannot change it for him now.

Mr D.A. TEMPLEMAN: Can I seek clarification? Before the Chairman puts the division, I have some questions relating to the Metropolitan Cemeteries Board and burials that may have reference to the department. For example, I have a couple of questions on paupers' graves. The Department for Communities—the state—previously had responsibility for paying for funerals.

Mr A.J. SIMPSON: That is Child Protection, not us.

Mr D.A. TEMPLEMAN: Is it still Child Protection?

Mr A.J. SIMPSON: Yes.

Mr D.A. TEMPLEMAN: So it does not come into it?

Mr A.J. SIMPSON: No.

Mr D.A. TEMPLEMAN: That is fine.

The appropriation was recommended.

Metropolitan Cemeteries Board —

Mr I.C. Blayney, Chairman.

Mr A.J. Simpson, Minister for Local Government.

Mr P. Deague, Chief Executive Officer.

Mr J. Fortuna, Director, Finance; Chief Finance Officer.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

Members may raise questions relating to the operations and budgets of the off-budget authority. Off-budget authority officers are recognised as ministerial advisers. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mandurah.

Mr D.A. TEMPLEMAN: I refer the minister to page 779 of the budget papers. I have a series of questions; some may be able to be answered now, but others may need to be answered as supplementary information. I would like an indication of the unit cost of a funeral and/or cremation at each of the cemeteries under the jurisdiction of the Metropolitan Cemeteries Board for the years 2013–14, 2014–15 and 2015–16 year to date. I ask because I want an understanding of the trending costs for individuals' funerals. I would like an understanding of the costs the cemeteries board levies against families seeking to have their loved one cremated and/or buried, and what those costs look like.

Mr A.J. SIMPSON: I may have to take a bit of that on notice, because it is quite detailed going back over —

Mr D.A. TEMPLEMAN: I am happy for the minister to do that. Maybe the chief executive officer could provide a general comment.

Mr A.J. SIMPSON: Yes, I will pass over to Peter for a general comment. I will make some observations about the fact that the —

The CHAIRMAN: Minister, if you are going to provide some supplementary information, could you perhaps define that now, please?

Mr A.J. SIMPSON: I am going to provide as supplementary information the figures for the cost of a cremation or burial for the years 2013–14, 2014–15 and 2015–16 year to date.

[*Supplementary Information No B83.*]

Mr A.J. SIMPSON: I will add a bit more to the answer before I hand over to Peter for a bit of detail. A lot of this information is available to the wider community in the annual report of the Metropolitan Cemeteries Board. Peter might be able to elaborate.

Mr P. Deague: The board charges just under \$1 000 for a cremation and it is about the same price for a burial, but the actual grant of right of burial costs about \$2 000. The current price is about \$3 000.

Mr D.A. TEMPLEMAN: Does that vary depending upon the cemetery where the burial or cremation takes place? There is Pinnaroo Valley Chapel and Crematorium and Karrakatta Cemetery. Does Rockingham have a cremator?

Mr P. Deague: It will do early next year.

Mr D.A. TEMPLEMAN: I asked for information on each of the cemeteries under the board's jurisdiction, so is there a variance in cost? In other words, is it cheaper to be cremated at Karrakatta than at Pinnaroo et cetera?

Mr P. Deague: No.

Mr D.A. TEMPLEMAN: The minister will provide that supplementary information.

The CHAIRMAN: Does the member for Mandurah have a further question?

Mr D.A. TEMPLEMAN: Yes. Again, I am happy for this information for the same years to be received via supplementary information. How many paupers' funerals were conducted at the cemeteries under the Metropolitan Cemeteries Board for the years mentioned in the previous question?

Mr P. Deague: We can provide that data, yes.

Mr A.J. SIMPSON: I am happy to provide supplementary information on —

Mr P. Deague: Pauper graves, or government graves as we call them these days.

Mr A.J. SIMPSON: Government graves, yes.

Mr D.A. TEMPLEMAN: This sounds strange perhaps, but is there a preferred cemetery where those government funerals or paupers' funerals are carried out?

Mr A.J. SIMPSON: Mr Deague will answer.

Mr P. Deague: Yes; Karrakatta.

Mr D.A. TEMPLEMAN: Is that for all of them?

Mr P. Deague: Yes, but we will have to review that for Rockingham Regional Memorial Park, based on the new crematorium and the growth in that urban corridor.

The CHAIRMAN: Minister, are you going to provide some more supplementary information?

Mr A.J. SIMPSON: In regard to how many?

Mr P. Deague: Over that same period of time.

Mr A.J. SIMPSON: Over that same period of time in the previous question, how many government or paupers —

Mr D.A. TEMPLEMAN: Through to present, yes.

[Supplementary Information No B84.]

[12.40 pm]

Mr D.A. TEMPLEMAN: I have a final question about cemeteries in this context. I note in the program of new works that there is obviously continued major building upgrade of Rockingham Regional Memorial Park. What is the status of this building program and what capacity will the ultimate upgrade deliver?

Mr A.J. SIMPSON: The Metropolitan Cemeteries Board has \$6.2 million budgeted for asset investment this year. All of this is self-funded from operations; it is a self-funded organisation. There is \$973 000 in the budget in the coming year 2016–17 for cremators at Rockingham. The total cost of the crematorium facility at Rockingham Regional Memorial Park is budgeted at \$2.4 million. This figure is over and above the cost for the actual cremators. A tender has been chosen to supply, install and commission the cremators, and the design work for the building is nearly finalised. This will be a fantastic community asset when it is completed and it will benefit the region surrounding Rockingham, including residents in the Peel region because they will not always have to travel to Fremantle or Karrakatta, which they currently do. The cemeteries will be more convenient to residents around those areas to organise funeral services. This facility will have a crematorium for the corridor from the Peel region to Rockingham.

Mr D.A. TEMPLEMAN: The minister mentioned Peel. The City of Mandurah has on numerous occasions reviewed the need, if any, for a crematorium in Mandurah. I am assuming that the view of the cemeteries board is that Rockingham will cater for the catchment further south into Peel, so is that something the cemeteries board would encourage in the City of Mandurah in the medium term?

Mr P. Deague: That is correct. The city does not have the authority to construct a crematorium. I have been liaising with all the local government chief executive officers in that region explaining that the state has provided funds for a crematorium to service that urban corridor, and the expansion of that urban corridor as well.

Mr D.A. TEMPLEMAN: From your statistics and projections, will the proposed build at Rockingham cater for the growth that is projected in the Perth and Peel@3.5million planning process?

Mr A.J. SIMPSON: Before I hand over to Mr Deague, I point out that the Rockingham facility is owned by the Metropolitan Cemeteries Board; it is its asset. The one to which the member refers in Mandurah is owned by the City of Mandurah. The reality would be that in the future—I will pass to Peter for more detail—it is a matter of identifying more areas for cemeteries in the metropolitan area. The department works very closely with Planning on doing that, which we have done. We have identified Whiteman Park and the one at Whitby, which is in my electorate of Darling Range on South West Highway. I do not know whether Peter has identified one in the Peel region besides Whitby, but he will add to that, and that will possibly be done in the future, but in the short to medium term the crematorium will be in Rockingham. I am not sure where the other one is, Peter.

Mr P. Deague: Yes, it is inland, or east, from Singleton, and north of the main business area of Mandurah itself. In working with the Western Australian Planning Commission and based on the population growth for that urban corridor we have determined that we have sufficient land on a sustainable basis based on the urban growth projections.

Ms M.M. QUIRK: I, too, refer to page 779. I have noticed in my frequent attendances recently at both Pinnaroo and Karrakatta cemeteries that there are numerous signs about theft. I have also heard a number of media reports about that. How much assistance are the police giving and what other work is being done in that regard?

Mr A.J. SIMPSON: I will hand over to Peter for the fine detail. This is a common theme at a time when a person is probably at their lowest emotionally when attending a funeral; their guard is probably not as sharp as it should be. The most recent event was not a good outcome when a lady was less than 20 metres away visiting a loved one at the grave. The board puts up as many signs as it can to say, “Lock before you leave. Make sure there is nothing on display in your car.” The opportunists who break in and steal from cars are quite common. We all know that when people attend a funeral they will be there for an hour, so it is pretty easy pickings in that case. However, the board is conscious to make sure it educates the public as much as possible. Through the Metropolitan Cemeteries Board, Peter has put in a fair bit of work to get clearer transparency and ensure that any vegetation is further away from the road and that the road has clear access so that no-one is parking or hiding behind trees. Unfortunately, the hardest thing for us is that although we provide a considerable amount of parking, especially around Karrakatta, it overflows a fair bit with the crossovers between funerals. If they are large funerals for popular people, there will be a spillover to a parking area along road, towards the trees. I know that the MCB has been conscious of and done a fair bit of work around that.

Ms M.M. QUIRK: Are the police doing enough?

Mr P. Deague: Yes, we work closely with the police and they have a number of operations, particularly at Karrakatta. We are working with the police to enable them in the near future to have access to all our CCTV cameras, which will give them live access to any issues regarding people of concern, particularly with some of the larger bikie funerals that have been a concern in the past. We are certainly working towards that link.

Ms M.M. QUIRK: Currently the police do not have a video link; is that correct?

Mr P. Deague: They have access to our data, but not the live link at the moment. Local government rangers also patrol all our cemeteries, and they do an excellent job.

Ms M.M. QUIRK: I have a further question on the subject of large funerals, which the minister mentioned. Why are there so few seats in the large crematorium at Karrakatta? It never ceases to amaze me that even the smallest funeral fills the room and there is quite a lot of room for additional seating.

Mr P. Deague: We are reviewing that. The chapel was constructed in the 1990s. We are reviewing that for the next financial year. We are looking to increase the seating capacity as well.

The CHAIRMAN: The member for Dawesville.

Dr K.D. HAMES: The member for Mandurah asked a question I wanted to ask about Rockingham, so I have no further questions.

Ms S.F. McGURK: I refer to page 779. Can the minister explain why the total funding for 2015–16 is \$13.7 million, but for 2016–17 that drops down to \$6.3 million and in the forward estimates it stays around \$7 million and then in the outer years is \$6 million?

Mr J. Fortuna: Yes, that is predominantly for larger projects in 2015–16 that relate to Fremantle Cemetery and the cafe and kiosk that will be constructed.

Mr A.J. SIMPSON: Is it for the upgrade of facilities?

Mr J. Fortuna: That is correct. Obviously it is due to the Rockingham Regional Memorial Park project as well.

Mr A.J. SIMPSON: This year nearly \$1 million is allocated to the Rockingham Cemetery. We are also finalising a brand-new cafe and meeting place at Fremantle Cemetery, which will open next month. That has been an ongoing problem for us. The reason for the drop in the budget allocation is that money is going out—\$1 million will go to Rockingham and to Fremantle—and, of course, we are always looking to reinvest on the infrastructure at the other cemeteries to ensure our beautiful assets are maintained.

Ms S.F. McGURK: However, for 2016–17 it is less than half of what it was in 2015–16. I do not have in front of me the figures for the total funding of assets and investments for previous years. Can the minister supply what the total asset investment program was for the previous four years?

Mr A.J. SIMPSON: I am happy to provide as supplementary information for the years 2011–12, 2012–13, 2013–14 and 2014–15 the figure for asset replacement; that is, the money that was spent on infrastructure, upgrades and facilities that have been provided through the Metropolitan Cemeteries Board.

[*Supplementary Information No B85.*]

[12.50 pm]

Ms S.F. McGURK: It would be remiss of me if I did not mention the C5 monument section at Fremantle Cemetery. We have had ongoing complaints about the maintenance. Although it has improved over time, a particular community with family resting in that place has continued to be frustrated at the inconsistent level of attention to that area. There are probably other areas where people feel either pleased or unhappy with the level of maintenance, but this is a particularly active community.

Mr A.J. SIMPSON: Just to clarify, C5 is a part of Fremantle Cemetery, where there are currently graves in the ground, and this question is to do with the maintenance of that area. I will pass over to Mr Deague to give details about the maintenance and gardening in this section of the cemetery.

Mr P. Deague: For many years we have been working with a few people who have concerns about C5, which is a full monumental Roman Catholic section. In the business that I am in, I am dealing with grieving people, and some people find it very difficult to understand that in the full monumental section, although they expect perfection, there is sandy soil, and other people who do not tend the graves as well as others. They spend a lot of money on monumental work, and we do the very best we can on C5, considering that we manage close to 400 hectares. We spend quite a bit of time with a particular person down in C5, and we have fulfilled the requests that he has made over many years. I expect that he will still want to liaise with us to ensure that the standards that we have now are maintained, which we will do for him.

Ms M.M. QUIRK: I refer again to page 779. There are a number of VC graves at Karrakatta. I think we spoke about this last year. They are not separately heritage listed. I recall that the response last year was that the cemetery as a whole was going to be heritage listed. What measures are being taken to protect those graves?

The CHAIRMAN: Perhaps the member can clarify VC graves.

Mr A.J. SIMPSON: They are the graves of people who are recipients of the Victoria Cross. There is a bit of history in that cemetery, as members can well imagine, and it is important that we hang on to it in the future, but I will defer to Mr Deague to say what we are doing to hang on to that history.

Mr P. Deague: We have a cemetery renewal program, and a memorandum of understanding with the Office of Australian War Graves, which is a federal government agency, to retain official war graves, including the VC graves. I have had that reviewed by the State Heritage Office, and it is very happy with the process that we follow, and does not consider that it needs to put any further planning instruments over the cemetery, on the basis that we already have a clear process under the cemetery legislation to retain those graves. That is recorded in our cemetery record system, which again under our legislation, is a statutory responsibility. They are essentially retained for perpetuity at no cost to any individual.

Ms M.M. QUIRK: As the minister is aware, these graves are not all on one site; they are scattered around the cemetery and around the state.

Mr D.A. TEMPLEMAN: Further to that, given the increasing interest in genealogy, family history and people seeking information on their heritage, what does the Metropolitan Cemeteries Board currently provide, or plan to provide, for people seeking direct information about members of their family who may be interred in some of the cemeteries under its control?

Mr A.J. SIMPSON: I will pass this on to Peter Deague, CEO of the Metropolitan Cemeteries Board.

Mr P. Deague: In our records, which we also have on our website, people can search anyone who has been interred or cremated, or has memorial plaques in any of our cemeteries. That goes back to when Karrakatta Cemetery opened in 1897, and likewise Fremantle Cemetery and the historic cemeteries of Guildford. We have all those records. We liaise closely with any families or researchers about their requirements. Again, it is our statutory responsibility to retain those records.

Mr D.A. TEMPLEMAN: On the VC graves, for example, is there a specific application or site that would enable the historical enthusiast of World War I or World War II to find exactly where all the graves are? Rather than having to scroll through all the records, is there a way in which individual plots can be shown on a map—for example where all the VC recipients in Karrakatta are? Has any of that nature been developed?

Mr P. Deague: No there is not, but there is no reason why we cannot do that. We are updating our cemetery record system, and it is a good suggestion. We could certainly do that.

Mr D.A. TEMPLEMAN: I think it is good for tourism. Many people travel the world going to famous sites in cemeteries. My mate, with whom I used to work in the entertainment industry, loved pulling into cemeteries in country towns. I thought it was quite an interesting bent that he had.

Mr A.J. SIMPSON: Just to answer that, we have done a fair bit of work with the cemetery. The member touched on the fact that his friend likes to go into cemeteries to see who is there. People walking into Karrakatta and Fremantle cemeteries can get a little map, with a QR code that can be read by a mobile phone and, using

headphones, they can hear the history of the person. There is a guided tour of Karrakatta that can be done, exploring the pioneers, as well as interesting people with chequered histories. It is a really interesting tour, and a smart way of doing it. The Metropolitan Cemeteries Board is keen to make our cemeteries a place of destination, and we even hold some small concerts in cemeteries throughout the year. We try to make them people places—rather than places we go to mourn someone’s passing, places we go to celebrate their lives. I take that on board; maybe with that QR code we can do something for the VC winners as well to make sure that we can identify them.

Mr D.A. TEMPLEMAN: I refer again to page 779. The member for Midland grieved to the minister last week about the issue of the Swan Animal Haven. Given that the minister undertook to look closely at finding the haven an alternative site, what is the actual timetable for the Swan Animal Haven to vacate its lease because of the cemeteries board’s demand for extra space?

Mr A.J. SIMPSON: The Swan Animal Haven has had a lease now for a number of years. It was extended back in 2003 and 2013, and it was then made clear that that would be the last time the lease would be extended. As the population of the metropolitan area increases, the Metropolitan Cemeteries Board will need every bit of land it has been allocated, and possibly more. The Swan Animal Haven does some fantastic work and, as was identified in the previous division, the government gives it money each year to support companion animals. After the member for Midland’s grievance, I met with members of the group and had a chat with them. What appears to have happened is a classic example of the group realising that it does not have secure tenure, but no-one is leading the charge for it. I gave a commitment that I would talk to the Minister for Planning and Perth Airport to see whether we can find a better location. I would like the organisation to have guaranteed tenure of land, which would be a perfect outcome, given that leasehold is not perfect. We have to work together to find a solution. If we can find a solution, I am sure we can talk to the MCB to get an extension of the lease, if we need one, but we have to start making inroads into trying to resolve this issue. The haven has a current lease until January 2019, and hopefully before then we will have found a place for it to go. Unfortunately, an animal haven is not the sort of place everyone likes next door. It works well where it is situated now, between an airport and a cemetery. Barking dogs do not affect anybody. That is the kind of area in which we are trying to find access.

The CHAIRMAN: That completes the examination.

Meeting suspended from 1.00 to 2.00 pm

Division 38: Attorney General (including Native Title Policy), \$348 826 000 —

Mr N.W. Morton, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Ms P. Bagdonavicius, Acting Director General.

Miss J.M. Stampalia, Acting Executive Director, Court and Tribunal Services.

Mr M. Hainsworth, Manager, Advisory Services.

Ms D. Separovic, Acting Executive Director, Corporate Services.

Mr R. Montilva, Manager, Business Planning and Budgeting.

Mr A. Marshall, Acting Director, Policy and Aboriginal Services.

Ms J. Hoffman, Commissioner for Victims of Crime.

Mr P.D. Evans, State Solicitor.

Mr B. Roche, Public Trustee.

Mr G. Turnbull, Director, Legal Aid Western Australia.

Mr M. Bradshaw, Director, Business Services, Legal Aid Western Australia.

Mr A. Murphy, Acting Executive Director, Land, Approvals and Native Title Unit, Department of the Premier and Cabinet.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee’s consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

[Witnesses introduced.]

The CHAIRMAN: We are dealing with division 38. The minister has requested that if members have any questions about the native title unit, we deal with those first. My understanding is that there are no questions about that unit. That means that the minister can release the adviser.

I give the call to the member for Girrawheen.

Ms M.M. QUIRK: I refer to delivery of services at page 451. The Chief Justice of Western Australia has been very open publicly about the fact that the remand population in Western Australia is very high, and that is because of the need for additional judges to be appointed to the Supreme Court. There is no provision in this budget for the appointment of additional judges. What is the reason for that? Surely, given the cost of keeping people on remand, the appointment of additional judges would probably be cost neutral, if not result in a saving.

Mrs L.M. HARVEY: I will ask Ms Bagdonavicius to answer.

The CHAIRMAN: I might just refer to Ms Bagdonavicius as the acting director general, if that is okay!

Ms P. Bagdonavicius: That is fine!

Yes; the Chief Justice has been raising the issue of whether there is a sufficient number of judges in the Supreme Court, and the Attorney General has been making appointments expeditiously in relation to that issue. The key performance indicator for the median time to go to trial is expected to be around 36 weeks for this current financial year. In 2007–08, the target median time was 38 weeks, the median time to trial KPI has reduced. The current target is 28 weeks. We are conscious of the increasing volume and complexity of matters before the Supreme Court. However, at the same time, the Productivity Commission's 2016 "Report on Government Services" has shown that Western Australia has the lowest proportion of cases in backlog. In Western Australia, there are 1.1 Supreme Court judicial officers per 100 000 people, which is the highest of the comparable states, and there are 9.8 judicial officers per 1 000 finalisations, which is also the highest of the comparable states, although South Australia is close. The information shows that the Supreme Court of Western Australia appears to be resourced adequately on a per capita basis; however, the Attorney General is monitoring this closely and has asked the Department of the Attorney General to develop a detailed business case in this respect.

Ms M.M. QUIRK: The answer to this question might need to be provided by way of supplementary information. Can the minister provide a list of dates for the last year on which the Attorney General has met with the Chief Justice?

Mrs L.M. HARVEY: I am sure that can be provided by way of supplementary information. I will provide the dates on which the Attorney General has met with the Chief Justice, and probably any phone conversations, if that is possible, that have occurred in lieu of meetings.

[*Supplementary Information No B86.*]

Mr J.R. QUIGLEY: On that same topic of judicial appointments, the Chief Justice, in his foreword to the "Supreme Court of Western Australia Annual Review 2015", said the following —

Last year, I reported comprehensively on the pressure the Court was experiencing in dealing with sustained growth in our criminal jurisdiction which had caused criminal trial delay to deteriorate.

He said also —

Incoming criminal cases were at similar levels to 2014 which resulted in the median delay to trial deteriorating further from 30 weeks in 2014 to 37 weeks in 2015.

Three years ago, in estimates committees, we were given a similar answer to the one just given by the minister; that is, the Attorney General is keeping a close eye on the situation and the pressure is just the result of a spike in the number of murder trials. Does the minister agree with the concern of the Chief Justice that the deteriorating situation in time to trial is occasioned by the lack of judges for the Supreme Court?

The CHAIRMAN: Member, shorter questions, if we can. The minister.

Mrs L.M. HARVEY: More factors are involved with respect to the time to trial than just the availability of the judiciary. It was stated previously that in 2007–08, the median time to criminal trial target was 38 weeks. The median time was subsequently reduced to a target of 28 weeks, and we are currently moved back up to around 36 weeks. As has previously been stated, the Productivity Commission's report on government services shows

that the number of judicial officers per 100 000 people is 1.1, which is the highest number of other comparable states. The Attorney General is keeping a close eye on that. The appointment of Robert Mitchell, SC, as a Supreme Court judge was announced in October 2014 in advance of the scheduled retirement of Justice Eric Heenan in June 2015. There was also the appointment in March 2015 of Judge Peter Martino, Paul Tottle was appointed in July 2015, and Bruno Fiannaca was appointed in August 2015. There has been a steady rollover and replacement of appointments. With respect to those homicide trials, I believe that in 2014–15 there was a spike of 59 homicide trials, which placed some pressure on the court, but I believe that it is catching up. As we have said, the Attorney General has said that he is keeping a close eye on it. The KPI that has been set is 28 weeks. We are currently at 35 weeks. The Attorney General is looking at all the factors that are leading to the delay in time to trial, and not just appointments of the judiciary.

[2.10 pm]

Mr J.R. QUIGLEY: I have two further questions, the first of which comes from those comments. The Chief Justice goes on to note, despite the minister's comments, that —

... the Court fails to meet national standards to deliver judgments within three months with only around 63% of Court of Appeal decisions and 73% of General Division civil decisions complying with this standard ...

Does this not evidence that we are short of at least a judge on the Supreme Court? We are failing to meet the national standards.

Mrs L.M. HARVEY: As we have said previously, the Attorney General is monitoring that scenario. Obviously, the Chief Justice will always be advocating for additional resources; that is generally what heads of departments will do. The responsibility of the Attorney General is to keep the allocation of resources on track with what would be expected with respect to our benchmarks against other states and in consideration of the actual workload being experienced. I know that the Chief Justice regularly communicates with the Attorney General on these matters. At present, the Attorney General does not, as I understand it, have plans to appoint extra judges. It is one of the conversations that he is having with the Chief Justice in looking at the backlog and time to trial and trying to bring that back to the benchmark that the government set after we came to government, which was 28 weeks.

Mr J.R. QUIGLEY: The minister said in her reply that there is a conversation or communications between the Chief Justice and the Attorney General. The Chief Justice notes that he has been advised that the court will not receive a replacement for a judge who retires in 2016—that is this year—and that he, the Chief Justice, has made representations to the government about that decision. If that is implemented, the criminal trial delay will continue to deteriorate at a greater rate, which is not acceptable to the court or to the community. Is the minister able to confirm that the judge who is scheduled to retire in 2016 will not be replaced?

Mrs L.M. HARVEY: I cannot confirm that. I can confirm that the Attorney General has requested that a business case be developed with respect to the concerns of the Chief Justice, and that business case will then be forwarded by the Attorney General to government for consideration. In the absence of that business case being presented, really, the government has nothing to consider. We need the Chief Justice to make the case with respect to workload and other matters. If that case is made in the form of a business case for the government to consider, the Attorney General has given a reassurance that that business case will be brought to cabinet for consideration.

Mr J.R. QUIGLEY: My question relates not to a business case for an increase in the number of judges who sit on the Supreme Court bench, but, rather, to the Chief Justice having already been informed by government that the judge who retires in 2016 will not be replaced, even further diminishing the number of judges on the Supreme Court bench. Why is the government doing this? Why is it diminishing the number of judges?

Mrs L.M. HARVEY: To be very clear, the Attorney General has not said at any point in time that the position being vacated by the judge who is retiring will not be filled. The Attorney General has not said that. What the Attorney General has asked the Department of the Attorney General to do in conjunction with the Chief Justice is to prepare a business case for the expansion of the judiciary. I think the member was listening earlier when I mentioned that there have been a number of retirements for various reasons. Each one of those judges has been replaced in a timely fashion, so there is no reason, and certainly no precedent, to have anybody expect that a retiring judge would not be replaced. As to the expansion of the existing positions, the Attorney General has been very clear that the business case needs to be developed. The Department of the Attorney General is working on the development of that business case. When that case is put to government, the government will consider it on its merits, as it does with every submission.

Mr J.R. QUIGLEY: Perhaps the minister has misunderstood my question or I have badly framed it. I wish to quote again from the Chief Justice; it is from a document that he has signed. He states —

The Court has been advised that it will not receive a replacement for a judge who retires in June 2016.

Is what the Chief Justice is saying true or false?

Mrs L.M. HARVEY: I believe that the words the Attorney General used were that he did not propose to appoint a new judge at that time, but that is not to say that he is not going to appoint a replacement at any time. As I have said a number of times, the Department of the Attorney General, in conjunction with the Chief Justice, has been asked to put a business case forward for the government to consider, and government will consider it.

Mr J.R. QUIGLEY: The minister said in a previous answer that in respect of an increase to the number of judges on the Supreme Court bench, the government has been waiting upon a business case to be presented by the court. The minister also previously said that in respect of retiring judges, the government always replaces them and rolls them over. I asked a question, which I will repeat. The court has been advised that it will not receive a replacement for a judge who retires in June 2016. Is that true or false?

Mrs L.M. HARVEY: Just to clarify, the Department of the Attorney General has been asked to prepare a business case in conjunction with the Chief Justice around the expansion of the judiciary. With respect to the replacement, I do not know what document the member for Butler is quoting from. If I can just clarify, I read out a number of replacement appointments, starting from 11 March 2015, for judges who were retiring or resigning for various different reasons. Vacancies have been filled. To my knowledge, no vacancies have been left unfilled. That is the position we are in.

Mr J.R. QUIGLEY: I am sorry; I could not hear the minister and I could not see her.

[2.20 pm]

Mrs L.M. HARVEY: That is the position that we are in and, as I have said, government needs a business case. As I have said previously, the Attorney General's office is working with the Chief Justice on a business case. With respect to any vacancies due to a resignation or retirement or whatever it might be, the advice I have is that all of those have been filled to date, and my expectation is that those positions will be filled. Obviously, though, government needs that business case to be presented in order to consider it.

The CHAIRMAN: Member for Butler, you are down to ask the next substantive question.

Mr J.R. QUIGLEY: I have one more on this.

The CHAIRMAN: Sure. I will just caution that we have had a very similar question and a very similar answer for the last three or four exchanges, so if it is going to be the same, we will move on, but I will allow a further question.

Mr J.R. QUIGLEY: Does the minister understand that I am not talking about an increase to the bench? We are talking about the Chief Justice saying that he has been informed by government that the judge retiring in June this year will not be replaced and that will lead to a further deterioration in the criminal list.

Mrs L.M. HARVEY: On 20 August 2015, Bruno Fiannaca, SC, was appointed. That appointment was made in advance of a future vacancy and commenced on 31 August 2015. That appointment brought the Supreme Court to a temporary complement of 21 judges. On 2 November 2015, Justice Simmonds gave notice of his intention to resign, effective 1 July 2016. The Attorney General advised the Chief Justice on 18 December 2015 that given Justice Fiannaca's appointment, he did not propose to appoint a new judge following Justice Simmonds' resignation at that time, because the full complement of the Supreme Court of that time was 20 judges and it was running with 21 with the appointment of Mr Bruno Fiannaca. On 10 February 2016, Justice McClure, who is President of the Court of Appeal, gave notice of her intention to resign, effective in July this year, and the Attorney General has indicated that Justice McClure will be replaced and the court will have a full complement of 20 judges. Therefore, my understanding is that the court has a full complement of 20 judges. With respect to the expansion and the addition to the judiciary and that complement, a business case needs to be developed and presented to government to consider. That is the position we are in. Every vacancy has been filled and at one point an additional judge was operating in advance of the retirement of Justice Simmonds. I think everybody involved in this is very clear about what the next steps are with respect to the expansion of the judicial capacity, but in the absence of a business case, the government is not in a position to consider it at this point. Once the business case is presented, the Attorney General will present it to cabinet and cabinet will consider it.

Mr J.R. QUIGLEY: In the Supreme Court's annual report the Chief Justice points out that time to trial —

The CHAIRMAN: What page in the budget papers is the member referring to?

Mr J.R. QUIGLEY: I refer to the second line item under "Outcomes and Key Effectiveness Indicators" on page 454 of budget paper No 2. In the annual report the Chief Justice points out that the number of criminal trials has increased by 10 this year—that is, from 68 to 78—and there has been a deterioration of the time of the trial, but more importantly, he says it is about when the starting point of time to trial is measured and the trial commences. When are the two end points? When is the starting point? The Chief Justice says that if that is measured from the time a person is committed to the Supreme Court to the beginning of the trial proper, it is considerably longer. What are the two positions measured in time to trial?

Mrs L.M. HARVEY: Looking at the criminal trial workload of the Supreme Court, the committals for trial increased by 74 per cent between 2010–11 and 2014–15. That growth in committals for trial is reflected in the number of trials heard in 2014–15, which have more than tripled since 2010–11. The committal trials for homicide offences in 2015–16 are expected to exceed those of the previous year. The impact on that increase in the number of homicide-related cases is twofold. The accused in homicide cases are more likely to plead not guilty and go to trial as they seek verdicts for lesser offences and lesser sentences—for example, manslaughter in lieu of murder—and homicide trials tend to be longer, with a duration of two to three weeks being common, as opposed to two to three days for arson and robbery cases. The criminal trial median time is estimated to be 35 weeks by June 2016, which exceeds our budget target by 25 per cent. The indicator that referred to represents the median time to trial on the day of the committal—that is, when the matter enters the court to when the first trial hearing date is held.

Mr J.R. QUIGLEY: There is the time from the committal date to when trial commences, but that end point date is the commencement of the trial in terms of the presentation, indictment and any directions hearings or status conferences, which are not the taking of the evidence, but part of the trial. That is the end point, is it not? In other words, the two positions that are being measured to work out the median time for trial are the date of the committal and the start of the trial, but it is not start of the trial proper, is it? It is the first status conference or the first directions hearing.

Mrs L.M. HARVEY: I said to the date when the first trial or hearing is held.

Mr J.R. QUIGLEY: What is the minister defining as the first hearing date? Is it a directions hearing for the admissibility of evidence?

Mrs L.M. HARVEY: My advice is that it is the scheduled trial date.

Mr J.R. QUIGLEY: In pointing out this problem, the Chief Justice cites just one example of the arrest of a person for murder in September 2013, his appearance at the Stirling Gardens court on 25 September and his committal for trial on 27 August 2014, but it was not disposed of until the time for trial in June 2015. That is referred to on page 7 of the Supreme Court’s annual report. That is a considerably longer time than is indicated in this budget. The Chief Justice is citing an example of the time it takes to get matters to trial. It is on page 7 of the Supreme Court annual report.

Mrs L.M. HARVEY: With respect to a specific case like that, I suggest the member puts that question on notice to the Attorney General. I do not have the information about the specific case in front of me. I can say that the key performance indicator target for median criminal time to trial was successfully reduced by the government from 38 weeks in 2007–08 to 35 weeks in 2008–09 and is currently at an aspirational target of 28 weeks, which we set in 2009–10. That is what we are working to achieve and the Attorney General is monitoring resources that the government may need to look at to help us achieve that target. There are a number of reasons that there may be a longer time to trial. There might be delays in obtaining counsel, for example, or there might be issues with the Director of Public Prosecutions getting the case ready; there could be all sorts of reasons that some times to trial are longer than others, which is why we work on a median.

[2.30 pm]

Mr J.R. QUIGLEY: The Chief Justice is painting a very clear picture in the Supreme Court’s annual report of a deterioration in the circumstances at the court and in bringing people to trial. I quote —

The delay in in obtaining trial dates significantly exceeds our targets, which the Court regards as unacceptable. Trial delay magnifies the harm to victims by delaying vindication and closure ...

Does this statement of the Chief Justice not bear witness to the minister’s government’s failure to achieve speedy justice, as outlined in the policy it took to the last election?

Mrs L.M. HARVEY: As I said, in this situation, the Western Australian Supreme Court has 9.8 judicial officers per 1 000 finalisations, and that is the highest of comparable states—although South Australia is probably the closest with 8.8 judicial officers per 1 000 finalisations. The “Report on Government Services 2016” shows that we are on par with comparable jurisdictions with our complement of Supreme Court judges. The Attorney General has said that he will monitor the situation. He has asked the Department of the Attorney General and the Chief Justice to collaborate on a business case for an expansion. Obviously, the workload of the judiciary and other matters that may be leading to that time to trial increasing to a median of 35 weeks will be part of the consideration when that business case is put to government. Delays in time to trial are not necessarily always a result of judicial resources, and that will also be a part of the consideration of that business case when it is presented to government.

Mr P. PAPALIA: During the Department of Corrective Services division on Tuesday, we were told that the number of prisoners on remand in our prison system over the past four years has gone from 17 per cent to just under 30 per cent. In that time, the prison population has grown by 25 per cent. If the Attorney General does not agree with the Chief Justice that the lack of additional resources in the courts is contributing to this growth in prisoners on remand, to what does the Attorney General attribute this incredible growth over the last four years?

Mrs L.M. HARVEY: To which line item in the budget is the member referring? I do not have the Department of Corrective Services budget in front of me.

Mr P. PAPALIA: This is a further question on resources. This is a further question to the shadow Attorney General's question regarding resources and observations made by the Chief Justice about —

The CHAIRMAN: It is a further question to the general theme of trial times, I think, minister.

Mr P. PAPALIA: To what does the Attorney General attribute the massive growth in the ratio of remandees, as opposed to sentenced prisoners, in our prisons from 17 per cent to just under 30 per cent in four years, whilst we have had a 25 per cent growth in the prison muster? If lack of resourcing to the courts is not contributing, to what does the Attorney General contribute that growth?

Mrs L.M. HARVEY: The member is asking me for an opinion of the Attorney General and he will need to put that question on notice to the Attorney General.

Mr P. PAPALIA: I am asking the Attorney General, whom the minister represents. Someone sitting next to the minister might be able to answer.

Mrs L.M. HARVEY: The member would need to put that question on notice to the Attorney General.

Mr P. PAPALIA: No.

Mrs L.M. HARVEY: I am here as his representative and the member is asking for an opinion.

Mr P. PAPALIA: Ask the advisers. They are the ones who are answering for —

The CHAIRMAN: Member for Warnbro! I do not want to have to call members to order in estimates sessions. Several members interjected.

Mr P. PAPALIA: I have a further question.

The CHAIRMAN: Hang on! Wait a second. I am chairing. I will allow further questions; that is not a problem. I will hear questions and I will hear answers, and I will not hear interruptions or interjections. You can ask further questions; that is not a problem. But I will allow the minister to answer and the way she answers is the way she answers—that is her prerogative. You can ask questions how you want to ask questions, and that is the member's prerogative. But we will not have interjections across the chamber.

Mrs L.M. HARVEY: I have a response. The advice from my advisers is that they do not have the information at hand to give the member a response to that question. The member needs to put the question on notice to the Attorney General if he wants that response.

Mr P. PAPALIA: Through the minister, what is the department doing to identify the cause of the massive growth in the number of people on remand in our prison system over the past four years—or is it none of your business?

Mrs L.M. HARVEY: The short answer is that those matters are not under our control.

Mr P. PAPALIA: You are kidding!

The CHAIRMAN: Members!

Mr P. PAPALIA: This is the Department of the Attorney General—you are kidding!

Mrs L.M. HARVEY: That is the advice I have received from my advisers. I am representing the Attorney General and I am reliant on the advice I receive.

Several members interjected.

The CHAIRMAN: Member for Warnbro! Member for Albany! I am about to call members to order. As I have stated already, I will happily allow as many further questions as people feel they need to ask, so long as it is not repetitive, but we are not going to have you ask a question and then interject on the minister as she is trying to answer it.

Mrs L.M. HARVEY: Just to further explain, the Attorney General does not have control over the decisions of the judiciary to hold prisoners in remand. Those are independent decisions of the court. I do not know whether the member is asking the Attorney General to give a directive of some sort to the judiciary and place their independence at risk, but the advice I have received is that there has been a national trend to place accused prisoners in remand. Some of that is following the Martin Place siege; there is now a more precautionary approach. If the member wants a more fulsome answer on the Attorney General's views on these matters, I request that the member, in fairness, puts that on notice to the Attorney General. The advisers tell me that they do not have responsibility for that, and that that is not part of their remit.

Ms M.M. QUIRK interjected.

The CHAIRMAN: Member!

Mrs L.M. HARVEY: I can act only on the advice that I receive.

Mr P. PAPALIA: In respect of that advice, does the Department of the Attorney General view itself as a department that has any responsibility for analysing the massive growth in both our prison muster and the proportion of those prisoners on remand?

Mrs L.M. HARVEY: I think —

Mr P. PAPALIA: It is just a question—yes or no? If it does not, that is fine.

Mrs L.M. HARVEY: I have been pretty clear, I think. Really, if the member looks at the trend with this government and the stance that it has taken, our focus is always on victims of crime and probably less so on offenders. If the judiciary make decisions to hold offenders in remand, that is its decision. I do not know whether the Commissioner for Victims of Crime might care to comment on some of these matters, but the government's position has always been to err on the side of victims and have the justice system skewed towards victims.

Mr P. PAPALIA: Is that a no?

Mrs L.M. HARVEY: If Ms Hoffman would care to comment —

Mr P. PAPALIA: It is \$1 billion a year recurrent.

The CHAIRMAN: Member, please! Through the minister, Ms Hoffman.

Ms J. Hoffman: I must say that I am interested in this discussion in that we are seeing early anecdotal blips around a trend towards remand when there is evidence of victim risk. From my point of view, that is a really positive thing. It is certainly something that we are hugely encouraging of, particularly in the magistracy, but also in the District Court, where it has probably been more common to remand anyway. We certainly have been anecdotally getting evidence that there seems to be a greater sensitivity towards erring on the side of remand when there might be victim risk. We take that to be a successful thing.

Ms M.M. QUIRK: The Commissioner for Victims of Crime made a couple of points that I would like to quickly pursue before we move on. I think she used the word “blips”; I did not actually hear what she said, but I want to ask her how is it in a victim's interest, who might have to give evidence in trial, to have to wait a significantly longer time than is optimal before they can give evidence and move on with their lives?

[2.40 pm]

Mrs L.M. HARVEY: Ms Hoffman.

Ms J. Hoffman: I can only go with data from the “Report on Government Services”. I am a public servant so I am very convinced by evidence. The evidence tells me what we have already heard today, so I do not think there is any point in me traversing this. However, can I say unashamedly that things like the Family Violence Court list that we are trying to develop is a pretty innovative model in national terms. One of the key things that we are trying to do is increase awareness of risk by information sharing between service delivery people. I do not really understand how that would be a downside for victims.

Ms M.M. QUIRK: Minister, that answer was not responsive. Longer remand times has an impact on victims. It appears that the commissioner has not been taking that into account.

Mrs L.M. HARVEY: I will take that as a comment.

Mr P. PAPALIA: What evidence is the commissioner referring to with respect to the evidence that suggests that it is better for victims of crime in some way to have a larger number of people on remand in prison?

Ms J. Hoffman: I prefaced my comments very carefully to say that I wanted to offer the committee evidence of the fact that this is an anecdotal observation. We are very close to the coalface of the court system and spend a lot of time, for instance, developing new listing approaches. I really just wanted to offer that perspective. From my point of view, of course we will be monitoring that, because if we get evidence that there are things that are working, we want to know more about it. I was offering an anecdotal observation and I carefully couched it in those terms.

Mr J.R. QUIGLEY: The Chief Justice said, and I quote —

Trial delay magnifies the harm to victims by delaying vindication and closure, and protracting their engagement with the criminal justice system.

Does the minister agree with the Chief Justice's statement?

Mrs L.M. HARVEY: My position here, in representing the Attorney General on this estimates committee, is to facilitate the examination of the budget in front of us. It is not to offer an opinion on the Chief Justice's report or comments that the Chief Justice might make in the media, or indeed the member's quoting of comments of the Chief Justice. I will not be offering an opinion on the Chief Justice's opinion. I am here to facilitate responses to the budget that is in front of us, with the assistance of the advisers from the Attorney General's office.

Mr J.R. QUIGLEY: Yes, but —

The CHAIRMAN: Member, the minister is right in saying that. We need to make sure that we are still referencing the budget papers. A number of further questions have been asked on this issue. I will allow a final further question but then we will move on.

Mr J.R. QUIGLEY: The minister just proffered to this committee, through the Commissioner for Victims of Crime, anecdotal evidence—as the commissioner said—that it was better for the victims of crime that the remand situation increase. The Chief Justice is at odds with what has been offered to this committee. Can the minister reconcile the two positions between what the Chief Justice has to say and what the minister has said through the Commissioner for Victims of Crime?

Mrs L.M. HARVEY: All I can say is when the judiciary make a decision to hold an offender in remand, they do that in consideration of a number of factors. Community safety is always paramount, as well as flight risk and all those other things. If that is what the judiciary do with respect to remand, those are their decisions. As I have said previously, this estimates committee is about an examination of the budget; it is not about me presenting an opinion on an opinion. I will not be doing that.

Ms J.M. FREEMAN: I would like to ask the minister questions about the sixth service, "Legal Aid Assistance", on page 453 of budget paper No 2. The commonwealth has significantly cut funding to community legal centres by 32.2 per cent and there were also funding cuts to community legal centres in last year's state budget. Will the minister identify from this year's budget the specific amounts of state government funding to community legal centres? Did community legal centres get any of the increase that the federal government gave them?

Mrs L.M. HARVEY: I will deflect this question to Mr George Turnbull, please.

Mr G. Turnbull: First of all, I am not quite sure what the member means by additional funding from the commonwealth, but in relation to state funding, community legal centres received a 4.5 per cent cut to their overall budget for this financial year. My understanding is there will be no further cuts in the forward estimates. In relation to the commonwealth funding, the member is absolutely correct: in the next financial year, 2017–18, as things stand, the centres are facing the prospect of a 32 per cent cut. So far as the state budget is concerned, we are not aware of any further cuts.

Ms J.M. FREEMAN: Was the 4.5 per cent cut in the 2015–16 budget or in the 2016–17 budget?

Mr G. Turnbull: It is in the current financial year, 2015–16.

Ms J.M. FREEMAN: The state government cut funding to community legal centres by 4.5 per cent in 2015–16 and I understand that federal funding will be cut by 32 per cent in 2017–18. I understand also that in the 2015 national partnership agreement, Legal Aid in Western Australia received an increase in commonwealth funding of 14 per cent. Why will the state government not therefore allocate that 4.5 per cent back to community legal centres, which do vital and important work in our community? That would bring them back up to previous funding for state legal centres.

Mrs L.M. HARVEY: I will ask Mr Turnbull to answer, but it is most unfortunate when the commonwealth withdraws funding from some of these resources. The expectation always tends to be that the state will automatically step in to pick up the slack. Legal Aid has experienced a significant increase in demand and also for Legal Aid services, and that is a service that the state government is responsible for funding. I would ask Mr Turnbull to add further to that answer.

Mr G. Turnbull: The member is correct: the national partnership agreement that commenced in the current financial year—the first year of its operation—increased the level of funding by 14 per cent. We view that as simply a corrective adjustment. I think that just brings us to about the national average, if it is looked at on a per capita basis. Western Australia comes from a position where we would say it was seriously underfunded by the commonwealth to a position where it is now perhaps about the national average. Of course we believe that the commonwealth should have gone a lot further because, as we know, the cost of delivering justice services in this state is the highest of all the states. Nonetheless, it is a welcome addition to our budget. I assume the member is suggesting that the state government should somehow increase funding to community legal centres. That is really a matter for the state, not for me. I would have thought that it is the commonwealth that needs to come to the party rather than the state, quite frankly.

[2.50 pm]

Ms J.M. FREEMAN: In particular in the last round of funding, the Attorney General took over the funding of the Employment Law Centre by defunding the Environmental Defenders Office. I need to know whether there is any funding for the Employment Law Centre. Again I ask: is it possible that a comprehensive summary of all the state community legal centre funding is outlined perhaps by supplementary information?

The CHAIRMAN: I thought we were asking questions about legal aid.

Mrs L.M. HARVEY: The Employment Law Centres were an initiative of the Department of Commerce. With respect to funding or otherwise flowing to that office, the member needs to put that question to the Minister for Commerce. I know there is a small crossover with some of the work of the Employment Law Centres, but the bulk of the legal aid work is really criminal work. Legal Aid has also picked up a significant proportion of work that previously flowed to the Aboriginal Legal Service. The ALS has also suffered from progressive defunding from the commonwealth. Mr Turnbull, can you please comment on the overlap of the Employment Law Centre?

Mr G. Turnbull: It is true that the Environmental Defenders Office has been defunded. The funds were then provided for a one-year, one-off basis to the Employment Law Centre, but as far as I am aware, there are no plans to continue that funding. Although there have been suggestions that it might appropriately be brought under the legal aid umbrella, the reality is that under the national partnership agreement, there is a clear set of priorities for the sorts of people whom we provide assistance to. The law centre would probably not be considered to be one of our priority clients. Our priority clients are, if you like, people who are very poor, and that is where we concentrate our efforts.

Ms J.M. FREEMAN: I was asking for that summary. Is it possible?

Mr G. Turnbull: It is indeed, yes.

Mrs L.M. HARVEY: Pardon?

Ms J.M. FREEMAN: I want the summary of funding for the line item “Legal Aid Assistance” to the state legal funding centres for all the centres that are funded.

Mrs L.M. HARVEY: I am not —

Ms J.M. FREEMAN: It is all right; the minister’s adviser knows what I am asking for.

Mrs L.M. HARVEY: Yes, but I need to articulate what it is. Is the member asking how much funding is flowing from legal aid assistance to the community law centres?

Ms J.M. FREEMAN: Yes.

Mrs L.M. HARVEY: I will provide that by way of supplementary information.

[*Supplementary Information No B87.*]

Ms M.M. QUIRK: Minister, when Midland and Fremantle legal aid offices were closed, there were assurances that additional measures would be put in place. What additional measures have been put in place?

Mr G. Turnbull: The staff who previously occupied the Midland and Fremantle offices are now located in our central office. When we did the analysis prior to the decision to close both offices, we discovered that the vast majority of services we were providing out of both those offices were court-based services. From our perspective, that meant it was almost as easy to provide the services previously provided in Fremantle and Midland from our central office. It is true, of course, that there would be some benefit in having a locally based office but due to what it was costing us and based on our judgement that we could effectively compensate for those services, we took the decision to close those offices and, as I say, relocate staff to our head office.

Ms M.M. QUIRK: Minister, I am not sure what is meant by the term “court-based services”. Does this mean duty lawyers? If so, that is not an additional measure; that was already in place.

Mr G. Turnbull: They are primarily duty lawyer services, yes.

Ms M.M. QUIRK: Can the minister advise how many days duty lawyers do in each of the Fremantle, Midland and Mandurah locations?

Mr G. Turnbull: I think we need to provide that on notice.

Mrs L.M. HARVEY: I will not be providing that by way of supplementary information—if we can have the question placed on notice.

Ms M.M. QUIRK: No. I need to know whether there has been a reduction in hours, and that directly relates to the budget. I cannot see why it cannot be provided by supplementary. It is a simple question; it is not an onerous one.

Mr G. Turnbull: I might ask my business director to answer that question.

Mr M. Bradshaw: I confirm that the member is seeking information on the number of duty lawyer days at Fremantle, Midland and Mandurah. It is my understanding, but I will confirm this by way of supplementary information, that Fremantle is at least three days a week, Midland is at least three days a week and Mandurah is at least two days a week. I fully expect that Fremantle and Midland are more than that—probably four—but both of those locations do at least three days. I understand from my experience that Mandurah does at least two days each week.

Ms M.M. QUIRK: Given there are now a number of serious traffic offences that can automatically relate to confiscation of property and imprisonment, is legal aid still doing traffic matters?

Mr G. Turnbull: It is true that we are still doing traffic matters, although in some traffic lists, we have determined that as a matter of priority, we cannot always be available. That is simply as a result of the increasing demand on our duty lawyer services.

Ms M.M. QUIRK: Can the minister or Mr Turnbull confirm whether private lawyers are still being briefed to do magistrate's work?

Mr G. Turnbull: The answer is yes, although we have restricted our guidelines in relation to grants of aid in the Magistrates Court, but the answer is yes.

Ms M.M. QUIRK: What is the nature of those restrictions?

Mr G. Turnbull: Essentially, we need to be satisfied about two aspects, apart from, of course, that the person must satisfy a means test. In addition to that, the charges need to be either serious or complex and/or there are special circumstances with the defendant. By that, I mean the person may have some impairment that would make it difficult for them to self-represent. It is in those circumstances we grant aid, but that is really the extent of it.

Mr V.A. CATANIA: I thank the minister for our police and justice complex in Carnarvon. What a fantastic building—even better is that it flies the Aboriginal flag, unlike the Shire of Carnarvon, which refuses to fly a flag for Aboriginal people.

Note 3 under “Explanation of Significant Movements” on page 454 states —

Magistrates Court—Criminal and Civil—time to trial 2015–16 Estimated Actual is expected to increase due to a higher number of lodgements in some regional and outer metropolitan Courts.

Obviously the burden on magistrates in regional areas is quite high. What are some of the ways the government will use to try to reduce that burden on magistrates?

[3.00 pm]

Mrs L.M. HARVEY: I will ask Ms Bagdonavicius to answer.

Ms P. Bagdonavicius: Can I suggest that Joanne Stampalia, the executive director of court and tribunal services, responds to this question?

Miss J.M. Stampalia: The Magistrates Court looks at the workload across the state and opportunities to allocate magistrates, whether that is through supporting a magistrate to go to a location for a number of days per week or flying a magistrate from Perth to assist with the workload at that location. Mr Heath takes charge of working through the allocations and what locations need to be supported.

Mr V.A. CATANIA: Further to that question, the other states have moved to increase the age of magistrates from 65 to 70, so why has Western Australia not progressed to changing the age of magistrates from 65 to 70 years old, given that there will be a potential increase in workload and a potential lack of magistrates who are able to fill those roles? Is there anything in the pipeline to suggest that we are going to change the age from 65 to 70 years like all other states?

Mrs L.M. HARVEY: I can answer that. My understanding, member for North West Central, is that it is currently under consideration by the Attorney General.

The CHAIRMAN: Member for Albany.

Mr P.B. WATSON: At last! I refer to the explanation of significant movements on page 454 of budget paper No 2. The fourth point states that time to trial for the Coroner's Court will be higher in 2015–16. However, in my electorate, the family of Wendy Bearfoot, the Department of Environment and Conservation firefighter, has waited for an inquest since 2012, which is finally scheduled for late October. Looking further up page 454, we can see the time to trial is 128 weeks. If we multiply four years by 50 weeks, that is over 200 weeks, which is an absolute disgrace for the family. They are still grieving—the husband is still grieving—and they have continually been onto the Attorney General's office to find out what is happening. It is now over four years ago. Does the minister think this is a disgrace and why has this happened?

Mrs L.M. HARVEY: I can provide the member with more general information about the Coroner's Court but, for specific information about that case, the member needs to put the question on notice. There has been a significant reduction in the backlog of cases through the Coroner's Court. The backlog was up at 916 cases in December 2011 and at the end of March 2016, it was 457 cases. Of the 457 current backlog cases —

Mr P.B. WATSON: I asked the minister whether she thought it was proper that the case should take four years for a family who are still suffering with it over their heads. The minister can give all the statistics she likes, but taking four years for a coronial inquiry is an absolute disgrace. Does the minister agree with me or not?

Mrs L.M. HARVEY: As I have said previously —

Mr P.B. WATSON: Not the gobbledegook—yes or no?

[Ms L.L. Baker took the chair.]

The CHAIRMAN: Member, you need to let the minister answer.

Mrs L.M. HARVEY: As I said previously, I will not give an opinion on an opinion.

The CHAIRMAN: Member for Butler.

Mr P.B. WATSON: Is that it?

Mrs L.M. HARVEY: The member did not want the answer about the Coroner's Court.

Mr P.B. WATSON: Can I have a further question about why that has taken so long, Chair?

The CHAIRMAN: Yes you may, member for Albany.

Mrs L.M. HARVEY: What am I being asked, exactly?

Mr P.B. WATSON: The minister said there was further information. I wondered whether the minister could tell me why it has taken four years for a coronial inquiry, and the minister said she could get more information.

Mrs L.M. HARVEY: No, I was interrupted. I was saying I could give the member further information generally about the Coroner's Court—for example, on what proportion of those cases are waiting and why they are being held up. Some of them are being held up because they are waiting on medical reports from doctors or investigation reports.

Mr P.B. WATSON: For four years?

Mrs L.M. HARVEY: Regarding that individual case, the member needs to write to the Attorney General or put the question on notice.

Mr P.B. WATSON: We have; we cannot get an answer.

Mrs L.M. HARVEY: I cannot answer about an individual case during budget estimates.

Mr P.B. WATSON: I have a further question. Can the department tell me the longest period of time someone has had to wait for a coronial inquiry? How many cases are in that category of four years, which the Bearfoot family has had to go through?

Mrs L.M. HARVEY: I am advised, no, because a variety of factors might feed into delays for the Coroner's Court to consider these issues. As I said, member, in fairness to the Bearfoot family about a specific case, the member needs to write directly to the Attorney General or put the question on notice.

Mr P.B. WATSON: We have, minister, and we have not got an answer.

Mrs L.M. HARVEY: That is the right thing to do.

Mr P.B. WATSON: I do not want to know the causes. Surely the department has statistics that show how long the coronial inquiries have taken. I am not concerned about the reasons but surely there is a pattern that if a coronial inquiry takes four years, there is something wrong with the system.

The CHAIRMAN: What is the question, member? I am not clear what the question is.

Mr P.B. WATSON: It was a further question. I asked the minister whether she could give me a list of how long coronial inquiries take and she said it depends on the circumstances. If we had a list of how long they take, we could see that the longest could be five or six years, which would be even worse. Surely, there is nothing in that period that could make it go out to four years. There was inquiry two years ago and it has taken this long for the coronial inquiry.

Mrs L.M. HARVEY: As at 30 April 2016, 451 cases were older than 12 months; a total of 2 138 cases were pending on hand; there were 156 inquest cases, of which 112 are backlog inquest cases; and there were 46 inquest closed cases. I do not know whether that provides the member with some information. I do not have information on hand on the longest time it has taken for a coronial inquiry to commence. However, those are the figures that I have to offer in response to that question.

Mr J.R. QUIGLEY: I refer to the delivery of services by the department to the government.

Mrs L.M. HARVEY: On which page?

Mr J.R. QUIGLEY: The delivery of services is under item 73 on page 451. The budget for the estimated actual delivery of services in 2015–16 was \$252 million. I want to move from the gloomy subject of what the government cannot afford to the perhaps brighter subject of what the government can afford. Relating to the Bell Group finalisation bill, the subsequent litigation, and the government's demands to be represented in the High Court, how much did it cost the government—what monetary value was ascribed—for the litigation ensuing from the Bell Group finalisation bill, including state government solicitors' costings and the Solicitor-General's costings? How much has it cost the government in apportioned funds? The Premier said on the radio this morning it was in excess of \$1 million. Does the minister know how much it cost?

[3.10 pm]

Mrs L.M. HARVEY: I will ask the State Solicitor, Mr Paul Evans, to respond if he is able.

Mr P.D. Evans: We do not have at this time a detailed costing of the litigation. In any event, were that to be requested as supplementary information for detail, the position taken by the Attorney General last year in answer to similar questions on related themes—a position I endorse—was that the costs of active matters are not reported because of their tactical relevance to our opponents in the litigation.

Ms M.M. QUIRK: I cannot hear.

Mr P.D. Evans: We do not report the cost of active matters; we report the cost of closed matters because of the tactical relevance of current costings to opponents in litigation.

Mr J.R. QUIGLEY: Was the Premier on the money when he said on 6PR this morning that it was \$1 million or more? Are we talking in that order, minister?

Mrs L.M. HARVEY: I think the State Solicitor was pretty clear in that the Attorney General has previously not been prepared to give the full amount of an active matter under consideration, and I think we will leave it at that.

Mr J.R. QUIGLEY: In relation to the response that it is an active matter, what parts of it are active—just the taxation of the costs, or are there other matters of that litigation still active? I am talking now about the case stated to the High Court.

Mrs L.M. HARVEY: I will ask the State Solicitor, Mr Paul Evans, to respond as much as he is able, given that it is an active matter.

Mr P.D. Evans: The taxation is not yet an active matter because no taxation process has been initiated in relation to the costs of those proceedings. However, we do not view the High Court proceedings in isolation as a matter separate and distinct from the group of matters that are currently active in relation to the distribution disputes. It is a phase in the distribution disputes that commenced in 2013 and, on current projections, will run to somewhere between 2021 and 2031.

Mr J.R. QUIGLEY: I am sorry, I missed that last bit because of the noise.

Mr P.D. Evans: The High Court proceedings are a phase in the distribution disputes and it is currently predicted that the distribution disputes will run until sometime between 2021 and 2031.

Mr J.R. QUIGLEY: Do I understand from that answer that the public of Western Australia will have to wait until somewhere between 2021 and 2031 before it is told how much of its taxes went into the Treasurer's flight of fancy that he could just seize the liquidator's assets? We are not going to know until 2021 or 2031, and the taxpayers will not know how much this expedition cost them.

Mrs L.M. HARVEY: The entire Bell matter became something of a blight on the government of the day when the circumstances arose that resulted in this particular scenario. Is Mr Evans able to respond?

Mr P.D. Evans: I can only suggest to the member that he puts the question on notice and we will see what position the Attorney General takes; I merely foreshadow the position he might take on the basis of the position he took last year in relation to three related questions.

Ms M.M. QUIRK: I have a further question on the question of costs, and the minister may well have to provide this as supplementary information. Although the State Solicitor says that he will not give answers in relation to the costs of a matter that is still active, I would like to ask, by way of supplementary information, how many billable hours the State Solicitor's Office has clocked up in the Supreme Court proceedings of Wang Nominees Pty Ltd v the Metropolitan Redevelopment Authority.

Mrs L.M. HARVEY: Mr Evans?

Mr P.D. Evans: I am not personally familiar with that matter; I am not sure whether it is still an active matter. If it is an active matter —

Ms M.M. QUIRK: It is an active matter. I am not asking for fees, I am just asking for the number of hours that the State Solicitor's Office has recorded. There has been a previous question on notice about this matter. It is still in the Supreme Court, but I would like some estimate of how much time has been expended.

Mr P.D. Evans: Again, we are going to have to provide that as supplementary information. However, I would comment that as we have a published fee schedule that is reasonably widely available, hours would give the member fees; fees are simply a proxy for hours. If we disclose hours, we disclose fees.

Ms M.M. QUIRK: Is it the Attorney General's position that the amount the state spends on litigation is not a matter of public interest and will not be disclosed?

Mrs L.M. HARVEY: My understanding from the position that the Attorney General has taken in previous years is that while a matter is still in train and still under active consideration, it is not in the interests of the public to disclose those costs in that they might disadvantage the state's case. If the member would like to put the question on notice to the Attorney General, I am sure he can seek the necessary advice.

Ms M.M. QUIRK: I have already put a question on notice, minister. That is what I said. I am asking for additional information, which is what these proceedings are about. It is unacceptable, for example, for the public to not be able to assess whether a matter should settle or not, and one of the salient issues is how much it has cost the state to date in litigation.

The CHAIRMAN: Is there a question?

Ms M.M. QUIRK: Yes, there is a question: I would like to be provided supplementary information as to the billable hours recorded by the State Solicitor's Office in the Supreme Court matter of Wang Nominees Pty Ltd v the Metropolitan Redevelopment Authority.

Mrs L.M. HARVEY: As I said previously, the member can put the question on notice.

Ms M.M. QUIRK: Because? I have already done that, minister!

Mrs L.M. HARVEY: Then an answer should be forthcoming.

Ms M.M. QUIRK: It is not; that is the whole point. I can read it out to the minister, if she likes.

The CHAIRMAN: Thank you, members.

Mr P.T. MILES: My question is somewhat similar with regard to the State Solicitor. I want to know how many solicitors there are in the State Solicitor's Office. The other part of my question is: if an agency of government—something like the Western Australian Planning Commission—makes a ruling and it goes to the State Administrative Tribunal, does the State Solicitor just go in and defend that action regardless, or does the State Solicitor advise the agency first on whether it is going to win or lose?

Mrs L.M. HARVEY: Is Mr Evans able to respond?

Mr P.D. Evans: On a slight level of generality, because the figures are a little flexible from day to day, my recollection is that I have 151 lawyers on the books, of whom approximately 130 are physically present in the office or on embedment or placement from our office into client departments and agencies. That represents something in the order of around 110 full-time equivalent staff effectively on duty, the balance being on various forms of leave, whether it be study leave, maternity leave, long service leave, personal leave or other. That, in roundish numbers, is the approximate complement.

In relation to our general position on advice, we will always provide advice in relation to merits because we subscribe to the general principle that one should not defend claims that one properly assesses to be indefensible, and one should prosecute claims that one properly assesses to be prosecutable, having regard to, for example, if it is a prosecutions matter, the Director of Public Prosecution's prosecution guidelines; and, if it is a civil matter, an assessment of the resources that will be required to deal with the matter and its importance to the department or the state, including questions of whole-of-government importance. As a result of a dialogue with a client department we will provide a recommendation to the client as to whether to proceed or not, but it is not reflexive. Our normal expectation would be that for matters relating to the Department of Planning, we would act on a planning matter, although the department has its own limited internal legal resources. We may not always do so in circumstances in which, for example, a development assessment panel is involved; we may face a choice between a DAP and the department, depending on the way in which the matter has developed and the way in which we have previously engaged with it.

[3.20 pm]

Mr J.R. QUIGLEY: I refer to the judgement in the Bell litigation before the High Court, in which the High Court unanimously struck down the Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill as unconstitutional. Under that judgement, is interest payable on the funds that were transferred to the authority between the operative date of the bill and the date of judgement on 16 May this year; and, if so, at what rate does the court assess the interest?

Mrs L.M. HARVEY: I will ask Mr Evans to respond if he is able.

Mr P.D. Evans: Member, the judgement is not a money judgement; therefore, no interest is payable on the judgement.

Mr J.R. QUIGLEY: In the opinion of the State Solicitor, is interest payable by the government on the funds that the government had between the transfer date and the date on which that judgement was handed down?

Mrs L.M. HARVEY: I will ask Mr Evans to respond, but obviously he is not to provide an opinion—just a factual answer, if that is available.

Mr P.D. Evans: The fact is that the funds were at all times on medium to long-term deposits with banking institutions. The names on the accounts were changed to the authority, and the names on the accounts were changed back to the authority on the day following the judgement. A couple of minor expense issues have yet to be resolved, but fundamentally the interest accruals have reverted to the liquidator, with the funds.

Ms J.M. FREEMAN: I refer to the outcomes and key effectiveness indicators on page 454, and in particular the outcome “Equitable access to legal services and information”. I am interested in the figures for the percentage of callers who are successfully accessing the infoline service. I have gone through previous budgets. In the 2012–13 budget, the target was 88 per cent, and the agency was able to achieve an estimated actual of 89 per cent. In the 2015–16 budget, the target was 81 per cent, but the estimated actual was only 74 per cent. In the 2016–17 budget, the target has dropped to 67 per cent. How can this target and level of service be justified when the agency has recently received a 14 per cent increase in funding as part of the national partnership agreement?

Mrs L.M. HARVEY: I will ask Mr Turnbull to respond, please.

Mr G. Turnbull: The target for the infoline service is the result of an increase in demand. I should qualify that by saying that even though there is a 33 per cent abandoned call rate—which is when people ring the infoline, hold for a while and then hang up—a call-back facility is built into the system. People can leave their telephone number and other details, and they will invariably be contacted. Therefore, that figure is not quite as bad as it looks. However, it is true that over the last year, demand for the infoline service has increased by 15 per cent, and that is a major factor in the increase in the number of abandoned calls. There was also a system upgrade last year, and that created a few problems for us. That is just the reality. That is a judgement call that we make. There are competing demands on our services, and we have to do the best we can with the funds that are available to us.

Ms J.M. FREEMAN: In 2012–13, 89 per cent of callers were able to successfully access the infoline. I assume that during that time, there was also the capacity to leave a message. The budget target is now 67 per cent, at a time when there has been a 15 per cent increase in demand for this service. Does the minister agree that this is just a judgement call? This is not just a judgement call; this is about providing equitable access to legal services and information, yet people are not able to access the infoline service. Is this because of a staff cut? How will the target be brought back up to around what it was in 2012–13?

Mrs L.M. HARVEY: Just to give the member some information, during 2015–16, there has been an increase in demand, with a 15 per cent increase in the number of calls to the infoline to date over the previous year; therefore, there was a higher abandoned call rate. In January and February this year, there was a 19 per cent increase in the number of calls to the infoline compared with the previous year. My understanding is that in early 2016–17, there will be a review of the intake, assessment and referral processes for the infoline, particularly for family law matters, to identify process improvements that will mitigate that issue. Obviously, this needs to be monitored. In the context of the federal government cutbacks to community law centres and other organisations, Legal Aid will obviously come under some pressure. The expectation of the commonwealth is that the state government will step in to fund the activities that the commonwealth is defunding, and the state will need to consider its position in that context.

Ms J.M. FREEMAN: I ask the minister to outline the demand for the infoline service for each of the financial years from 2012–13 to 2015–16, to demonstrate that the substantial percentage increase in demand justifies the substantial decrease in the government’s own target from 89 per cent in 2012–13 to 67 per cent in 2016–17. The minister has told me what the demand has been for this year. In each of the financial years 2012–13, 2013–14, 2014–15 and 2015–16, how many people successfully called the infoline line, and how many calls were abandoned? The target for last financial year was around 80 per cent, and it came in at 74 per cent. The agency has now just put up its hand and said, “Barleys; we can’t do it, so we’re going to budget for 67 per cent”, and, next thing we know, one in two calls to the infoline will not be answered, when that service is supposed to enable the community to access legal services.

Mrs L.M. HARVEY: In actual fact, the number of calls answered between July and February has increased, from 40 230 in 2014–15 to 41 239 in 2015–16, so some efficiencies have resulted from the business process improvements. We can provide by way of supplementary information the number of calls to the infoline and the number of calls that were abandoned from 2012–13 to the current financial year.

[*Supplementary Information No B88.*]

Ms M.M. QUIRK: I refer to page 452. The second dot point under “Significant Issues Impacting the Agency” states —

The Department continues to support the outcomes of the Premier’s Taskforce on Aboriginal Deaths in Custody ...

What is the nature of that support; and what initiatives have occurred so far, and what initiatives are planned?

Mrs L.M. HARVEY: I will defer to Mr Andrew Marshall.

Mr A. Marshall: The department is involved in a number of issues with this task force. We are looking at enhancing WDOs —

Ms M.M. QUIRK: For the benefit of *Hansard*, I think that is work and development orders.

Mr A. Marshall: Yes; sorry. As the member would be aware, the number of WDOs has recently declined. We are trying to increase and enhance the use of WDOs, because they are the step prior to imprisonment for fine default. That is one initiative. Another initiative is our open day program, which is run through our Aboriginal justice program, at which we offer related services to Indigenous communities, such as assisting people to get a driver’s licence, pay off their fines, and register births. We have found that a lot of people in remote communities do not have birth certificates and if they do not have a birth certificate, there are a lot of things they cannot do. All of these things together form one of our initiatives. We have expanded them recently as part of the task force to the metropolitan area, and something like 50 of these open days are going to be operated in the metropolitan area.

[3.30 pm]

Ms M.M. QUIRK: Who else is on the committee?

Mr A. Marshall: Is the member talking about the Premier’s task force? Maybe the minister might be able to answer, because there is a ministers’ group that heads this whole strategy.

Mrs L.M. HARVEY: The Aboriginal Affairs Cabinet Sub-committee is the committee considering deaths in custody, and represented on that are the Minister for Aboriginal Affairs, me as Minister for Police, the Attorney General, the Minister for Health, the Minister for Child Protection and the Minister for Corrective Services. I think representatives from Treasury come to some those meetings as well and, obviously, the respective agencies that those ministers are responsible for.

Ms M.M. QUIRK: So, there is no Premier’s task force, there is a cabinet subcommittee; is that correct?

Mrs L.M. HARVEY: There is a committee looking at the issue. We can call it a task force or a subcommittee. There is a grouping of senior ministers and their respective agencies working on a range of initiatives and we will be reporting at some point in the near future on some of the achievements, outcomes and future project work the committee will take on.

Ms M.M. QUIRK: Is the Premier on that cabinet subcommittee?

Mrs L.M. HARVEY: No; we report to the Premier.

Ms M.M. QUIRK: In terms of the initiatives Mr Marshall mentioned, what are the time frames for getting in place work development orders, who will be notified and how will people know these open days are occurring?

Mrs L.M. HARVEY: As I said, we will be reporting on some of those initiatives in the near future. There have been a number of achievements by that committee to date, though, with some of the initiatives we have put in place, particularly in the area of drivers’ licences—for example, looking at opportunities for people to pay their fines so they can clear them. There has been over \$500 000 in cash in EFT transactions that have taken place during the open days, allowing those offenders who have an outstanding fine to pay it so they will not be subject to further action within the judicial system. There have been 550 fine-related driver’s licence suspensions lifted as a result of that work. There were 70 drivers’ licences renewed and 56 drivers’ licences have been reissued that had either been cancelled or had lapsed. There have been 176 driver’s licence theory tests conducted and 123 practical driver’s licence assessments conducted. Importantly, one of the big issues for Aboriginal people in remote communities is that they are not necessarily registered in the system, so 304 births have been registered and 750 applications for birth certificates have been lodged. Arrangements to pay for \$2.61 million worth of fines have been entered into. That has happened since July 2012. A lot of effort has been put in to date, particularly in that driver’s licence space. A driver’s licence is something of an essential item in a regional and remote community and we are trying to ensure that we do not see people inadvertently drawn to the justice system; and, if they are, we have actions in place to enable them to have those suspensions lifted, to reapply for their drivers’ licences and to sit the necessary tests. It has been a good project, particularly the open days. Since July 2012, there have been 2 431 applications for birth certificates lodged—that is, from the inception of the program—and 1 001 births registered. A significant body of work has been undertaken and it is making a difference in those communities. There is still a lot of work to do.

Ms M.M. QUIRK: The minister said that there would be an impending announcement. What is the reason for the delay of that announcement? Is the government waiting for the findings of the Dhu coronial inquest before the announcement is made?

Mrs L.M. HARVEY: The committee is pulling together the information and the actions it has initiated and some of the information I have just read out will form part of that report, as well as some other initiatives we are examining to try to divert Aboriginal people from the justice system and provide alternatives to custody options. We will be reporting on that in the near future. That report is not linked to the coronial inquests that are occurring but, obviously, the committee is watching those coronial inquests with interest. The coroner's recommendations will form part of the consideration of that committee once they have been handed down.

Ms M.M. QUIRK: What is the reason for the delay?

Mrs L.M. HARVEY: The delay in what?

Ms M.M. QUIRK: The delay in issuing this report.

Mrs L.M. HARVEY: There is not a delay. The committee has been in operation for a time and we determined that it was an appropriate time to report on the actions and the outcomes of the committee.

Ms M.M. QUIRK: What is the appropriate time? The minister says it is pending, that there is no delay and that it is appropriate to report. What is the time frame in which the minister anticipates she will be reporting?

Mrs L.M. HARVEY: It will be in the very near future. I do not have a definitive date, but it is imminent.

Mr P. PAPALIA: In the time frame to which the minister referred—since July 2012—the number of Aboriginal people in the prison system has increased by 25 per cent. Noting that the other objective of the cabinet subcommittee, task force or whatever the minister wants to call it was to analyse whether there were ways of reducing the number of Aboriginal people in prison for minor offences, what criteria will be used to measure success or failure other than the number of things and stuff that the government is doing? What measurement criteria will be used to determine whether the subcommittee has failed or succeeded in this objective?

Mrs L.M. HARVEY: Whether something has failed or succeeded is obviously an opinion and everyone will have an opinion and, no doubt, no matter what we report on, there will be an opinion about whether it is a failure or a success. When we look at the Aboriginal justice program and the open days, I would put it that 1 001 births registered and a large number of people entering into time-to-pay arrangements for outstanding fines is a success. Ultimately, the community will judge whether we have been a failure or a success, but I think it is important that the activity of that committee is reported and that is what I referred to in respect of the report we are pulling together about different agency initiatives to try to reverse the trend of Aboriginal people in custody.

Mr P. PAPALIA: Is it not true that there is only one measure of failure or success in reducing the number of Aboriginal people in prison and that is whether the number of Aboriginal people in prison increases or reduces?

[3.40 pm]

Mrs L.M. HARVEY: That is dependent on so many factors. We can have a long debate about this, but, for example, look at the number of people being sent to jail for fine default, which is a contentious area. Most people believe that if the court wants to sentence someone to a custodial sentence, it should have the authority to that. If a fine is the result of the judgement and people fail to pay it, they will often find themselves in custody. The number of people being sent to jail for fine default declined from around 1 300 in 2012–13 to 1 100 in 2013–14, and it was down to 603 in 2014–15. That is because of that active effort around the enhanced fines enforcement scheme, whereby we have put in place initiatives to make sure that arrangements to pay are available to those people who find themselves at that point in the fine default schedule at which they could be looking at a custodial arrangement. There are initiatives that work and there are initiatives that do not. We are working on a range of initiatives. I think that in the driver's licence and fine default space we are starting to see some success. In other areas success will be slower, but it does not in any way diminish the government's resolve to reverse the Aboriginal incarceration rate. Obviously, if people are offending, they will find themselves in custody. That is how our system works.

Mr P. PAPALIA: The minister just used a measure or criterion by which she determined that she had succeeded because a year ago the number of people incarcerated solely for fine default had reduced. The minister did not tell us whether it has reduced in the past 12 months because I assume the minister does not have the statistics, or they do not suit the narrative.

Mrs L.M. HARVEY: We do not have the statistics.

Mr P. PAPALIA: That aside, a legitimate measure to determine whether an initiative is succeeding is the number of incarcerations diminishing. Why can the minister not apply the same type of measure to the overall number of Aboriginal people incarcerated? The Aboriginal population in Western Australia did not increase by 25 per cent in the last four years, yet the number of Aboriginal people that this government has incarcerated did, which would suggest that the government's body, whatever it is called, is failing.

Mrs L.M. HARVEY: That is the member's opinion. The work of this committee is about not only prison and incarceration rates, but also contacts with and diversions from the justice system. A significant number of Aboriginal people have been diverted from the custodial system and avoided incarceration by virtue of the payment arrangements put in place as a result of that committee's work.

Mr J.R. QUIGLEY: On this topic, the Premier stood on the steps of this Parliament and said that he would take personal responsibility for seeing a reduction in the incarceration rate of Indigenous people. I note that the incarceration rate of Indigenous people in Western Australia is 40 per cent of all prisoners, unchanged, and the national average is 26 per cent of the prison population. Would the minister agree that the government has achieved nothing in reducing the percentage of Indigenous persons incarcerated in Western Australia—absolutely nothing—and that it is a circumstance of national shame?

Mrs L.M. HARVEY: Of course I am not going to concede that, member. No.

Mr J.R. QUIGLEY: The minister is not going to concede that. How does the minister explain that 40 per cent of Western Australia's prison population is made up of Indigenous people and that the national average for the prison population is 26 per cent? How can it be that under this government we are 50 per cent higher than the national average for Indigenous incarceration, or does the minister wear that as a badge of honour?

Mrs L.M. HARVEY: I would like to know the budget line item to which the member is referring. The advisers here are specifically answering to the budget under examination by this estimates committee.

The CHAIRMAN: My understanding, minister, is that it is a further question to the member for Girrawheen's question. Member for Girrawheen, can you cite the reference that you gave for the original question you asked? We are still on a further question about it.

Ms M.M. QUIRK: It was the second bullet point on page 452.

Mrs L.M. HARVEY: With respect, just to clarify the Premier's comments, they were not about just incarceration rates. He was talking about the over-representation of Indigenous people in the justice system. Not every Aboriginal person who comes into contact with the justice system ends up being incarcerated. It is a complex piece of work. I think the member will agree that the complexities that lead to Aboriginal incarceration are significant. This government will not achieve it in one term. It is a long-term piece of work.

Mr J.R. QUIGLEY: I put to the minister that on the steps of this Parliament, the Premier addressed a demonstration following the death of Ms Dhu and he referred to the Indigenous incarceration rate. I wish to quote now from the report on *theguardian.com/australia*. A protest outside this Parliament concerned the tragic circumstances surrounding the death of Ms Dhu and *theguardian.com/australia* reported —

Premier Colin Barnett went out to address the protesters in Perth and was mobbed on the steps of parliament. His security team was overcome by the crowd who pushed towards him.

Barnett made a "personal commitment" to work with ministers in reducing the number of Aboriginal people in the state's jail system and deaths in custody.

He said that on 23 October 2015. He did not mean contact with the justice system. He made a personal commitment to work with ministers to reduce the number of Indigenous people in prison. Under this government it stands as a national disgrace that 40 per cent of the prison population is Indigenous and that figure has not budged. Does the minister agree that that figure evidences this government's absolute failure to deliver on Mr Barnett's aspiration and promise to the community?

Mrs L.M. HARVEY: If we go back to the dot point under consideration on page 452, we see that it states —

- The Department continues to support the outcomes of the Premier's Taskforce on Aboriginal Deaths in Custody and over-representation in the justice system through the introduction of a range of initiatives including the development of a central database on deaths in custody, enhancing the use of work and development orders and expansion of the Aboriginal Justice Open Days Program.

Mr J.R. QUIGLEY: The minister read that 100 per cent accurately! Where does that take us?

Mrs L.M. HARVEY: That is what is under consideration by this estimates committee and that is what I can respond to. I have given the member some statistical information on those points. If the member would like a further debate on what has been reported in the media and what the Premier said or did not say, it can be appropriately addressed in a different forum.

Mr J.R. QUIGLEY: The member for Scarborough is one of the ministers to whom the Premier was referring. He said that he would work with his ministers and the Attorney General to reduce the Indigenous incarceration rate. Does the minister concede that there has been no per centum reduction in the Indigenous incarceration rate and that it stands as a national shame that Western Australia's rate is 50 per cent higher than the national average?

Mrs L.M. HARVEY: As a result of the work in the last year alone, from 1 July 2015 to 20 May 2016, 70 drivers' licences were renewed and 56 drivers' licences were reissued—these licences had previously been cancelled or lapsed. That is 126 people who could potentially be in prison for driver's licence offences. We had 176 driver's licence theory tests and 123 practical driver's licence assessments conducted. From 1 July 2012 to the present, offenders have entered into a time-to-pay arrangement for \$2.6 million worth of fines. Some work has been done. Obviously, we will not be able to achieve every single thing that we would like to in a very short time. The government remains committed to this project. As I have said previously, the causes of offending are very complex. Entrenched intergenerational issues of dysfunction need to be addressed, and we are not going to turn that around even in one generation.

[3.50 pm]

Ms M.M. QUIRK: The second bullet point on page 452 not only refers to over-representation in the justice system, but also Aboriginal deaths in custody. Mr Marshall did not talk about any of those deaths in custody initiatives as opposed to the over-representation.

Mrs L.M. HARVEY: I do not believe that any of these departments have responsibility for Aboriginal deaths in custody. The Coroner's Court keeps a database on deaths in custody. I am not quite sure what the member is asking me, though.

Ms M.M. QUIRK: All right. I will read out this section in the budget —

The Department continues to —

Mrs L.M. HARVEY: What page, sorry?

Ms M.M. QUIRK: For the third time, I refer to the second bullet point on page 452. It states —

The Department continues to support the outcomes of the Premier's Taskforce on Aboriginal Deaths in Custody and over-representation in the justice system ...

To the extent that the Attorney General supports those outcomes, we have heard evidence about over-representation only. Is it the approach of this task force that if there are fewer Aboriginal people in custody, there will be a trickle-down effect—that is, fewer deaths in custody—or are there positive, affirmative initiatives?

Mrs L.M. HARVEY: As I have previously said, a range of initiatives are being considered. That report will be released in due course.

Ms M.M. QUIRK: Is the minister unable to tell us at present what issues the committee is addressing related to Aboriginal deaths in custody?

Mrs L.M. HARVEY: Not at this time, no.

Ms M.M. QUIRK: Are there any?

Mrs L.M. HARVEY: The dot point the member read out articulates the areas we are looking at. With respect to progress on those, as I have said a number of times, the committee will be reporting on the status of those initiatives in the near future.

Ms M.M. QUIRK: The Premier's task force on Aboriginal deaths in custody and over-representation is really not a Premier's task force on Aboriginal deaths in custody and over-representation, but, from what the minister said—I want her to confirm this—it is in fact a cabinet subcommittee on which the Premier does not participate and it is solely concerned with over-representation in the justice system.

Mrs L.M. HARVEY: No, that is not the case.

Mr J.R. QUIGLEY: I will go to a new topic.

The CHAIRMAN: Yes, I understand it is a new question, member for Butler.

Mr J.R. QUIGLEY: I refer to the first dot point under "Significant Issues Impacting the Agency" on page 452 of the *Budget Statements*. I would like to ask questions about three areas. I do not know whether the further ones can be asked as further questions or whether I have to stack up further —

The CHAIRMAN: Why do we not ask the minister and see what she thinks?

Mr J.R. QUIGLEY: I will deal with them one at a time. Three areas are specified in the first bullet point. The first one is —

The Department will continue to support the Government's streamlining justice initiative and its law reform agenda including priorities to introduce family violence restraining orders ...

Firstly, what sort of a priority does the minister give this? Given that the Law Reform Commission of Western Australia published its report on this in June 2014, to which the Attorney General responded in the

Legislative Council in late 2014 that there would be a legislative response—that is, legislation would be introduced—here we are, 18 months after the Attorney General said that he would be introducing legislation, with no legislation before Parliament. What priority is the minister giving family violence restraining orders legislation?

Mrs L.M. HARVEY: I will ask the Commissioner for Victims of Crime, Ms Hoffman, to respond to that. She has been intimately involved in this project.

Ms J. Hoffman: I am happy, obviously, to give a fairly comprehensive answer, if I can —

Mr J.R. QUIGLEY: When will legislation be introduced?

Ms J. Hoffman: I understand very soon.

Mrs L.M. HARVEY: With respect, I know that it is customary for members to interject on each other, but when we have public servants answering I think it would be polite to allow them to get their response out.

The CHAIRMAN: I understand, minister, and I agree. One word of warning: the purpose of the Chair is to keep answers brief and to the point. This is not a time for voluminous answers. Would Ms Hoffman like to answer now, please?

Ms J. Hoffman: I think the member asked about priorities; is that right?

Mr J.R. QUIGLEY: When will legislation be introduced?

Ms J. Hoffman: I understand the legislation will be introduced quite shortly. In terms of the context for that comment, a very detailed drafting options paper that went to the detail of the clauses of that bill went to about 17 stakeholders between September and December last year. We came to the conclusion that in order to tackle this well, we needed a lot of stakeholder buy-in on it. There has been drafting through that, given the responses from 17 government and non-government stakeholders. That drafting has been occurring during the first half of this year.

Mr J.R. QUIGLEY: Is the drafting complete?

Mrs L.M. HARVEY: The drafting is nearing completion and we expect the introduction of the bill in the very near future.

Mr J.R. QUIGLEY: Will the bill be introduced in this session of Parliament?

Mrs L.M. HARVEY: I understand that that is the Attorney General's intention. If it is not introduced in this session of Parliament, it will be introduced fairly close to the first sitting after the break—in the spring session.

Mr J.R. QUIGLEY: My further question relating to that dot point is that the department noted as a priority improvements to sentencing legislation. I recall former Attorney General Hon Christian Porter saying in mid-2009 that amendments to the Sentencing Act were a priority—that was seven years ago. What is the government's priority now in introducing amendments to the sentencing legislation, and have they been drafted?

Mrs L.M. HARVEY: I will get Mr Andrew Marshall to respond. The Attorney General made a decision to amalgamate a number of legislative projects that made amendments to the sentencing legislation. That sentencing legislation amendment bill will be introduced and will implement reforms to paroles, post-sentence supervision orders, and also incorporate some of the reforms that were recommended out of the statutory review of the Sentencing Act 1995. I am pretty sure Mr Marshall would have information to add about that legislation.

Mr A. Marshall: The drafting on that is complete. It is just going through the processes of getting through to cabinet and therefore approval to print and introduce into the house. It is pretty far advanced.

Mr J.R. QUIGLEY: I asked the minister: given that the family violence restraining orders bill will be introduced this session, or the first week of the next session, when will the amendment bill to the Sentencing Act be introduced?

Mrs L.M. HARVEY: As I said, in the very near future. We look forward to the member's cooperation when that is introduced, in bringing it through Parliament.

Mr J.R. QUIGLEY: I am worried about when it will be introduced. Will it be introduced in this session?

Mrs L.M. HARVEY: I understand it is the Attorney General's intention to introduce it early in the next session of Parliament.

[4.00 pm]

Mr J.R. QUIGLEY: The budget papers reveal that post-sentence supervision orders are a priority. Can the minister explain to us what the post-sentencing supervision orders regime will entail? It is not mentioned anywhere in the budget papers. What sorts of offences will attract post-sentence supervision orders and what sorts of sentences will they attract?

Mrs L.M. HARVEY: More broadly, this is one of the other pieces of legislation that the Attorney General was trying to bring through for the consideration of Parliament in the spring session. Amendments to the Sentence Administration Act 2003 provide that section 13 applies to prisoners serving life or an indefinite term who were sentenced prior to 4 November 1996. The amendments are looking at retrospectively validating parole orders granted to prisoners serving life or an indefinite term. A range of amendments to the Sentence Administration Act 2003 will be introduced as part of that tranche of work early in the spring session of this Parliament.

Mr J.R. QUIGLEY: The minister identified that it will apply only to offences that carry a life sentence.

Mrs L.M. HARVEY: Not necessarily, member. As I said, that legislation will be introduced early in the spring session of Parliament. There was also some consideration, I understand, about that for the GPS tracking of arsonists, violent offenders and potentially some domestic violence offenders. The drafting of it is complex but we hope to introduce it very early in the spring session.

Mr J.R. QUIGLEY: This will be for—what did the minister say?—arsonists, violent offences, and who else?

Mrs L.M. HARVEY: It will be for violent offenders, serious arsonists and some serious domestic violence offenders and we are looking at providing post-sentence supervision orders for offenders and the potential for GPS tracking to apply to a different tranche of offenders. I understand the member is curious about what will be incorporated into that legislation but, as I said, it will be introduced early in the spring session. I will ensure the Attorney General gives the member a full briefing on it prior to its debate in Parliament.

Mr J.R. QUIGLEY: Certainly. Both the Supreme Court's annual report and the DPP's annual report refer to the extra load that has been put on their resources by the serious dangerous sex offender legislation and supervision orders. Where in this budget paper has provision been made for the extra resources that will be required for post-sentencing supervision? Where can I go in division 38 to find the additional resources for the Office of the Director of Public Prosecutions, for the Supreme Court and for the Legal Aid Commission of WA to deal with this raft of new post-sentencing supervision orders? Where is the provision in the budget to deal with this?

Mrs L.M. HARVEY: With respect to the dangerous sexual offenders legislation, there should be a relief for some of the court processes because the appeal provisions are being increased from 12 to 24 months for those held on an indefinite supervision order. Rather than appeals being heard by offenders every 12 months, they will be heard every two years and there will certainly be some consideration by the Prisoners Review Board about the merits of those cases. We will not find a line item there but, obviously, some of our legislative reforms are around reducing the impact on the court and the DPP, and that is certainly what is proposed with the DSO legislation.

Mr J.R. QUIGLEY: Post-sentencing supervision orders will increase the court's workload, will they not? The adviser at the back behind the minister is shaking his head violently. You might want to turn around.

The CHAIRMAN: Member, through the Chair.

Mr J.R. QUIGLEY: Through the Chair, the adviser behind the minister is shaking his head violently and wants to dissent.

The CHAIRMAN: Thanks, member!

Mrs L.M. HARVEY: Post-sentencing supervision orders are administered by the Prisoners Review Board. My adviser might care to answer. Can Mr Marshall elaborate?

Mr A. Marshall: These will be administered by the Prisoners Review Board. If a person coming up for parole is considered to be a danger to the community and they fit that group of offences we have spoken about, the board itself can put on an extra two-year supervision, which can include GPS tracking.

Mr J.R. QUIGLEY: Do I understand that, without judicial warrant, the bureaucrats can extend the period of supervision after the expiration of the head sentence?

Mr A. Marshall: Correct.

The CHAIRMAN: Through the minister.

Mrs L.M. HARVEY: I do not know whether judicial officers can be called bureaucrats.

Mr J.R. QUIGLEY: They are not judicial officers.

Mrs L.M. HARVEY: Yes; I understand the Prisoners Review Board is chaired by a judge.

The CHAIRMAN: Let us not have a general discussion. Through the minister.

Mr J.R. QUIGLEY: Does the minister agree that the Prisoners Review Board does not pass judgements; the Prisoners Review Board is not a court?

Mrs L.M. HARVEY: I suggest, member for Butler, that these are issues for debate when the legislation is passing through the Legislative Assembly and are perhaps not necessarily linked to the budget papers we are discussing at present.

Mr J.R. QUIGLEY: I am trying to identify within the budget, the state's capacity to finance this new regime of post-sentence supervision. GPS tracking, reporting to officers and supervising prisoners whose head sentence has expired obviously costs money and I am trying to find out where in the budget there is provision for this scheme.

Mrs L.M. HARVEY: We can discuss the line items in the budget; however, the provision for GPS tracking rests with the Department of Corrective Services, which currently runs that program. Other agencies are involved. As I said, I think these matters are more appropriately debated when the legislation is being debated as it goes through the Legislative Assembly. No doubt we can have a forthright examination of those issues at that time.

Ms M.M. QUIRK: The first dot point on page 452 relates to a press release by Attorney General Porter in 2012 on the introduction of foetal homicide laws. That seems to have fallen off the agenda altogether. The second matter in the law reform agenda, which the acting director general will be familiar with, is the need for law reform in the area of enduring powers of attorney.

Mrs L.M. HARVEY: I will ask Ms Hoffman to respond.

Ms J. Hoffman: In terms of the foetal homicide query, I understand that the legislative package being brought forward around family violence will contemplate a range of anti-violence issues and the Attorney General has made some comments to that effect.

[4.10 pm]

Ms M.M. QUIRK: Where can I find those comments?

Ms J. Hoffman: I understand that they were media comments.

Ms M.M. QUIRK: The other question was about the enduring power of attorney laws, which need to be revised given the increased demand. The director general should know.

Mrs L.M. HARVEY: I will ask Pauline to respond.

Ms P. Bagdonavicius: In terms of the review of the Guardianship and Administration Act and the implementation relating to that review that was tabled in Parliament on 2 December last year, work is still being progressed in the department on preparing drafting instructions for those amendments, but there also were a number of recommendations that required further discussions with other agencies. I am aware that those discussions have been occurring with police and St John Ambulance. Two recommendations have been referred to the Chief Justice, and I am aware that he has just now responded to the Attorney General. Landgate is being consulted as well on matters relating to the enduring powers of attorney. It is a work in progress and that will be progressed later in the year for the Attorney General.

Mr J.R. QUIGLEY: I want to again read the first dot point —

The Department will continue to support the Government's streamlining justice initiative ... and the introduction of post sentence supervision orders.

I refer to the advice to this chamber through the minister from her adviser that these would extend beyond the head sentence by an order made by a board. In supporting the government in streamlining this, has the department taken top-flight constitutional advice on whether these orders that do not involve a court would be constitutionally sound?

Mrs L.M. HARVEY: That is something that is more appropriately debated as the legislation comes to Parliament.

Mr J.R. QUIGLEY: It is just a yes or no. The department will continue to support the government. Is the department supporting the government with constitutional advice on this issue?

Mrs L.M. HARVEY: The Attorney General is a very thorough person and I would expect that he would —

Mr J.R. QUIGLEY: He was not on the Bell litigation.

Mrs L.M. HARVEY: Okay; so that is what the member wanted to say. The legislation will be debated when it comes to Parliament.

The CHAIRMAN: Members! One at a time for Hansard, please. I know you do not care about what the Chair is doing, but Hansard is a worker in this organisation and deserves to be treated with due respect.

Mrs L.M. HARVEY: As I have said previously, these nuances and these issues can be debated when the legislation comes through Parliament. Obviously, the legislation is not defined in the budget papers. There is a reference to it, but as to the intricacies of the legislation, the document would be somewhat larger if the legislation had been included. That is more appropriately debated when it comes to the chamber.

Mr J.R. QUIGLEY: Is the answer that the minister does not know whether the government has taken constitutional advice on that proposal?

Mrs L.M. HARVEY: I think Ms Hoffman was quite clear, and certainly Mr Marshall was quite clear, that there has been a lengthy consultation process. Some of the amendments to the legislation have been done in response to a statutory review of the legislative instrument, and the Attorney General has looked to combine some of those aspects when they are interrelated to bring them to Parliament. I believe that the consultation process has been very thorough and that there is still ongoing consultation on some aspects of this legislation around the domestic violence package and family and domestic violence orders.

Mr J.R. QUIGLEY: I was talking about the post-sentence supervision orders.

Mr P. PAPALIA: Further on that dot point, when does the minister intend to action recommendations from the review of the Criminal Law (Mentally Impaired Accused) Act and when will those reforms come to Parliament?

Mrs L.M. HARVEY: I will ask Ms Bagdonavicius to answer.

Ms P. Bagdonavicius: Since the report was released in April, the department has been working on drafting instructions, which are in the process of being prepared for the Attorney General's consideration for cabinet. That is where it is up to at the moment. There were 24 recommendations that required some work around drafting. It is continuing to progress in the department.

Mr P. PAPALIA: Will that be introduced in Parliament in this session or the spring session or not in this term of government?

Ms P. Bagdonavicius: When cabinet has approved the drafting, as the member probably knows, a drafting priority then has to be assigned. That process takes place after cabinet has considered it. Cabinet has not yet got the documents.

Mr P. PAPALIA: There is not much hope then.

The appropriation was recommended.

Division 39: Corruption and Crime Commission, \$30 114 000 —

Ms J.M. Freeman, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr R. Warnes, Chief Executive.

Mr M.W.R. Hanrahan, Chief Finance Officer.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Girrawheen.

Ms M.M. QUIRK: I refer to page 465 of the *Budget Statements* and to the organised crime function of the Corruption and Crime Commission. I take it that the police have not availed themselves of those powers in the last year.

Mrs L.M. HARVEY: I will ask Mr Warnes to respond.

Mr R. Warnes: That is correct.

Ms M.M. QUIRK: Is the CCC still seeking amendments to its legislation to clarify its position on organised crime?

Mr R. Warnes: There are a number of elements with the CCC that it is seeking clarification on with this legislation. That process is in hand.

Ms M.M. QUIRK: Where is that legislation at? Is it still in the Assembly or has it not been introduced? I lose track of these things.

[4.20 pm]

Mrs L.M. HARVEY: Mr Warnes advises me that the request for amendments has not been put to the Attorney General or to government yet.

Mr J.R. QUIGLEY: I have a further question. For the sake of anchoring the question, I refer to the table headed “Relationship to Government Goals” on page 465. Under “Government Goal”, it states —

Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

Under “Desired Outcomes”, there is “Reduced incidence of organised crime” and under “Services” is “Organised Crime Function”.

I also note from the Corruption and Crime Commission’s annual report that the commissioner refers several times to the Joint Standing Committee on the Corruption and Crime Commission’s recommendation to change the definition of “organised crime” and when the CCC can investigate organised crime. Is this the amendment the minister is referring to?

Mrs L.M. HARVEY: Mr Warnes.

Mr R. Warnes: Yes, that is correct.

Mr J.R. QUIGLEY: Is it anticipated that the amendment will come before this Parliament?

Mrs L.M. HARVEY: I would say that that is unlikely, given the government’s legislative agenda for the next session of Parliament. If those requests for amendments have not yet been put to government, it would be highly unlikely that they would be considered in this term.

Mr J.R. QUIGLEY: Therefore, it is not likely that the government’s goal will be delivered upon anytime soon—that is, the goal that I read out, which is to reduce the incidence of organised crime through the CCC. That will not be delivered on anytime soon.

Mrs L.M. HARVEY: I am not really sure what the member is asking me.

Mr J.R. QUIGLEY: In his report, the commissioner identified the definition of “organised crime” and that when the commission can commence upon inquiries into organised crime is frustrated by that definition in the CCC legislation. The minister said that the amendments will not be introduced in this Parliament, so I put it to the minister that the government has failed to deliver on its aspiration of using the CCC to reduce the incidence of organised crime.

Mrs L.M. HARVEY: Currently, the commission’s only possible activity under that organised crime function is to consider and approve applications received from the Commissioner of Police for the use of exceptional powers or fortification warning notices. Mr McKechnie has been very clear about redirecting the Corruption and Crime Commission’s efforts and I believe that the proposed amendments that Mr Warnes referred to will be put to government in due course. My understanding, certainly as Minister for Police, is that WA Police, through the Joint Organised Crime Task Force with our federal counterparts, is working very, very actively to combat organised crime and criminal activities in Western Australia and, indeed, across Australia. Whether the Corruption and Crime Commission should or could value-add to that is a discussion between Mr McKechnie and government. However, at the moment, government does not have any requested legislative amendments to consider from the Corruption and Crime Commission.

Mr J.R. QUIGLEY: I have a further question. I refer to the outcomes and key effectiveness indicators on page 466 of the budget papers. Looking at the number of applications for the use of exceptional powers findings or fortification notices, the numbers are nil, nil, nil, nil and nil, as they are every year. The third note states —

... due to the legislative impediments of the Act acknowledged by the Joint Standing Committee in the Commission’s Report, ‘WA Police’s Use of Part 4 exceptional powers in the Act’ ...

That report goes back to 2014! The government has known about this impediment for years. Why has no amendment been introduced? The government has had the joint standing committee’s recommendation for years and the police cannot use the legislation because of that impediment. That is what it told the committee. Why has legislation not been introduced?

Mrs L.M. HARVEY: As I said, member, it is up to the Corruption and Crime Commission and WA Police to work together to determine whether those exceptional powers do indeed enhance the ability to combat organised crime. At the moment, people only need to look at the news to see the effectiveness of the WA Police’s current efforts through the directive. Yes, the report was handed down —

Several members interjected.

The CHAIRMAN: Members! One at a time. The minister has the floor.

Mrs L.M. HARVEY: There is a reason for the lack of applications to amend part 4. The definition of organised crime in the act is narrow and somewhat confusing and the enactment of the Criminal Investigation (Covert Powers) Act 2012 has made many of the exceptional powers directly available to WA Police. Only coercive examination, search and anti-fortification powers—as in fortification warning notices—now need to be sought from the CCC. WA Police is also able to apply for coercive examinations through the Australian Crime Commission. Regarding the fortification warning notices, member, a shortcoming fails to discourage organised crime groups from re-fortified premises previously dismantled. In effect, police have had exceptional powers enhanced through the Criminal Investigation (Covert Powers) Act 2012 and they use their coercive examination opportunities through the Australian Crime Commission. The fact that this legislation has not be amended is certainly not an impediment to police activity regarding organised crime.

Ms M.M. QUIRK: I refer to the “Number of reports published in accordance with the Act” line item on page 466 and in particular to the “Report on an Investigation into Acceptance and Disclosure of Gifts and Travel Contributions by the Lord Mayor of the City of Perth”. The minister will probably need to take this on notice but I am trying to get an assessment of the resources involved in that investigation for the CCC. I do not know whether costs are attributed to each investigation; but, if so, what were they, how many people worked on the investigation and so on?

Mrs L.M. HARVEY: My understanding is that the Corruption and Crime Commission is given a budget to perform its duties. It does not necessarily quantify the cost of individual investigations, but I will ask Mr Warnes to further clarify that.

Mr R. Warnes: That is correct; we do not attribute costs to specific investigations. At the moment, we have around 35 investigations on hand. Some of them are preliminary investigations that we would look at initially to see whether they need the full weight of the powers that we have, but we do not cost those. We have a team of investigators and we have a team of covert operatives. Those skills are applied when they are needed, but we do not cost them through the process of an investigation.

Ms M.M. QUIRK: Is it possible to attribute some costing to that by way of supplementary information?

Mrs L.M. HARVEY: I will ask Mr Warnes to respond but I understand that that work is not ordinarily done.

Ms M.M. QUIRK: I am not saying it is, minister, I am just asking.

Mr R. Warnes: No, it is unlikely for us to be able to do that.

Ms M.M. QUIRK: By virtue of the personnel involved, the duration of the hearing, the number of examinations on oath that were heard and other infrastructure, on an accounting basis, the costs of the inquiry cannot be quantified. I find that extraordinary.

[4.30 pm]

Mrs L.M. HARVEY: I will ask Mr Warnes to respond on whether that is something that is prioritised.

Mr R. Warnes: It is probably not something that we prioritise.

Ms M.M. QUIRK: I do not know where that word came from.

Mr R. Warnes: We have an attribution system for our investigators, but it is for the small cohort of people involved in investigations. If an investigation requires a technical operative or someone who is going to do surveillance, we do not cost those hours and attribute them to a particular investigation.

Ms M.M. QUIRK: I appreciate that, but all I am after is what the commission currently does which is, I think, a general attribution, as Mr Warnes called it.

Mrs L.M. HARVEY: Mr Warnes advises me that that would not be a complete indication of the cost of an investigation —

Ms M.M. QUIRK: I appreciate that. It would be at the lower end of the range, minister.

Mrs L.M. HARVEY: If Mr Warnes would like to respond and perhaps articulate that. There is obviously some reticence on Mr Warnes’ part to agree to provide that information. For the committee’s sake, could Mr Warnes explain what that is for?

Mr R. Warnes: It is not because we are trying to be secretive in terms of the resources that are thrown, it is the attribution model that we do not have in place for our lawyers, for the commissioner’s time and for our investigators into the research that might take place on a matter that could be 12 months, or could be less time. Around 57 per cent of our investigations are done within 12 months, but the model is not in place for us universally in the commission to attribute every officer’s time. That is as I have found it in the 10 months I have been in the organisation. It may not be something that we are trying to evolve to, it might be something we are trying to get better at doing, but at this point I do not have the capacity to provide the member with the information she is after.

Ms M.M. QUIRK: It sounds like the good, old days at the Department of Corrective Services.

Surely when there are budget bids, there must be calculations or estimates as to what the CCC needs to conduct its work. This was one of a number of major investigations last year. Do we just divide that by the number of investigations in the total appropriations? I just need some guidance as to how we get a figure.

Mrs L.M. HARVEY: I will ask Mr Hanrahan to respond with respect to how those budget costs and requests are put together.

Mr M.W.R. Hanrahan: Within the commission we plan for personnel; we do not plan for the number of investigations. What happens in any given year varies markedly for us because we obviously cannot predict what comes through the door. We fund a number of investigators, a number of lawyers and a number of other key personnel throughout the organisation. We do not particularly forecast the number of investigations; we have moved away from that in past years because the depth and breadth of what is required for each investigation varies markedly depending on what it is. As I said, we budget for a number of resources and we do not particularly track costs on that, although it is something that we will try to get better at in the future.

The CHAIRMAN: Just from the point of view of Hansard and the advisers, just a question and answer. We can keep asking further questions.

Ms M.M. QUIRK: I understand what has just been said. We are not talking about predicting and I have some experience in these matters. I understand that we cannot predict how long an investigation will be and how many resources will be used, but we are talking about an investigation that has concluded. What I am asking is: is there not some possibility of doing some calculations—I accept that it might not include all the bells and whistles—in general terms, at the lower end of the scale, on what the cost of this investigation was?

Mrs L.M. HARVEY: Just to summarise what Mr Warnes has said: I would be very reluctant to provide information that we could have confidence in, given Mr Warnes' assessment that not all the input with respect to these investigations is necessarily accounted for or has had a cost assigned to it. Whilst I understand that one of the roles of the commission and one of the areas it is looking at is trying to quantify and allocate costs to these investigations, at present it is not doing that with the level of confidence it would like to have to be able to provide that information to the member. I will not give the member an undertaking to provide the cost of that particular investigation because Mr Warnes and the commission advised me that —

Ms M.M. QUIRK: Sorry, there is not a commissioner here. The commissioner is not here. Where is he?

The CHAIRMAN: One question at a time. The minister has the floor.

Mrs L.M. HARVEY: Mr Warnes, from the commission, has advised me that the commission would not have confidence in assuring the member that all the costs involved in that investigation could currently be quantified, so I would rather not be accused of misleading Parliament by providing a figure that is not accurate and that the commission does not have confidence in.

Ms M.M. QUIRK: Where is the commissioner?

Mrs L.M. HARVEY: He is currently on leave, which was scheduled well before the date of this estimates hearing was scheduled.

Mr J.R. QUIGLEY: I refer to the line item “Employees (Full Time Equivalents)” under service 1, “Building public sector agency integrity and capacity to deal with misconduct” on page 467 of budget paper No 2. It is indicated that the estimated actual and the budget target for this year is 129 FTE. To put my question in context, on 21 December last year a public sector jobs freeze was announced and I understand that on 24 February this year an application was made by the CCC for an exemption from that jobs freeze. When I checked on 15 March, that application was still under consideration and a number of the positions at the CCC had not been filled, including surveillance and team leaders for physical and technical surveillance. Has there been a reply to the commission's application for exemption from the jobs freeze?

Mr R. Warnes: Yes, we have. We received it a number of weeks ago.

Mrs L.M. HARVEY: However, the freeze is finished.

Mr R. Warnes: Given that notification, we were able to quickly move to advertise the positions, and the positions —

Mr J.R. QUIGLEY: Sorry?

Mr R. Warnes: The notification of our exemption enabled us to quickly move to advertise the positions the member referred to and a number of others that had been stalled as a result of some organisational change we were trying to bring in. Those positions have now been advertised and we are moving to fill them.

Mr J.R. QUIGLEY: Correct me if I am wrong, but is it correct that there were 18 positions to be filled?

Mr R. Warnes: There were two lots of requests for exemption. One was for a tranche of employees associated with my commencement and the commissioner's commencement when we reshuffled our executive office. The larger one, which the member is referring to—around 18 people—was as a consequence of the legislation change in which we lost the areas of minor misconduct and crime prevention. With those areas changing, we restructured our assessment and strategic areas.

Mr J.R. QUIGLEY: Given the amendment to the legislation and minor misconduct going over to the public service sector, would that not have reduced the workload? That is what we were told—that there are 18 extra positions.

Mr R. Warnes: It reduced the minor misconduct that the organisation was probably swamped with. We tracked a number of serious misconduct matters that came through, and that stayed pretty consistent before and post-legislation. That is the workload that these FTEs are attributed to.

[4.40 pm]

Mr J.R. QUIGLEY: Are the positions that have been advertised new positions or was the organisation not operating at full strength before the exemption was granted?

Mr R. Warnes: If I may paint a quick context, that 150-odd FTE included the minor misconduct–crime prevention cohort. The reduction reflects the fact that we no longer have those FTE. It also reflects further workforce savings that we have been able to make in the organisation. We have restructured the crime prevention area. It was not just a matter of removing those people; we looked at the whole process of how we deal with assessments. This is a crude term, and I apologise, but we did a “spill-and-fill” of a particular directorate. That directorate now has 18 FTEs, and that is what we have advertised to fill.

Ms M.M. QUIRK: What is the total number of personnel currently at the Crime and Corruption Commission?

Mr R. Warnes: It is 130.

Mr J.R. QUIGLEY: If the CCC legislation is changed to reflect the new definition of “organised crime”, will that mean that the workload of the CCC will increase and more employees will be required?

Mrs L.M. HARVEY: Mr Warnes advises that that is unknown until they have worked through the potential impact of the new legislation, but that will obviously be a consideration if the legislation is implemented.

The appropriation was recommended.

Division 40: Commissioner for Equal Opportunity, \$3 831 000 —

Ms J.M. Freeman, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Ms J. Perkins, Acting Commissioner for Equal Opportunity.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

[Witnesses introduced.]

The CHAIRMAN: The member for Maylands.

Ms L.L. BAKER: I refer to page 472 and to the appropriation for the Equal Opportunity Commission. It is evident from the appropriation that there has been a staff reduction. Can the minister provide the current number of full-time equivalents and the expected number of FTE for the next 12 months?

Mrs L.M. HARVEY: I will ask Ms Perkins to respond.

Ms J. Perkins: Yes. The agency has undertaken a restructure of staff, which will result in a reduction of 4.5 FTE. The restructure will be implemented on 1 July. The focus of the restructure has been to mainstream the management of the organisation, so we will be reducing from five to three separate areas of management. The focus has also been on preserving our direct hands-on support for our primary function around conciliation and community education in order to maximise our capacity in that area.

Ms L.L. BAKER: Can the minister tell me what areas have gone, and give some examples; for instance, has the women's information and referral and support service gone?

Mrs L.M. HARVEY: I will ask Ms Perkins to respond.

Ms J. Perkins: We have not abolished any areas in that context. Previously, conciliation and community education were two separate areas, under two separate managers. We have brought those two areas together under one manager. That will create the opportunity for better information to come through in the complaints and conciliation space to inform where we set our priorities in our community education area. That is one example. We have also brought under one manager, in what is now the Office of the Commissioner for Equal Opportunity, our legal function, and our policy and evaluation function, whereas previously there were separate managers for those two areas.

Mr P. ABETZ: I refer to expenses on page 472. The budget for 2015–16 for total cost of services was \$3.777 million, and the estimated actual was roughly an extra \$1 million. That is a significant cost overrun, if I am reading that correctly. In light of that, how much has been spent to date on producing, printing, publishing and distributing the commission's "Guidelines for supporting sexual and gender diversity in schools"?

Ms L.L. BAKER: Good luck with that one!

Mrs L.M. HARVEY: I will ask Ms Perkins to respond.

Ms J. Perkins: From my understanding, those guidelines were launched in 2014–15. We distributed over 1 000 copies on demand to a range of public and private sector schools and other organisations. We have not printed any new guidelines in 2015–16; they are available on our web page.

Mr P. ABETZ: Is that a cost overrun in the budget?

Ms J. Perkins: Not at all. The funding comprises \$600 000 to cover the cost of separation payments for members of our staff who will be leaving us, plus \$581 000 to cover what has been an ongoing shortfall in the commission's budget over the last few years. That is primarily attributed to increases in 2010 in the cost of accommodation.

Ms M.M. QUIRK: I refer to government goals and desired outcomes on page 473 of the *Budget Statements*. Can the minister provide the number of complaints that have been made about age discrimination in employment?

Mrs L.M. HARVEY: I will ask Ms Perkins to respond, if she is able.

Ms J. Perkins: As at 31 March, we had received 25 complaints under the age discrimination category. I cannot provide information at this stage as to whether that is older age or younger age. We project that we will get a total of 33 complaints by the end of the year.

Ms M.M. QUIRK: I apologise, but I did not hear that.

Ms J. Perkins: The number of complaints was 25 as of 31 March, broadly under the issue of age discrimination.

Ms M.M. QUIRK: Is the agency seeing any trend? Is the number of complaints in that area increasing or decreasing?

Ms J. Perkins: In 2014–15, a total of 53 complaints were made in relation to age, so the number has decreased slightly.

Mr P. ABETZ: I refer to the service "Avenue of Redress for Unlawful Discrimination and Unreasonable Treatment" on page 474. How many complaints on the grounds of sexual orientation has the commission received in the last year or two, or for whatever period the commission has statistics, and how many of those complaints were subject to some kind of mediation and processing by the commissioner?

[4.50 pm]

Ms J. Perkins: To date, this year under that category of sexual orientation we have received complaints from 12 individuals. I do not have access to the information on the outcome of those complaints at this stage.

Mr P. ABETZ: How much staff time and other resources did the commission use in supporting the WA AIDS Council in its submission to be the WA partner in the national Safe Schools Coalition to deliver services in Western Australia?

Ms L.L. BAKER: You are just outrageous.

Mrs L.M. HARVEY: My understanding is that the Equal Opportunity Commission does not assign staff hours to each individual inquiry. I do not know that that level of specificity would be available to us, but I will ask Ms Perkins whether it is possible to drill down to an hour-by-hour cost analysis of each individual complaint.

Ms J. Perkins: No, I do not have the ability to provide that information.

The CHAIRMAN: Member for Southern River, I know that members want to move on. We can move on on the basis that the majority want to do so and I have been instructed by people to move on. I will give you one last question and then we will move on.

Mr P. ABETZ: I noticed there was a lot of emphasis given in the work of the commission to sexual discrimination and so on, but 65 per cent of all bullying in our schools relates to body issues—that is the biggest one—then grades and marks that people get, and then racial background. Are there any plans to provide guidelines to schools for addressing those particular issues of discrimination?

Mrs L.M. HARVEY: I will ask Ms Perkins to respond, but my understanding is that the responsibility to address bullying and harassment in schools lies with the Department of Education, and the Equal Opportunity Commission consults with that department and provides advice about its resources on how to counter all manner of bullying action and harassment in schools. With respect to those complaints of sexual harassment, though, it is a separate area and there certainly are complaints of sexual harassment in the workplace that the Equal Opportunity Commission investigates. Unfortunately, people still experience that even in 2016. Could Ms Perkins please elaborate whether the Equal Opportunity Commission has a responsibility to provide those resources to schools or whether it acts more in an advisory capacity to the Department of Education around those policies?

Mr P. ABETZ: My question addressed education, but the workplace would also be of interest.

Ms J. Perkins: We do not have any immediate plans to undertake further work in that space with Education in particular. I would make the point that the top three grounds for complaint that we receive, which have been fairly consistent over the last few years, would be impairment, race and sexual harassment, and I think they will be areas we will be focusing on in the coming year in terms of working with a number of providers to provide information and support in that space.

The appropriation was recommended.

Division 41: Office of the Director of Public Prosecutions, \$35 057 000 —

Ms J.M. Freeman, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr J. McGrath, SC, Director of Public Prosecutions.

Mr H. Bhabra, Finance Manager.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if the minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Butler.

Mr J.R. QUIGLEY: I refer to the delivery of services on page 479 of budget paper No 2 and line item "Item 76 Net amount appropriated to deliver services". I see that this year there is an allocation of \$31 478 000 and that it drifts down slowly over the out years. The third dot point on page 480 states that there was an increase of 55 trials over the previous financial year—a whacking increase of 13.8 per cent. Does the minister anticipate that there will be further increases in defended trials? How will this be funded with a declining budgetary allocation?

Mrs L.M. HARVEY: Importantly, the agency has signed its resource agreement with government, so clearly it believes it is resourced sufficiently to deliver the service the government expects of it. I will ask Mr McGrath to speak about the trends that the office is experiencing.

Mr J. McGrath: The number of trials, as we note in the budget papers, from 24 months ago went from 399 to 450-odd. That has continued to increase. We anticipate about 465 trials this year. Twenty-four months ago we were receiving 2 145 committal matters going to the Supreme and District Courts and this year it would be close to 3 000, so we are looking at a 30 per cent increase in the number of indictable files over a 24-month period. The work continues to escalate at an unprecedented level.

Mr J.R. QUIGLEY: It appears that the office may be under some financial stress. The workload is increasing exponentially, but when I look at the cost of services, I see that it goes from \$31 478 000 down to \$30 622 000. How is this achieved with the vastly increased workload?

Mrs L.M. HARVEY: The Office of the Director of Public Prosecutions does a very good job and if it finds itself under resourcing pressure, the option is open for the Attorney General to make an application to government for additional funding should it be required. Obviously the Attorney General is keeping a close watch on the pressure of the office of the DPP and should additional resources need to flow to the office, there will be an opportunity no doubt at the time of the midyear review.

Mr P. PAPALIA: Can we have someone who knows what they are talking about answering rather than just a representing minister?

The CHAIRMAN: Member!

Mrs L.M. HARVEY: I am actually finding it hard to hear the questions at present, Madam Chair.

The CHAIRMAN: Yes, that is right.

Mr P. PAPALIA: The minister is giving the same answer regardless of the question, so it does not really matter.

The CHAIRMAN: Member, that is not called for. Are there any further questions?

Mr J.R. QUIGLEY: I refer to page 483 of budget paper No 2. The minister will note that the total cost of services will be lower than the 2015–16 estimated actual due to the application of the workforce renewal policy and the revised 1.5 per cent public sector wages policy implemented in the 2015, 2016 and 2017 financial years respectively.

Although the Office of the Director of Public Prosecutions has a considerably increased trial load, the government is cutting into its budget by visiting these policies upon it; is that not correct, minister?

[5.00 pm]

Mrs L.M. HARVEY: As I have said previously, if the Office of the Director of Public Prosecutions finds itself in a position in which it is unable to perform the services that government requires, it can make an application for additional funding. But at this point the office has signed its resource agreement and agreed to achieve the expectations of government within the parameters that have been set. Obviously, if its workload increased, the government would need to consider increasing resources, but at this point the budget is the budget and the DPP is working within those parameters.

Mr P. PAPALIA: Did the department's submission to government for future funding reflect the forward estimates, which indicate a cut in funding over the future years?

Mrs L.M. HARVEY: We are dealing with the budget.

Mr P. PAPALIA: Correct.

Mrs L.M. HARVEY: What may or may not have occurred prior to the budget being published is not up for discussion at this point.

Mr P. PAPALIA: Do the forward estimates reflect the amount of funding asked for by the department during the budget preparation process?

Mrs L.M. HARVEY: The budget papers have been agreed to and the office has signed its resource agreement. What was in or out prior to the budget being published is a cabinet-in-confidence matter, so I will not be discussing that.

Mr P. PAPALIA: Does the minister anticipate that the reduction in funding projected in the forward estimates will diminish the Office of the Director of Public Prosecutions' rate of effort or level of service provision?

Mrs L.M. HARVEY: My understanding is that a request for additional resourcing was not made as part of the budget process. That is the advice I have received. Would the member mind repeating the question? I did not hear it properly.

Mr P. PAPALIA: Does the minister anticipate that as a consequence of the diminished funding in the forward estimates of the budget, the rate of effort of the DPP or its effectiveness will be impacted by that reduction in funding?

Mrs L.M. HARVEY: Obviously, the resource agreement between the Director of Public Prosecutions and the Attorney General and the Treasurer requires that the director agree to work within the budget parameters set within the resource agreement and to deliver the service that government requires. Should the director get to a point at which he believes that he cannot meet those requirements of government, a request for additional resources would be made. That request has not been made at this point. The budget is as we see it and the resource agreement for this year has been signed. Obviously, the government monitors these things. Certainly, over time, requests for additional resources will sometimes be made at the midyear review. With a state election due in March 2017, I have no doubt that all sorts of discussions will be had about budgets and projects in different government departments. But at this point, the DPP has agreed, through that resource agreement, to effectively operate within the parameters that the budget dictates.

Mr J.R. QUIGLEY: This question relates to the last line item I mentioned, which concerns expenses for employees. The director's annual report states that 65 people are in acting positions and that people enjoy acting in the higher roles. Are these people in acting positions because of budget constraints? What reason does the minister have for these people not being in substantive roles and being in only acting roles?

Mrs L.M. HARVEY: I will ask Mr McGrath to speak to that and provide an answer.

Mr J. McGrath: The reference to "acting" in the annual report would not be for financial reasons. During the freeze period when we have had acting people, it would be due to the fact that we cannot employ people during the freeze period. However, what the member referred to in the annual report reflects opportunities for people to act in higher positions. It would not be linked to some financial reason.

[Mr I.C. Blayney took the chair.]

Mr J.R. QUIGLEY: The answer from the minister's adviser is that during the freeze period people were in acting positions. I did not get the gist of that part of the answer. I understand that people go into acting positions and enjoy temporarily acting in a higher role that has become available during the freeze period, but it seems that an extraordinary number of people are in acting positions.

Mrs L.M. HARVEY: I will ask Mr McGrath to provide further clarification on those positions.

Mr J. McGrath: During the freeze period, we asked for only one exemption, which we withdrew, because it was for a systems administrator for computers, so we had no difficulty there. During that period, when people left, we had people acting at the higher level. However, the people referred to in the annual report were acting because of various opportunities and movements of staff. It was not for any other reason.

The appropriation was recommended.

Division 42: Commissioner for Children and Young People, \$3 133 000 —

Mr I.C. Blayney, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr C. Pettit, Commissioner for Children and Young People.

Ms P. Heath, Acting Director, Policy and Research.

[Witnesses introduced.]

The CHAIRMAN: The member for Maylands.

Ms L.L. BAKER: I refer to "Appropriations, Expenses and Cash Assets" under division 42, in part 9 of the budget papers. I am pleased to see that no reductions have been made to the budget. Unless I am misguided and reading the papers wrongly, it looks as though the government has maintained the budget for the office of the Commissioner for Children and Young People; is that correct?

Mrs L.M. HARVEY: Indeed, that is correct.

Ms L.L. BAKER: I am particularly interested in the future works plan for the agency. I would really like to know whether I can get a bit more information on things such as the Aboriginal engagement concept and how the government might be seeking to progress that in the coming months, because it is clearly a very important issue.

Mrs L.M. HARVEY: I will ask the commissioner to respond.

[5.10 pm]

Mr C. Pettit: In terms of the Aboriginal engagement process, my office has just appointed an Aboriginal engagement officer, and he will commence in a week and a half. We are also putting together an Aboriginal advisory council made up of very senior Aboriginal leaders and Aboriginal children and young people. That is yet to be formed, but four of its members will be from our ambassadors, including June Oscar, who has just been awarded the Desmond Tutu award, as the member knows. That is the first stage. The second stage will involve

people from my office talking to a range of communities about how we can engage with them to find out how the relationship of family on children and vice versa has an impact in making a stronger community right around Western Australia.

Ms L.L. BAKER: The minister will remember that the Blaxell recommendations were handed down some years ago. The commissioner, Peter Blaxell, recommended that the Commissioner for Children and Young People should be a one-stop shop to report child abuse. A subsequent review by the Public Sector Commission of the Commissioner for Children and Young People Act stated it was something that was still open. I think the Premier committed to it. There has been a lot of debate and discussion about what that role might be. I am really interested to know whether the minister thinks that the new role that the commissioner's office might play in the future, or whatever new role emerges, would be sufficiently well funded under the current budget. The commissioner's office has done a lot of work around this, but how will that be funded?

Mrs L.M. HARVEY: I am aware of that discussion around a one-stop shop with respect to child abuse. Ultimately, it is a criminal offence and police need to be the first port of call. That is really the position that I believe the government is taking on that. In the area of child sexual abuse, certainly work can be done around protective behaviours and building resilience and those sorts of matters. I will get the commissioner to elaborate because some work certainly is being done on that.

Ms L.L. BAKER: I particularly want to know about funding.

Mr C. Pettit: My office has just released a program called Child Safe Organisations WA. That work was done in collaboration with a range of government agencies and not-for-profits. Those resources are available on the website and are free of charge. The aim is preventive work more than anything else. That is the first step. In terms of the question around the Blaxell report and recommendation 2, we have relied on where the government would sit with that. The Premier has been very clear in saying that when the outcome of the Royal Commission into Institutional Responses to Child Sexual Abuse is handed down, the government will have a position on where it goes from that point.

Ms L.L. BAKER: To be clear about any additional funding on any expansion of the role, does the minister think at this point that would wait until the end of the royal commission? Preparatory work or ongoing changes would not be able to be funded unless they are out of the current budget—is that the position?

Mrs L.M. HARVEY: With respect to new projects that might emerge as a result of the royal commission's findings into institutionalised child sexual abuse, the government has not done any work in pre-empting what those recommendations might be. If those recommendations required the work of the Commissioner for Children and Young People, obviously that would be a consideration at that point. At present the commissioner has a range of initiatives around child sexual abuse resilience. A lot of work is going into the rights of children. At present, no additional funding is flowing out of that. The government will consider its options once the royal commission hands down its findings and recommendations.

Ms L.L. BAKER: That is great. I have a comment to make and then a question. I heard the minister say there may be outcomes that the state needs to look at. I am sure the government will agree that there is potentially no more important a priority than preventing the sexual and physical abuse of children. If the commissioner's office was in a position to look at a new role and some additional costings, would the government accept—I am not saying it would agree with it—a recommendation from the commissioner about what was required and a submission for funding to go with that? I am asking whether the government would accept it, not whether it would fund it.

Mrs L.M. HARVEY: This government, and certainly governments generally in Western Australia, have been very proactive in taking up the recommendations and findings of royal commissions. I cannot imagine the government would have a different approach to the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse. If an additional program needed to be implemented and that required funding, I am sure the government would consider that on its merits at the time.

Ms L.L. BAKER: I have a further question related to the dot points on page 488. The future work of the strategic plan is mentioned, and then it states —

The capacity to engage well in learning and achieve positive outcomes in education is central to the wellbeing of children and young people.

I could not agree more. One issue I have raised with previous commissioners has been educational planning for children with high and complex needs, particularly children with a disability; for instance the children enrolled at Durham Road School in my electorate. There is a growing need for services in education. Students need some place to go—at the moment students at that school are crammed to the rooftops. Would the commissioner consider looking specifically at the cohort of children with very high and complex physical and intellectual needs, with a view to trying to include educational planning for what they will need in the future?

Mrs L.M. HARVEY: I will ask the commissioner to respond.

Mr C. Pettit: The education project that is described in the budget is one for all children in Western Australia, including those with disability. It will be the largest research project of its kind in Western Australia. We are very keen to look at all groups, including children with disability, children from Aboriginal backgrounds and children from culturally and linguistically diverse backgrounds. They will be captured in the first run. Following information gained from that, we will look at further projects in specific areas. I have no doubt that one of them will be children with disability.

Mr J.R. QUIGLEY: I, too, refer to page 488. The second paragraph refers to the number of children and young people in the youth justice system. I want to know what the Commissioner for Children and Young People suggests, if anything, about a reduction in the incarceration rate of Aboriginal children.

Mrs L.M. HARVEY: I will ask the commissioner to elaborate on his involvement in youth justice, particularly with Indigenous children.

Mr C. Pettit: This is a really important issue. Fifty-two per cent of incarcerated children are Aboriginal. We need to ensure that changes. Sorry, that is out-of-home care—it is even more in youth justice. These two projects are really important, particularly around youth justice. In partnership with the Department of Corrective Services, my office is working with children and asking them some fairly bold questions about what got them into trouble and how we can keep them out of trouble, using the services that they receive. The commission hopes to hand down that report within the next three months and work with Corrective Services about how to improve opportunities through the courts—the whole process, including communities.

Mr J.R. QUIGLEY: Did the commissioner say that a report will be published on this area within the next three months?

[5.20 pm]

Mr C. Pettit: We are hoping to finish our program within the next three months and the information will be provided to relevant agencies as we go.

Mr J.R. QUIGLEY: Will this information be tabled in a consolidated form in Parliament or be publicly available? As the minister will appreciate, community organisations are also concerned about this very issue.

Mrs L.M. HARVEY: Commissioner.

Mr C. Pettit: We have not yet determined how far that will go in terms of a public report. Obviously, we have commitments to young children about their confidentiality. But with the findings from them, we are working with Corrective Services and others to see whether we can help improve the opportunity for young people to stay out of incarceration.

Mr J.R. QUIGLEY: Is it intended that we will be at least informed that the findings and recommendations have been delivered to government? Short of the next estimates committee, how will members of the community know that this has come to a conclusion and they can start to look around? A lot of organisations are very concerned about this issue.

Mrs L.M. HARVEY: My understanding is that it is the practice of the commissioner generally to publish these reports. Commissioner, can you elaborate?

Mr C. Pettit: We publish in a range of ways—tabling in Parliament if it is a significant report, as was the mental health report last year. We publish also on our website and we provide information and evidence to a range of organisations as well as future policy options.

Mr J.R. QUIGLEY: I have directed most of my questions towards the Indigenous incarceration rate but the adviser averted to out-of-home care as well. Can the commissioner expand on that because I think he cut himself off to direct it to the question?

Mr C. Pettit: These two projects are running in parallel. We are finding a lot of commonality between the two. As I said before, 52 per cent of children in out-of-home care are Aboriginal. We are trying to discover, not just for Aboriginal children in out-of-home care, how children perceive the service they receive, how they can be supported better by government services and others and how we can make it better for children not to be in those positions and how we can support the families.

Mr P. ABETZ: The third paragraph down on page 488 refers to the Thinker in Residence program. Has that got underway? Can the minister shed some light on exactly where that is going?

Mr C. Pettit: Yes, it has. We have just signed Associate Professor Jane Burns from the University of Melbourne. She also runs a child research centre. She is a world leader in this space along with a number of local people such as Professor Donna Cross. We have engaged them in a slightly different Thinker in Residence process this year. We will run it over a spaced approach so there will be one week of the residence in October. They will work with a range of agencies, some not-for-profits and some philanthropic groups. They will co-design the return week, which will be in March next year, so that they get more benefit from it. There will be

opportunity for parents and others to be involved. We were also hoping to get the eSafety Commissioner involved in that. Unfortunately, the eSafety Commissioner has just been appointed elsewhere and we are waiting for the appointment now of the national eSafety Commissioner. Part of the reason for that was to bring that person to Perth but also to talk to politicians in particular and other policymakers about what they find around e-safety, in particular for children.

Mr P. ABETZ: It sounds like an exciting development.

Mr C. Pettit: It is.

Mr J.R. QUIGLEY: I think it was the headmistress of a large prominent private girls' school, who very recently raised the issue in a public address of the non-consensual transmission of sexual images, colloquially called sexting, and the impact that is having on young people. I believe there was a report by the Australian Senate two or three months ago on the same subject. Has the commissioner formed a policy on how to help deal with the issue, if I can use the colloquial language, of sexting? In his opinion does this require legislation? The Senate proposed that there should be legislative response as well. Has the commissioner given any thought to this?

Mr C. Pettit: Yes; we have given quite a deal of thought to it. Part of the reason for Jane Burns coming across is to look at those particular issues and at supporting parents and others. We are doing some work around the report the member mentioned and seeing where it would fit within the WA context.

Mr J.R. QUIGLEY: Can the commissioner expand on the Thinker in Residence program?

Mr C. Pettit: As I said, Jane Burns is the Thinker in Residence. We have asked Jane to come across because, as I said, we tabled a report around mental health in December last year. One of the issues around mental health was the role of parents and parenting. We have had a lot of feedback from parents, both formally and informally, about not having an understanding of the e-world, so we felt it was the right time to bring Jane across to talk about the role that online plays in not only a negative way but also a positive way and how that supports parents and, therefore, address things like a relationship to mental health and a relationship to the wellbeing of children.

Mr P. PAPALIA: If the commissioner has already been asked this, please excuse me and tell me that. I refer to the second dot point on page 488 about young people in out-of-home care. Beyond noting that it is a significant issue impacting on the commissioner and the state, has the commissioner planned or executed any studies to determine what is driving the incredibly steep increase in the number of young people in out-of-home care in Western Australia in recent times?

Mrs L.M. HARVEY: We have discussed out-of-home care but that gives the question a different nuance. Do you have something further to add, commissioner?

Mr C. Pettit: In partnership with the Department for Child Protection and Family Support we have embarked on a process of engaging almost 100 children in out-of-home care to discuss their beliefs and understanding of what is happening to them in that process, how we can improve it and how the system itself can be improved. That has been a very strong collaboration with Child Protection and Family Support. We are hoping to have the information back with the department within the next few months so that we can look at what processes are around that will support children in a much better way perhaps than currently is the case.

Mr P. PAPALIA: The commissioner's response is essentially surveying the children impacted by the steep increase. Beyond that is there any academic or other study to determine what might be driving the number of children going into out-of-home care?

Mr C. Pettit: Certainly, Child Protection will have more information on that than we do. However, my colleagues, nationally, are looking at this issue and, collectively, those reports are now starting to filter through. We are monitoring state by state and we are looking at how our report will impact on that and what we can find from that. If there is an obvious thing we need to do, that is the work we will do with Child Protection around policy improvement.

Mr P. PAPALIA: Has the commissioner considered seeking assistance through additional capacity from relevant academic institutions such as universities in the state that might have people willing and ready to do research on the commissioner's behalf with a focus more on trying to determine exactly what is driving this growth in Western Australia, beyond the rest of the states. I think the sheer number in Western Australia is significant regardless of what is happening anywhere else?

Mr C. Pettit: Yes; in all the projects that we do, we engage researchers, particularly the Telethon Kids Institute, universities and others, to do a literature review for us to find out what are the issues from an academic point of view that we can find within not only this state but across the nation in particular, so that we can reference that and develop our projects from there. We have done that with most of our projects and we engage fairly closely with the universities and, as I said, Telethon Kids Institute and others to make sure that we are right on top of the latest research.

The appropriation was recommended.

[5.30 pm]

Division 43: Office of the Information Commissioner, \$2 336 000 —

Mr I.C. Blayney, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr S. Bluemmel, Information Commissioner.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist *Hansard* if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number.

If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mirrabooka.

Ms J.M. FREEMAN: I refer to the outcomes and key effectiveness indicators table on page 494, and the line item for applications for external review resolved by conciliation. The commissioner has done so well in his 2015–16 estimates. He budgeted for 60 per cent effectiveness and he achieved 71 per cent, but he was so disappointed with his effort that he has gone back to 60 per cent as a budget target for 2016–17. Why does he not set himself the same target, and continue on the trajectory of improvement that he has been able to achieve?

Mrs L.M. HARVEY: Mr Bluemmel.

Mr S. Bluemmel: We are certainly hoping to exceed the 60 per cent and, as the member can see, our estimated actual for this year is well above that. We did not want to be quite so bold as to assume that our very high result of this year was a new normal, but we are doing our very best to make sure that it is.

Ms J.M. FREEMAN: I refer to page 495. I note that the office of the commissioner has gone from 11 employees in 2014–15 to nine now, so two staff have been lost. How does the commissioner anticipate doing so well, if he has lost two staff?

Mr S. Bluemmel: This is a case of us basically trying to account for some of the budgetary uncertainty, particularly with things such as the changes to the wages policy. We did not want to assume that we had more resources available than we were quite sure of. We have also had a couple of staff retirements. We are hoping that, within our budget, we will be able to slightly exceed those numbers, but ultimately we have been able to drive significant productivity increases per full-time equivalent available to us, through things like greater efforts on conciliation, early resolution and fast-tracking. We are hoping to achieve more with less but, being realistic, we will probably exceed the nine FTEs shown there. I should also point out that the numbers to which the member refers apply to only one of our services; that is, the resolution of complaints. The advice and awareness service has an additional two FTEs.

Ms J.M. FREEMAN: The office is losing one more staff member, so I would not be heralding the fact that it is going from such a small staff to an even smaller staff, but I noted that as well.

Mr P. PAPALIA: I refer again to the outcomes and key effectiveness indicators table on page 494, and also the service summary. My experience with information applications to relevant government portfolios would not have reflected an 80 per cent satisfaction rating. What percentage or ratio of the overall resolution of complaints relate to applications by opposition members of Parliament, as opposed to the wider public?

Mrs L.M. HARVEY: I understand that Mr Bluemmel has some of that information available.

Mr S. Bluemmel: Firstly, I should speak about the context of that satisfaction rate. That is simply the satisfaction rate of parties to disputes before my office. Of course, my office is called upon to resolve only

approximately one per cent of all freedom of information matters dealt with across the sector. Those are only the ones that are appealed to my office. It does not speak to satisfaction rating of FOI processes across the sector, just to my external review function. We keep some quite detailed statistics about the participants in the FOI process. To give the member an idea, in the current financial year to date, of the 116 matters that were complained about to my office, 19 complaints were made by members of Parliament. On the other side, in terms of the ministers and agencies whose decisions were being complained about, of the 116, 10 related to decisions made by ministers. The others related to standard departments, health-related agencies, universities, local governments and so on.

Mrs L.M. HARVEY: Does the commissioner differentiate between government members of Parliament and opposition members?

Mr S. Bluemmel: Not expressly, minister. However, I would be fairly confident in saying that all 19 of those were members other than government members.

Mr P. PAPALIA: Is the commissioner able to say how many of those 19 were resolved to the satisfaction of the complainant, as opposed to the satisfaction of the department that did not want to tell anybody anything?

Mrs L.M. HARVEY: Mr Bluemmel.

Mr S. Bluemmel: I do not have that information, because this is all aggregated information. I think it would be safe to say that, on average, we perhaps get a higher level of satisfaction from agencies, but that would just be speaking anecdotally, when compared with the others. As the member can see from the figures that he quoted, the numbers across the board are quite high. Bear in mind that, of the people who would answer that survey question following an external review process, half, or even less than half, would actually be government agencies or ministers, because in a typical dispute there is a minister or agency on one side, and a member of the public or an opposition member of Parliament on the other side who wants information, so there is 50–50 there. In a number of other cases, there would actually be a third party, who might be a commercial third-party provider objecting to disclosure as well. The views of the government, in the form of ministers or agencies, would probably make up even less than 50 per cent of that overall score.

The appropriation was recommended.

[5.40 pm]

Division 44: Parliamentary Inspector of the Corruption and Crime Commission, \$726 000 —

Mr I.C. Blayney, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr M.C. Alder, Assistant to the Parliamentary Inspector of the Corruption and Crime Commission.

[Witness introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mirrabooka.

Ms J.M. FREEMAN: I refer to page 500 and the tables under "Service Summary" and "Outcomes and Key Effectiveness Indicators". The key effectiveness indicator is to table one report in Parliament within the target time frame. That was the case in 2014–15 and 2015–16 and continues in 2016–17, but the total cost of services has increased over the same period in terms of evaluation, and will increase in the forward estimates. What are the additional needs, other than the key effectiveness indicators, that have resulted in an increased budgetary need?

Mrs L.M. HARVEY: Mr Alder.

Mr M.C. Alder: With regard to the outcomes and key effectiveness indicators, the figure 1 in that line item relates to the only statutory requirement the Parliamentary Inspector of the Corruption and Crime Commission has under the Corruption and Crime Commission Act, and that is the annual report. The increase in costs of the office relate to the costs of moving accommodation from the Department of the Attorney General in Westralia Square to new accommodation in the BGC Centre.

Ms J.M. FREEMAN: There we go; that answers the question! There is reference on page 501 to the office fit-out at the BGC Centre. I am just checking with the minister that that has been an effective and efficient way to spend taxpayers' money.

Mrs L.M. HARVEY: Indeed. I am not sure whether the actual driver behind the shift to the BGC Centre was a shift away from a potential conflict or was part of the government's accommodation strategy. Perhaps Mr Alder can elaborate.

Mr M.C. Alder: No, the situation we had prior to August last year was that we were physically placed in the Department of the Attorney General, which caused practical problems of privacy for complainants coming to us and a lack of facilities for conducting interviews and so on. It was never the fault of the Department of the Attorney General; that is how the office evolved over the years. The move was prompted by the current parliamentary inspector to have the proper facilities for his functions to be fulfilled in private.

Mr P. PAPALIA: I refer to page 499 and the second point under "Significant Issues Impacting the Agency". I note that two new acting parliamentary inspectors have been appointed. This is not a reflection on Mr Murray's tenure or a suggestion that it might be coming to an end, but I am wondering whether there is a succession plan for the office of Parliamentary Inspector of the Corruption and Crime Commission. Historically, it is a difficult position that can be quite challenging and the role requires a degree of acquired expertise. I am wondering whether there is any plan to eventually ensure that there is a good succession in place. As I say, that is no reflection on the parliamentary inspector in any way.

Mrs L.M. HARVEY: The member is quite right; it is a difficult position to fill and I think that has been reflected in the past.

Mr M.C. Alder: There is no succession plan as such. The parliamentary inspector is bound by the terms of the act; section 193 prescribes who can be a parliamentary inspector and, indeed, an acting parliamentary inspector. Even at the completion of the first term of a particular parliamentary inspector, if they are to be reappointed, the appointment process must begin afresh, so there is no right of placement in the positions of either parliamentary inspector or acting parliamentary inspector.

Mr J.R. QUIGLEY: I refer to page 500 as the anchor point for this question, and the table that has the field headings "Government Goal", "Desired Outcome" and "Service". Under "Service" appears "Evaluation of the Effectiveness and Appropriateness of Corruption and Crime Commission Operations". The Joint Standing Committee on the Corruption and Crime Commission's twenty-seventh report, released in March 2016, includes a protocol, signed by the Corruption and Crime Commissioner and the Parliamentary Inspector of the Corruption and Crime Commission, relating to the management of complaints. The first dot point at the bottom of page 499 reads "The Commission continues to experience a large volume of investigations." However, I refer to the first paragraph of the first protocol in the standing committee's report; I do not know whether the minister is familiar with it, but it might be helpful if I read it. It reads —

The subject of this Protocol is any matter or information received in any way by the Commission which concerns, or may concern, the conduct, by act or omission, publicly or privately, of an officer of the Commission in an adverse manner in that it may directly or indirectly, reflect adversely upon the person's fitness for office as an officer of the Commission.

Does the minister understand this protocol to limit investigations to that issue—the unfitness for office of any employee at the commission?

Mr M.C. Alder: No, it does not.

Mr J.R. QUIGLEY: It does not?

Mr M.C. Alder: No. Section 196(4) requires the commission to notify the parliamentary inspector anytime the commission itself receives an allegation that concerns or might concern a commission officer. It does not relate to any particular conduct; it is just any allegation in whatever form. The parliamentary inspector has broader functions to investigate the conduct of commission officers, including misconduct, whether it has arrived in his office via that protocol, by his own investigation or from a complaint from another source in the community.

[5.50 pm]

Mr J.R. QUIGLEY: The second paragraph of the protocol states —

This Protocol will not operate in respect of a matter or information which is merely the expression of dissatisfaction with the determination of a matter by an officer or officers of the Commission performing the duties of their office.

If a member of the public believes that the commission has been unfair in dealing with their investigation, would this protocol prevent that person from going to the parliamentary inspector?

Mr M.C. Alder: No, it would not.

Mr J.R. QUIGLEY: Therefore, this protocol is just in relation to fitness for office or misconduct by commission staff?

Mr M.C. Alder: That is correct.

Mr J.R. QUIGLEY: I refer to page 499. The first dot point under “Significant Issues Impacting the Agency” states —

The Commission continues to experience a large volume of investigations.

I do not see set out on that page the number of complaints the parliamentary inspector receives in a particular year and how many of those complaints are investigated. Is the minister able to provide that information?

Mrs L.M. HARVEY: I will ask Mr Alder to respond if he can.

Mr M.C. Alder: Unfortunately, that is a typographical error. That is a Treasury document. It should read “Office of the Parliamentary Inspector”, not “Commission”.

In the 2013–14 reporting period, the number of complaints increased by 90 per cent on the number received in the previous reporting period; and in the 2014–15 reporting period, there was a 13 per cent increase on top of that 90 per cent. In the current reporting period, as of today we are at 89 per cent of that total.

Mr J.R. QUIGLEY: Is it possible to provide the figure for last year in terms of the number of complaints received, rather than the percentage increase?

Mr M.C. Alder: Last year, a total of 84 matters came to the office of the parliamentary inspector.

Mr J.R. QUIGLEY: How many of those matters were triaged for investigation? How many of those matters were actively investigated?

Mrs L.M. HARVEY: Mr Alder will explain the process.

Mr M.C. Alder: All complaints are assessed, and the level of investigation depends on the nature of the matter. I would say that only a minority of matters require a full investigation by the parliamentary inspector.

Mr J.R. QUIGLEY: The adviser said a “minority” of matters. How many of the 84 matters that came to the office of the parliamentary inspector last year required investigation?

Mrs L.M. HARVEY: Mr Alder does not have those figures with him, but I am prepared to provide by way of supplementary information the number of complaints received for the 2013–14 and 2014–15 financial years; and, of those, the number that resulted in investigations.

[*Supplementary Information No B89.*]

Mr J.R. QUIGLEY: In relation to that supplementary information, can the minister also advise how many of the complaints that were investigated were upheld in whole or in part?

Mrs L.M. HARVEY: We will provide by way of supplementary information the number of complaints in which the petitioner’s view was upheld, versus the reverse.

[*Supplementary Information No B90.*]

The appropriation was recommended.

Meeting suspended from 5.55 to 7.00 pm

Division 35: State Development, \$55 684 000 —

Ms J.M. Freeman, Chairman.

Mr W.R. Marmion, Minister for State Development.

Mr S. Wood, Director General.

Mr S.J. Melville, Director, Corporate Services.

Ms C. Ginbey, Director, Strategic Industrial Lands.

Mr G. MacLean, Principal Policy Adviser, Office of the Minister for State Development.

[Witnesses introduced.]

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I give the call to the member for Cannington.

Mr W.J. JOHNSTON: I refer to the table at the bottom of page 414, specifically the comment, "Building strategic infrastructure". When does the government expect the construction of Anketell port to begin? Is the government expecting Oakajee port to begin construction in the next four years?

Mr W.R. MARMION: I think there are two questions there; are there two questions?

Mr W.J. JOHNSTON: It is one question about two issues, yes.

Mr W.R. MARMION: I will provide some brief commentary before I explain the precise timing. For Anketell, with the iron ore price low—is the member all right?

Mr W.J. JOHNSTON: I am listening.

Mr W.R. MARMION: That is good. With the dropping off of the price of iron ore, the financial viability of the Anketell port project is on hold at the moment, but I understand that the private proponents are looking at other options. I will get the director general to expand on that. Was the other question again about the timing of Oakajee?

Mr W.J. JOHNSTON: Yes.

Mr W.R. MARMION: Oakajee is suffering the same fate, but we are very supportive of it. It is the port through which the commodity of magnetite will be exported, through Geraldton. With the low iron ore price, activity in the midwest has subsided, but when the economic prices of commodities go up, I expect that will go ahead. The Department of State Development will provide all support necessary when those projects are viable and when they are ready to go ahead, they will. The director general might like to add more to what I have said.

Mr S. Wood: Oakajee has always been connected to iron ore developments, for the purposes of getting started. Given the market and the state of mines in the midwest, I am not expecting Oakajee to start within the next four years. The joint venture for Anketell, which includes Aurizon, POSCO, American Metals and Coal International and Baosteel, commented in March that it was having a rethink on the project given the costs and where the market is. That is exactly what it is doing at the moment; it is having a rethink. I do not have a time line for Anketell. They are the only proponents with enough ore and carrying power to seek to enliven that site.

Mr W.J. JOHNSTON: So there is no expectation in the next four years for Oakajee and there is little expectation about Anketell?

Mr W.R. MARMION: The member is right.

Ms R. SAFFIOTI: My question relates to page 418 and I refer to the regional infrastructure and headworks fund.

Mr W.R. MARMION: Where is that?

Ms R. SAFFIOTI: Also referred to on page 417 is the Bunbury to Albany gas pipeline. An amount of \$3 million is being allocated in the 2016–17 budget. Then there is \$3 million in the forward estimates in 2017–18 and \$1 million in 2018–19. Can the minister describe exactly what types of work will be carried out for that \$7 million in the forward estimates?

Mr W.R. MARMION: I think the member will find that it shows \$3 million in the budget estimate for 2016–17. Is she talking about the amount of \$3 million? It is not \$7 million.

Ms R. SAFFIOTI: It is \$7 million in total.

Mr W.R. MARMION: That amount of money was put aside for land acquisition readiness. That is what it is available for. If we can be more specific, although the project has not reached a finite stage where it is going ahead, there is money available, so we can do some land acquisitions to make it project ready. Maybe the director general would like to elaborate.

Mr S. Wood: The total of \$7 million from royalties for regions was set aside for land clearing the route, environmental surveys, planning et cetera. That money has not been spent. We do not have a reasonably fundable solution for the pipeline at present. The issue has been to reduce the cost of the pipeline, so we have not spent the money on land clearance because route and costs are part of the same equation.

Ms R. SAFFIOTI: I refer to the income statement on page 418. Does that mean that the department budgeted for the \$7 million in 2015–16 but it did not eventuate, so it is basically just re-cashflowing those unspent funds over the next three years; is that correct?

Mr W.R. MARMION: That is correct. Basically because of the route, as the director general explained, we want to keep all options open. The money is there for however it might progress.

Mr W.J. JOHNSTON: Has any other pipeline option been examined? Apart from building a physical pipeline, have any sorts of virtual pipeline options been examined? Has the minister looked at the cost effectiveness of those alternatives? Getting natural gas to Albany is important because currently people there are using LPG. There are serious safety issues with piped LPG and piped natural gas is better than LPG, so has there been any examination of other alternatives?

[7.10 pm]

Mr W.R. MARMION: What does the member mean by “virtual pipeline”? Does he mean other routes?

Mr W.J. JOHNSTON: That is terminology used in the industry. I am sure it has been used with the minister. I give the example of the virtual pipeline from the Maitland estate to Broome for the gas-fired power station in Broome where trucked LNG is used. There might be a range of reasons why the minister would not want to use trucked LNG; however, I am asking whether he has examined the other alternatives to building a physical pipeline to find another cheaper alternative to deliver the fuel to Albany.

Mr W.R. MARMION: Before my time—I have had some knowledge of it—a number of routes were considered before the preferred route came up some years ago. At the moment, all options are on the table. Would Mr Wood like to add to that?

Mr S. Wood: The short answer is yes. Every way we can think of to reduce cost, to marry with demand, there being lumpy and limited demand and there being a specific problem, as the member mentioned with Albany, obviously, the preference has been to construct a pipeline, but any options or variations on that including staging we have looked at as a means of reducing cost and still getting a viable outcome.

Mr W.R. MARMION: Some years ago the Grange Resources project would have used a lot of gas. That was when it was rolling on as a strong, economically viable project. The department does not want to commit to the route in case we come up with a cheaper alternative. Watch this space and hopefully something will emanate later this year.

Mr W.J. JOHNSTON: Obviously, the previous announcements are that the department wanted to have a commercial partner for the project. When was the last time you talked to a commercial partner?

Mr W.R. MARMION: I will just give some preliminary commentary. I am not involved in the actual process —

Mr W.J. JOHNSTON: When I said “you” I meant collectively.

Mr W.R. MARMION: The director general will be able to elaborate a little more. A process is underway and when that process finishes, we can look at other options.

Mr S. Wood: There has been a sequence of discussions with commercial parties—I would not say commercial partners, but commercial parties—including out of the request for proposal exercise and then subsequently in terms of people bringing forward unsolicited proposals to government for us to look at. In each case we would have to say there is a reasonably large expense by government to make the exercise work.

Mr P. ABETZ: I refer to industry development and investment facilitation on page 415 of the *Budget Statements*. Can the minister inform us of the status of the proposal for a solar thermal power plant at the Mungari industrial park near Coolgardie? It is a project that people talked to me about over a year or two ago. What is happening with that?

Mr W.R. MARMION: I will ask the director general whether he can provide detail on that.

Mr S. Wood: Ms Ginbey has had direct dealings with the parties involved and she is better able to answer the question.

Ms C. Ginbey: The Mungari strategic industrial area is about 23 kilometres from Kalgoorlie and a similar distance from Coolgardie. Although the Mungari area is approximately 700 hectares of core area, a number of proponents have come to us with proposals for solar power. The latest proposal was from a company called Exergy Power that wanted to put a solar thermal tower within the core and surround it with solar panels. There

was a similar example of a project in the US that the proponent was looking at. We provided a licence for Exergy to access the site and undertake all the investigations it needed to. Unfortunately, it found that the cost associated with the project did not make it a viable project to stack up and Exergy came to us a couple of months ago and advised us that it was not going to go ahead.

Mr P. ABETZ: What other measures has the department adopted in trying to facilitate investment in renewable energy in that region, given the energy shortage in that area?

Mr W.R. MARMION: I have driven out to Mungari, which is just out of Coolgardie. Our role as the Department of State Development is to have industry-ready land. This is a site just out of Coolgardie that is close to a railway line. It is still a bit of a dirt track to get there but it is available for development. Renewable energy projects probably come more under the Minister for Energy, but someone may have a project that State Development can assist in; I am not aware of any specific one. Perhaps the director general can advise everybody about any renewable energy project that we might be working on in our department.

Mr S. Wood: There was one earlier proposal that has been publicly known and spoken about, including in this place. Perhaps Ms Ginbey can speak to the proponent.

Ms C. Ginbey: Investec was interested in a similar proposal. It wanted a joint project with a data centre. When information is put into the cloud, it does not exist in a cloud; it is held in a data centre in some location. Mungari was seen as an ideal location for it because there was very little seismic movement there; one would think there would be, but there was not. A joint arrangement between a solar farm and the data centre was seen as being a very good arrangement. Again, Investec ended up pulling out of all the renewables in Australia. It advised us of that some time ago.

Mr P. ABETZ: What is the show stopper of getting a project? Obviously, there is a need for more electricity in that area. A lot of the mines use diesel generators because they cannot access electricity from the grid, but they are very keen to access electricity. Is there anything that is the show shopper or not?

Mr W.R. MARMION: The member is right: energy is something that a lot of the mining companies are keen on, but they are looking at gas. Reticulated gas, if it is possible, is what they are looking for. To use solar energy for powering operations that might want to go 24/7 does not work at night.

Mr P. ABETZ: The solar thermal does.

Mr W.R. MARMION: The solar thermal? Okay.

The CHAIRMAN: Members, it sounds like we are just in a general discussion here. We might want to move on.

Mr W.J. JOHNSTON: I refer to the last dot point on page 414 under “Significant Issues Impacting the Agency”. The first dot point is the comment about Browse floating LNG and the last dot point is about Western Australia being a major global LNG producer. I want to get an update on the government’s view of the possibilities around Browse.

Mr W.R. MARMION: Yes, I will give the member a bit of a snapshot and the director general might be able to add more detail. As the member knows, the final investment decision was announced not to go ahead. It was not helpful that the gas price was low, obviously.

[7.20 pm]

Mr W.J. JOHNSTON: Yes, it is!

Mr W.R. MARMION: For this particular project it was not. As the member knows, the joint venture was looking at floating LNG. The member knows the sequence. Torosa was not going to be one of the first ones. It is my understanding that the second generation floating LNG might be more efficient than the current one, so the joint venture is revisiting the project’s feasibility. It told me last year that it has to go through a works program and get approval to maintain the lease, and it intends to have one. Mr Wood might have more updated information. At the moment it is my understanding that the joint venture partners are revisiting the project to see whether they can make it more cost effective.

Mr S. Wood: I will speak to the comments that are in the market. The FLNG concept that the joint venture was pursuing could not be progressed largely because of costs and a lack of take-up on the market. It is seeking to develop a further concept. It will be an FLNG concept, and it is said to be smaller in size and differently sequenced, as we would expect. We have not engaged in discussion with the joint venture partners at this point, because they are still contemplating what they will do and what they will bring to government. Separately, we were in negotiations leading up to the decision the joint venture made to converting the key principles agreement document, which has been tabled in Parliament, into a more formal contract. Obviously, that negotiation has ceased; it is concept and timing dependent.

Mr W.J. JOHNSTON: When does the retention lease on the state’s waters finish?

Mr W.R. MARMION: It finishes five years from June last year, which is when I issued it as Minister for Mines and Petroleum.

Mr W.J. JOHNSTON: So in 2020.

Mr W.R. MARMION: Yes, that makes it 2020.

Mr P.T. MILES: The second dot point under “Significant Issues Impacting the Agency” on page 414 refers to the Roy Hill and Gorgon LNG projects. It states that there has been an increase in export volumes. Does the minister have the figures for those export volumes?

Mr W.R. MARMION: Yes, I can give some updated figures and how we have been going in the first half of this year. In the first half of 2015–16, the volume measure for Western Australian exports increased by 5.9 per cent compared with the first half of 2014–15. Unfortunately, because of the price for our main exports of iron ore and liquefied natural gas, the value of our exports decreased by 12.2 per cent to \$56.1 billion. The higher volume but lower value scenario is most evident when one looks at iron ore and LNG. Western Australia produced 383.5 million tonnes of iron ore in the first half of 2015–16, which was a 7.3 per cent increase on the first half of 2014–15. However, the value of iron ore production fell by 14.8 per cent due to the lower iron ore price. The World Bank Group’s measure of the iron ore price fell from an average of \$US82 per tonne in the first half of 2014–15 to average \$US51 a tonne in the first half of 2015–16. Given that I know that the member is really interested in LNG as well, our LNG production was 11 million tonnes in the first half of 2015–16, which was a small decrease of 0.6 per cent, so it was pretty well flat in the first half 2014–15. However, the value of LNG production fell by a massive 27.3 per cent due to the lower LNG prices. If the member thinks back to his final year of physics, he will remember that the British thermal unit is how we measure LNG, because it is the measure of heat capacity to energy capacity. The price of LNG—this highlights the impact—went from 15.15 million per British thermal units to 9.1 million per British thermal units this year. The drop in price was quite significant.

Mr W.J. JOHNSTON: The minister outlined the increase in production and a reduction in price. What impact have those changes had on employment? Has there been a significant fall in employment in the sector since the member for Nedlands became the minister? Does the minister expect the decline in employment to continue while he is the minister?

Mr W.R. MARMION: No. I do not have the figures at hand—we can probably get them—but using the example of LNG, Gorgon has more trains to come onstream and Wheatstone has another lot to go. There are 7 000 workers onsite at Wheatstone—I visited Wheatstone on Wednesday—and there are still a considerable number of workers at Gorgon. The number is quite high at the moment. It is obvious that they will drop off as construction concludes. In terms of iron ore, Roy Hill has come onstream and the construction side is dropping off. Citic Pacific is still going very strong and has another couple of trains to put on. Obviously, there will be a reduction in the number of people tied up in construction, as expected, but there will be ongoing jobs in production.

Ms R. SAFFIOTI: I refer to “Royalties for regions—Brand WA” on page 413, for which the expenditure is \$150 000 in 2015–16 and \$535 000 in 2016–17. It is obviously funded by royalties for regions. Can the minister describe exactly what this involves?

Mr W.R. MARMION: I will give a snapshot, but the detail can be clarified better by the director general. We are exploring the possibility of branding the state to see whether we can market agricultural products overseas and to see whether there is a benefit in having nice, clean and green Western Australian fresh food in that space. We are doing some market research to see whether there is any value in doing that. It is important. We know some Western Australian farming communities and regions brand their area to help market their products. It is worthwhile exploring, so money is available to look at it, and we are going through the process at the moment.

Ms R. SAFFIOTI: Does that involve market research and other investigations?

Mr W.R. MARMION: This is an area I have been involved in in a past life. We cannot rush in; branding is an art. We need focus groups to check it out to see whether it will work before we go down the expensive path of branding.

Mr W.J. JOHNSTON: If the department is conducting focus groups on Brand WA’s effectiveness, in which country will it do the focus groups?

Mr W.R. MARMION: I am not involved in the day-to-day running of the program, but China and South-East Asia are obviously our focus. Perhaps the director general can be a little more specific on where we are going with the process.

Mr S. Wood: Phase 1 of the project, which was roughly about \$50 000, involved research on brands generally, their effectiveness and what we might do in the construction of brands. Phase 2, which cost about \$60 000, has involved going to tender for creative thinking leading to creative design. The panel for selection of a preferred proponent will in fact meet tomorrow to make its selection. Following that we see the creative work being done on a design concept. Then we will test the acceptability of various designs/messaging in various markets. The

work is towards finding out whether we can effectively get a brand initially for export in agriculture that will lift the state presence in key markets. The key markets are essentially where we have major exports currently, such as Indonesia, China, Japan and Korea.

[7.30 pm]

Mr W.J. JOHNSTON: Can the minister clarify where the research into the effectiveness of the brand is being done?

Mr S. Wood: Testing consumer acceptance and acknowledgement of the brand, if you like—or the understanding thereof—will be undertaken in key Asian export markets.

Mr W.J. JOHNSTON: The testing has not been done yet, but that is where it is going to be done.

Mr S. Wood: The meeting of the panel to select the preferred proponent is tomorrow.

Mr W.J. JOHNSTON: Is that the proponent to do the research?

Mr S. Wood: The proponent to engage with us to set up the contract to do the creative work first, then to do the testing of the concept with consumers in Asian markets.

Mr W.J. JOHNSTON: Will the creative talent be selected first and then have their talents tested after they have already been hired?

Mr S. Wood: No. The expressions of interest went out and a whole series of people were interested in the exercise. We are now down to a shortlist of three candidates. Those three shortlisted candidates have shown their credentials and they were paid \$20 000 each for doing the early concept work and the pitch, so to speak. Once a preferred proponent is selected, we will work with them towards developing proper creative options that we can then test in markets.

Mr W.J. JOHNSTON: As a fat, old, bald, white guy, will fat, old, bald, white guys be making the decision about who we select as a creative to market to Asian people?

Mr S. Wood: If the member is talking about the selection panel of four, no; they are not all fat, old white guys with or without hair.

Mr W.J. JOHNSTON: It seems to me that the fundamental issue about a brand WA is to make sure that it works in the market that we are targeting; therefore, we are probably not going to find the best people through this process.

Mr W.R. MARMION: Is the member an expert on the process? He does not know who has tendered, nor do I. I think it is hypothetical—we shall see.

Mr W.J. JOHNSTON: The minister will be pleased to know that we will not stay long on this division; we are going to go on to another division fairly soon.

Mr W.R. MARMION: I am disappointed.

Mr W.J. JOHNSTON: I bet the minister is.

The fourth dot point under the heading “Significant Issues Impacting the Agency” at page 414 states —

The Department has increased its focus on agricultural investments and exports and identifying new markets ...

What percentage of the agency’s effort is now focused on agriculture?

Mr W.R. MARMION: I have some preliminary comments. We are beefing up our overseas offices. Three overseas offices have had an extra staff member appointed to focus on agriculture. I think that the budget papers mention that Rob Delane has been put in charge of our agribusiness expansion unit. Obviously, we already have overseas offices, so we might as well take advantage of them, rather than have the Department of Agriculture and Food go overseas. That is the aim. The percentage of our effort in that area is something the director general might have a stab at, but, obviously, it is early days.

Mr W.J. JOHNSTON: What percentage of the department’s 148 full-time equivalents is going into the agricultural effort?

Mr W.R. MARMION: I am not sure whether the figures—the director general can confirm this—actually identify all the agriculture staff. The director general can give a bit of an outline on where that is at.

Mr S. Wood: To date there has been a relocation of staff to create the agribusiness expansion unit, which is worth about \$970 000. The budget sits at about \$33 million in total. In addition to that, the costs in relation to the head of the unit, Rob Delane, and his executive assistant support have come across and they have been absorbed. There is a diversion of about \$1.4 million for that purpose in the budget. Coming to a quick calculation, we are around just above three per cent of budget. In addition to that, the work is supplemented, obviously, by the work that the minister has indicated. In addition to that it is supplemented by all our international trade and investment support or by our project people or by our industrial lands people or whatever is required for a backup purpose.

Mr P. PAPALIA: Noting that our grain export markets are fairly mature, I assume that the vast majority of the effort in this agribusiness expansion role is focused on live exports. I have heard about nothing other than live exports. Is there any activity beyond trying to source and expand live-export markets?

Mr W.R. MARMION: Is the member asking whether there is a focus other than beef cattle?

Mr P. PAPALIA: I do not think we live export chickens, so sheep and cattle.

Mr W.R. MARMION: We want to market any agricultural product and encourage investment. Those are the two things we want to do. Obviously, our strength is cattle.

Mr P. PAPALIA: Minister, I want more than generic statements. I want to know what activity has been conducted and whether it is entirely focused on trying to grow live-export markets in the agribusiness world or on, for instance, building markets for fruit and vegetables, chilled fruit, chilled meat or any other products beyond live exports.

Mr W.R. MARMION: Our offices have been set up to promote everything; they have always been there to promote anything in small business. Importantly for this project the markets are large. For instance, the Chinese market is large and there needs to be some sort of scale and we need the expertise to connect the suppliers and markets.

Mr P. PAPALIA: I want to know what the agribusiness expansion unit is doing.

Mr W.R. MARMION: The member wants to know the products the unit is focusing on.

Mr S. Wood: Each market is different. As one would expect, the work in Indonesia has been different from the work in Singapore and from the work in India. For instance, the work in Singapore to date has been largely on fruit and vegetables, with traders and buyers who need additional product and matching them with an exporter of that. The early phase of the agribusiness unit in Perth has been trying to complete work that has been going on in China for some time on live-cattle exports. Live cattle export is not necessarily specifically live cattle; it is a question of increasing the protein export from Western Australia. China is a particular market for that that was identified some time ago. Quite a lot of work has been put into that. Mr Delane has been over there to try to complete some of that work. He is currently either in Singapore or India as a market development exercise to try to strike and confirm some additional relationships for the purposes of what relationships might be a take-off of product in the Indian market. At this stage there is no one particular product. Obviously there has been quite a lot of work with respect to China and live cattle, but it is a case of building relations for the purposes of then saying, “Yes, this market would be receptive of us doing more work in X.”

[7.40 pm]

Mr P.T. MILES: Further to that, on that same theme, as the minister knows, I have fairly large growers out in my electorate of various sorts. How do they access the agency to be able to export their product?

Mr W.R. MARMION: I will let Mr Wood give the specifics of this one.

Mr S. Wood: It would be the same way that they have always accessed it. I suppose we have always had the access through our international trade and investment division. Typically, we use desk managers there for the purposes of locality. For example, if one of the member’s constituents who was producing product wanted to, for example, export into Singapore, they would typically contact the desk manager and work through from there. Alternatively, others have been in the market and have made contact with the office in Singapore for the purposes of saying, “I’m here. I do this. These are my contacts.” They make their connection that way. By the addition of the agribusiness unit, they may seek to come into the agency through that particular unit, except that it is relatively new so the number of contacts for them to date has not been high. Methodology for contact will typically be through ITI in the first instance anyway.

Mr P. PAPALIA: I refer to the sixth dot point under “Significant Issues Impacting the Agency” on page 414 of the *Budget Statements*. What work has the department done on developing plans for an outer harbour in Cockburn Sound?

Mr W.R. MARMION: I will ask the director general to advise what work my department has done on that. I am not aware of what we have done.

Mr P. PAPALIA: The dot point states —

The Department continues to ensure that land and infrastructure is available for future project development. This is achieved, in part, by creating and managing strategic industrial areas throughout Western Australia that are suitable for new industrial activities and supporting multi-user access to strategic infrastructure such as ports and rail.

I thought that might encompass a new port in Cockburn Sound. I was wondering what the department has done about it.

Mr W.R. MARMION: We focus on industrial areas. There are a lot of industrial areas at the back of ports that we have utilised. I can list all 12. But in relation to that particular one, I will ask the director general to comment on what we have specifically done about an outer harbour in the metropolitan area.

Mr S. Wood: The project for an outer harbour in Cockburn Sound is with the Department of Transport, not with us, in terms of any lead agency arrangement. We would support the department on any such initiative, including our various port users who use the industrial state that we are responsible for. We deal with that. We have done more work when we are lead agency, for instance, in Anketell and the Oakajee–Narngulu infrastructure corridor.

Mr P. PAPALIA: Further to that, the department has expertise in analysing potential for port development and necessary infrastructure requirements and planning and management around that activity. Has it done anything in Cockburn Sound? Has the Department of Transport requested to support the Department of State Development in developing a potential outer port at Cockburn Sound?

Mr W.R. MARMION: The actual expertise is in the Department of Transport. We have other expertise. Maybe the director general can explain how we have supported the department, if required.

Mr S. Wood: The short answer is yes. As the Department of Transport wishes to include us or seek our advice on the outer harbour, we would provide that advice. In respect of any port sale and use of land and corridors and what we might have to say about corridors, we would provide that advice to it.

Mr P. PAPALIA: I was asking whether the department had supported the Department of Transport, not whether it would support it.

Mr S. Wood: There has been a whole lot of discussion about a raft of things relating to the Fremantle port sale, including corridors and policy on the outer harbour, and we have been part of those discussions.

Mr P. PAPALIA: With respect to the advice provided, noting the speciality skills that DSD has, did it canvass interest from the private sector with respect to developing an outer harbour at Cockburn Sound?

Mr S. Wood: The answer to that is no. If we are not the lead agency, we would not take a seat in doing that sort of work. We would take a back seat in providing advice to the lead agency.

Mr P. PAPALIA: Has the department received any unsolicited approaches from any private sector operators interested in developing a port in Cockburn Sound?

Mr W.R. MARMION: They have not come to me.

Mr S. Wood: We have unsolicited proposals from proponents who wish to use the marine facility in Cockburn, but specific to the member's question about an outer harbour development, not that I am aware of.

Mr P. PAPALIA: Further to that, with respect to the unsolicited approaches, have those proponents had the capacity to and been willing to invest capital in further developing the current facilities? Noting that they have not approached the department with respect to an outer harbour, what about the infrastructure that is there at the moment?

Mr S. Wood: I do not want to deal with—I do not think the member is asking me to deal with—specific proponents, but typically it is a proponent that wishes to produce a product using the industrial estate. It seeks to have a marine facility for the export of that product. That may be a build or it may be partnering on to an existing facility, whichever way it can effectively get its product out in a cost-efficient way.

The appropriation was recommended.

[7.50 pm]

Division 36: Finance (Except Service 5: Public Utilities Office), \$484 780 000 —

Ms J.M. Freeman, Chairman

Mr W.R. Marmion, Minister for Finance.

Ms A. Nolan, Director General.

Mr W.R. Sullivan, Deputy Director General, Building Management and Works.

Ms N. Suchenia, Commissioner of State Revenue.

Mr S. Whitmarsh, Acting Executive Director, Strategy and Coordination.

Mrs S. Black, Executive Director, Government Procurement.

Mr A. Dolling, Director, Economic Reform.

Mr L. Carren, Chief Finance Officer.

Mr G. MacLean, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIRMAN: The member for West Swan has the call.

Ms R. SAFFIOTI: I refer to land tax collections on page 436 of the *Budget Statements*. I think the Treasurer and the Minister for Finance both share responsibility for this area. What number of complaints has the minister received over the past year on land tax issues?

Mr W.R. MARMION: I assume that the member does not mean what number I have personally received in my electoral office but that received by the Department of Finance.

Ms R. SAFFIOTI: The minister has a department around him!

Mr W.R. MARMION: Yes. I understand that the Commissioner of State Revenue has those figures. What period of figures would the member like?

Ms R. SAFFIOTI: What figures does the minister have?

Mr W.R. MARMION: The figures for the current financial year. I will pass over to the Commissioner of State Revenue.

Ms N. Suchenia: Over the current billing period, most of our contact from taxpayers is encouraged through the telephone. We record the reasons for contact from the taxpayer as they come in. In the course of the year, we received 34 984 telephone inquiries and we have broken them down by percentage. Complaints are not specifically logged as complaints. We have information based on the types of inquiries that people lodge with us, and we break that down on a percentage basis of inquiries or logs. About 21 per cent of our calls are about primary residence exemptions, which is the major issue raised. The next highest issue this year has been about the land tax increase at 11 per cent, which equates to about 37 000 inquiries or complaints.

Ms R. SAFFIOTI: I will ask about the primary residence exemption. What do the queries mainly revolve around? Are they primarily about larger properties or primary production issues?

Mr W.R. MARMION: I am happy for the Commissioner of State Revenue to answer that question.

Ms N. Suchenia: Our assessment practice is based on data matching with Landgate. In terms of red-tape reduction, we match the data of 1.3 million land items in the course of a year. In that process, we apply just over 500 000 residential exemptions, and, of course, that data matching process is not perfect because taxpayers move in the course of the year and then their data is not quite up to date on every source. In some cases we cannot determine with a reasonable degree of certainty that the exemption is applicable to a particular case. Once taxpayers receive their assessment notice, they are required to contact us if that assessment is not correct. In terms of the inquiries that we get on primary residence, it is about taxpayers who are either getting an exemption on a property they do not live in and would like it swapped to a different property, or getting a tax assessment on properties that they do live in. We can sort that out over the phone by data matching and the checking of sources and then apply those exemptions at that point in time.

Ms R. SAFFIOTI: Is the department getting an increasing amount of complaints about—we have seen a little of it in the paper—the grey nomads or retirees who travel for extended periods over the Perth winter and therefore leave their house unoccupied and become liable from 30 June for land tax? Is that an increasing issue or has it been the same over time?

Mr W.R. MARMION: I will refer to the commissioner.

Ms N. Suchenia: The issue of whether the residential exemption is retained on 30 June is based on the character of the residence at that point in time. To specifically answer the question, it is not one of our top areas of concern in the number of inquiries that we receive. A Commissioner's Practice is published on land tax and those particular circumstances in which there are temporary absences over 30 June. The exemption availability depends on the character of the residence as it is left. For example, if a person has gone on a 12-month trip around Australia and rented out their property, they are likely to lose their residential exemption because the character of the residence has changed for that period. If that is not the case and a person maintains it as their principal place of residence even though they are not living in it, it is likely that they will retain the exemption.

Mr W.J. JOHNSTON: How many of the minister's parliamentary colleagues have contacted him to complain about land tax increases?

Mr W.R. MARMION: That is a difficult question to answer because I probably have received many emails. If I have to think about the private conversations I have had with my parliamentary colleagues at Parliament or at functions, I have no idea. I guess it is fair to say that a percentage have raised concerns about the increase in land tax. They understand that the Treasurer's current situation with the GST reduction has caused a problem with our revenue. Of course, the only three revenue sources that the state government has left at its disposal are payroll tax, stamp duty and land tax. Unfortunately, some members of Parliament have been upset about the increase in land tax.

Mr W.J. JOHNSTON: I was recently approached by a constituent with a land tax complaint. Their elderly father became seriously ill and hospitalised. His house was vacant on 30 June and the family was then sent a land tax bill just in time for the father to die. I wonder whether the minister considers that to be proper practice for the administration of land tax arrangements.

Mr W.R. MARMION: The rules around land tax are the responsibility of the Commissioner of State Revenue. I have had a complaint along the same vein in my electoral office in which an elderly person went into a retirement village or a nursing home and received a land tax bill.

If the property has been rented out, the answer is the same as the answer to the last question. If the property is being rented out, I do not think that the Commissioner of State Revenue has much choice in the way it is set up. The commissioner might be able to outline what the implications are if someone is not in the house on 30 June.

[8.00 pm]

Ms N. Suchenia: The same commissioner's practice is applicable, so it depends on the character of how the residence is being used. In terms of the timing and sending notices out, because it is done through automatic data matching and matching circumstances, we are not aware of the particular circumstances of why somebody has moved out, unless they have made a specific application in writing to us. Although it is regrettable that land tax notices would go out in those circumstances, it is a factor of the system, in that it is based on data matching showing that someone is not living in the residence.

Mr W.J. JOHNSTON: If the person occupying the house in that circumstance was a member of the family, is it right that there would still be a land tax obligation?

Mr W.R. MARMION: The Commissioner of State Revenue will be answering this question.

Ms N. Suchenia: Again, it is covered in the commissioner's practice, and it goes back to the particular circumstances, and rent is a big factor in the nature of the residence changing. We also look at things like whether the possessions of the person who has moved out have been left in the residence and are still there for them to return to at some point. All of those factors are then put together to come to a determination. The fact that a family member is actually living in the property would not necessarily mean that the exemption would be removed in those circumstances. It depends on a number of factors.

Mr P.T. MILES: When the commissioner refers to data matching as of a certain date, where is she getting the data to match to see whether the house is a rental property, or whether the family member is away on holiday and has a daughter or some other relative looking after it? Where does that information come from and how is it matched?

Ms N. Suchenia: We use quite a number of different sources. Obviously, the ownership data comes directly from Landgate, and we have a system that is pretty well plugged directly into Landgate's system. We also access utility records, rental bond records and a range of different bulk sources of data to match together to determine whether there has been a change in the nature of the occupation of the property.

Mr P.T. MILES: Further to that, if someone had purchased a home a long time ago and decided to move out into a second home, and then decided to hook up with Airbnb or something like that and rent out the property or have boarders in in the house but the electricity and the water was still in the original owner's name, how would we be able to ascertain whether land tax should be payable?

Mr W.R. MARMION: I will just clarify that. Does it mean that the person has two properties?

Mr P.T. MILES: Yes.

Mr W.R. MARMION: I think that the Commissioner of State Revenue will be able to answer this one fairly easily.

Ms N. Suchenia: A person can have only one principal place of residence, and the data would show that a person has two residences and all the utilities in his name, so we would then make inquiries about which property the person occupies. Obviously, this becomes a cause in some instances for investigation by our compliance branch, and it moves out of a simple data-matching scenario into an investigation, if there is cause for concern.

Mr P.T. MILES: Further to that, having had some experience in this area, if a grey nomad from the south has another property in the north, the Commissioner of State Revenue then has to work out which property is the principal place of residence. My understanding is that if a person spends six months and one day in one place, versus five months and 29 days in another place, the one in which the person spends most time will be taken as the principal residence. The Commissioner of State Revenue might be able to clarify, when there are two properties, how she might work out which one is the principal residence.

Ms N. Suchenia: The time that a person spends in a particular property is a factor of relevance. Because it is land tax, and it is based on where a person lives on 30 June, our investigations in those circumstances centre around where the person is located on 30 June. It is about establishing the primary place of residence, and we use a number of indicators to determine which residence has that nature, and the factors that weigh towards one or the other being the primary place of residence. Obviously, we take values into account, because there would be an automatic tendency to claim the highest value property as the principal place of residence, but that is another factor that we look at as part of the process.

Mr W.R. MARMION: I know that the member for Wanneroo is very interested in this topic. If a person had a property in Perth versus a property in the country to the north, the one in Perth is obviously going to be worth more, but because a person is likely to be in the country during the southern winter, it is likely that they will be living in the cheaper property on 30 June. It is quite a complex area to look at.

Ms R. SAFFIOTI: Still on the topic of land tax, there has been a lot of discussion recently about the issue of aggregation, and the possibility of the removal of aggregation. Has the minister's agency undertaken any analysis of the cost of that?

Mr W.R. MARMION: We actually implement any policy that the Treasurer might want to put in, so the policy will come from the Treasurer, and we can run the numbers on anything that he wants us to look at. It is pretty easy.

Ms R. SAFFIOTI: Can the minister provide us with those numbers?

Mr W.R. MARMION: What numbers?

Ms R. SAFFIOTI: What the cost of the removal of aggregation would be.

Mr W.R. MARMION: I did not say that we looked at removing aggregation; I said that we look at anything that the Treasurer might want us to look at, which obviously we did when we increased all the different options to do with land tax.

Ms R. SAFFIOTI: This is not a trick question. Does the minister have the costing of the removal of aggregation?

Mr W.R. MARMION: I do not know, because I have not looked at it personally, but I will ask Nicki if she has had a look at the cost of removing aggregation.

Ms N. Suchenia: There is some published work from the 2007 state tax review that looked at the abolition of aggregation and the costs associated with it. It also went into incident shifts and a number of other issues. A cost of \$130 million per annum associated with the removal of aggregation was published in that report. Obviously, we provide data to Treasury on specific land tax issues. It is then able to use that data to work through various cost options. If Treasury has particular concerns about moving variables that they cannot do with the data that we provide to it, it comes back to us and asks us to use our modelling capability to do that. We have not at this point provided any specific modelling on aggregation, but I expect that those requests will come through. The issue with aggregation and being able to cost anything associated with aggregation is not simply being able to say that we just remove aggregation and tax at a single rate every property that a person owns, because that does not take into account that every property would have a \$300 threshold associated with it. The incident shifts that we get through aggregation mean that we cannot just look at the current tax base and take away the aggregated effect of every property being taxed as it is at the moment. We need to be able to look at all the other options, potentially even including a single rate, particularly if we want to keep a revenue-neutral capacity to be able to work on threshold adjustments. That is where, through a budget process, Treasury does its modelling.

[8.10 pm]

Ms R. SAFFIOTI: Ownership structure is always something that is integral to the aggregation debate and what people can do to try to reduce the liability of their aggregation components. As I understand it, and hopefully the minister can clarify this, basically if a person is a part owner of any property, the percentage of that property is put towards their portfolio. For example, if I am a one-fifth owner of a property, a half-owner of another property, and a quarter-owner of another property, those components are added together as part of my aggregation. It is not simply sole ownership because I am a part owner. The commissioner is shaking her head that I am not right.

Mr W.R. MARMION: I know; yes. I know where the member is going with this—where ownership can be juggled. I understand that. The commissioner can talk about percentage limits, but I will let her give the member more detail on how she assesses different properties under different names and partnerships—mothers of parents and everything else.

Ms N. Suchenia: Land tax works on the basis that it follows the legal ownership of a property. If a person owns a property 100 per cent in their name or they own two properties 100 per cent in their name, both those properties would be aggregated together. If a person owns a property in their own name and also a property with their spouse, they will get two separate assessment notices—one will be addressed to the person and the other will be addressed to the person and their spouse. As a person works through acquiring additional properties, if it is acquired in the name of the person and their spouse, that is aggregated with the existing property they own. We do not split ownership across different percentage interests for the land tax assessment process. However, some anti-avoidance provisions were introduced a number of years ago for people who artificially tried to separate their property groups or aggregated properties by transferring small percentage interests to other people. Essentially, they transfer one per cent interest to somebody else and split the aggregation. The duty cost

associated with that, depending on the value of the property, is quite minimal. The anti-avoidance provision in the land tax legislation lets us regroup—that is, automatically, if it is a 10 per cent interest, we can regroup and then further provisions essentially allow us to restructure the purchase.

Ms R. SAFFIOTI: That is interesting, thank you. How many compliance officers does the department have? Has the number increased or decreased since last year?

Mr W.R. MARMION: I will allow the Commissioner of State Revenue to answer that question.

Ms N. Suchenia: I do not have the exact number of compliance officers with me, although the number has increased recently relating to the agency expenditure review. Over the course of the next two years, our numbers will increase in 2015–16 by eight full-time equivalents and seven of those are compliance officers. In 2016–17, there will be a further increase and again in 2017–18, which will take it up to 19 FTEs.

Ms R. SAFFIOTI: What are the numbers of compliance officers as well as the increase in numbers?

Mr W.R. MARMION: We will have to take that question on notice.

Ms R. SAFFIOTI: Can the minister provide it as supplementary information?

Mr W.R. MARMION: Can the minister redo her question?

Ms R. SAFFIOTI: The minister might have the information.

Mr W.R. MARMION: Can the member repeat the question clearly?

Ms R. SAFFIOTI: We were just told the figures for the increase. I want the absolute, as in how many compliance officers were there in 2015–16; how many compliance officers were there in 2016–17; and how many compliance officers were there in 2017–18?

Mr W.R. MARMION: Does the commissioner have that information?

Ms N. Suchenia: Yes. In 2015–16, the increase was eight FTEs and essentially that is 16 FTEs, but for half a year because they start in January.

Ms R. SAFFIOTI: Sorry; from what level to what level?

Ms N. Suchenia: I do not have the number. I cannot join it with the rest of the compliance officers, but we have in the vicinity of 100 officers associated with compliance.

Ms R. SAFFIOTI: Could we have that information by way of supplementary information?

Mr W.R. MARMION: Can the member say what information she would like?

Ms R. SAFFIOTI: How many compliance officers were there in 2015–16, in 2016–17 and in 2017–18?

Mr W.R. MARMION: Is that for three years?

Ms R. SAFFIOTI: Yes.

Mr W.R. MARMION: Okay.

[*Supplementary Information No B91.*]

Mr W.J. JOHNSTON: I refer to the service summary on page 426 of the *Budget Statements*. The second point under expense is about development and management of common use contract arrangements, state fleet leasing and disposal. I will ask the minister about state fleet leasing and disposal. When we were here last year, we discussed the outsourcing of State Fleet. What happened to the prospect of the sale and the return to the Matrix fleet leasing?

Mr W.R. MARMION: That did not transpire. I will let the director general explain why, but I think we managed to get the numbers down for the budgetary matters. The member asked a question last year about commercial vehicles so I will give him the answers now!

Mr W.J. JOHNSTON: He is answering a question that is 12 months old!

Mr W.R. MARMION: In April 2016 there were 4 561 passenger vehicles and 5 850 commercial vehicles, with a combined total of 10 411. Last year, we did not have the commercial figures and we apologised for that, but we made sure we had them this year.

Mr W.J. JOHNSTON: The minister is always on the ball!

Mr W.R. MARMION: This is 326 fewer vehicles than the 2015–16 target fleet size of 10 737 vehicles.

Mr W.J. JOHNSTON: Wonderful.

Mr W.R. MARMION: We are right on track to deliver a program that assists the agency to meet its 2018 fleet size target.

Mr W.J. JOHNSTON: What is the answer to my question?

Mr W.R. MARMION: I will let the director general be specific about why we have not sold it or leased it out.

Mr W.J. JOHNSTON: That is excellent.

Ms A. Nolan: The Department of Treasury, together with the Western Australian Treasury Corporation, looked at the business case for the sale or the retention of State Fleet. They took the decision in conjunction with government that the business case was not there to sell the fleet, but, rather, there was an opportunity to take advantage of more operational efficiencies. The key efficiencies were reducing the number of the fleet as well as running it in a more cost-efficient manner and looking at new technologies to reduce the number of vehicles in our fleet. We are looking to reform the state fleet, but probably in a different way than was anticipated when a sale was mooted some time ago.

Mr W.J. JOHNSTON: Excellent.

Ms R. SAFFIOTI: I refer to the line item for “Refund of Past Years Revenue” under other expenses on page 436 of the *Budget Statements*. It was \$36.8 million in 2014–15 and \$69.6 million in 2015–16. What does it refer to?

[8.20 pm]

Mr W.R. MARMION: The director general is finding the page. I will pass it over to the commissioner, Ms Suchenia.

Ms N. Suchenia: When we process refunds of tax, generally it is on the basis that if the refund is for current year’s revenue, it is offset against current year collections. We have power to reassess and refund back five years. If a refund is made for a prior financial year, it is expensed through this item as an expense. That is the accounting process. It is very lumpy depending on what matters are before the tribunal, cases we might lose or what matters are being put forward through the normal reassessment process.

Ms R. SAFFIOTI: Do we have a breakdown of the \$69.6 million and what taxes that reflects?

Ms N. Suchenia: It is a single budget item and we work within that budget item. We have a general breakdown of particular taxes that we allocate internally, but it is against a single line item. We have a breakdown based on what we have refunded over the course of the year or years in relation to that and we could provide that.

Ms R. SAFFIOTI: Could I have that by way of supplementary information, or do you have it there?

Mr W.R. MARMION: As supplementary information, the question was whether we have a breakup of the refund item for past year’s revenue in different categories of refund. How many categories would there normally be? It is just the three: stamp duty; land tax and —

Ms N. Suchenia: It is broader than that

Mr W.R. MARMION: Yes, because we would have first home buyers.

Ms R. SAFFIOTI: Could we have it by category, and we will let you decide.

Mr W.R. MARMION: The member is flexible, but at least three or four.

[*Supplementary Information No B92.*]

Ms R. SAFFIOTI: On page 436, on the same item, there has been significant increase from 2014–15 to 2015–16. Why would you budget for an increased amount?

Mr W.R. MARMION: The Commissioner of State Revenue will answer this question.

Ms N. Suchenia: It is not actually an increase in the budget. The budget is generally around the same figure. It is showing an actual out turn in 2014–15 that was lower than the budget figure in 2014–15. The actual budget figure generally stays around that \$70 million mark.

Ms R. SAFFIOTI: You had good year!

Ms N. Suchenia: It is very lumpy and very much dependent on what is going on at any point in time.

Ms R. SAFFIOTI: Basically, the commissioner is saying that the budget is not increasing; it is just that the 2014–15 actual came in well below expectation.

Mr W.R. MARMION: Obviously, the department did a very good job and fewer refunds emanated that particular year in actuals.

Ms R. SAFFIOTI: State Revenue, one; state taxpayers of WA, zero!

Mr W.J. JOHNSTON: I go back to page 426 “Service Summary”, but this time I am not talking about state fleet leasing and disposal, but about common use contract arrangements. What is the breakdown for individual costs for the provision of temporary staff under common use agreement CUATPS2014?

Mr W.R. MARMION: I ask Mrs Stephanie Black to answer this question.

Mrs S. Black: The CUA for temporary services has four categories: clerical and administrative; technical and trades; professional and finance and accounting and services; and information and communications technology. Would the member like to know expenditure by agency or the total?

Mr W.J. JOHNSTON: Why not give me the total first.

Mrs S. Black: The total for 2015 is \$108 million.

Mr W.J. JOHNSTON: Is that an increase?

Mrs S. Black: Yes, it has increased over the year.

Mr W.J. JOHNSTON: If that is an increase, what has it increased by?

Mrs S. Black: From the previous year, it increased from \$107.4 million.

Mr W.J. JOHNSTON: Is it possible to get that figure of \$108 million and \$107.4 million broken down by agency?

Mrs S. Black: I have that.

Mr W.R. MARMION: I will allow Mrs Black to give that breakdown.

Mr W.J. JOHNSTON: It can be done as supplementary information, because it is probably a long list.

Mrs S. Black: It is a long list, but I have the top 10 agencies here.

Mr W.J. JOHNSTON: Why not give it to me as supplementary information? It is possibly just as easy. Is that all right?

Mr W.R. MARMION: Could the member repeat the question so it is clear for Hansard.

Mr W.J. JOHNSTON: Could I have a breakdown by agency for the \$108 million and the \$107.4 million?

[Supplementary Information No B93.]

Mr P.T. MILES: I refer to page 423, “Spending Changes” and the line item “90-Day Regulatory Mapping Projects”. Can the minister explain what is being done there, please?

Mr W.R. MARMION: I will give a little bit of a rundown and the director general might be able to add to my commentary. We are keen to reduce red tape right across government. One of the ways we are doing this is through a 90-day regulatory mapping project. We have done one with restaurants, which the member may be aware of. We are trying to find key bottlenecks so that we can reduce those. It is not a case of imposing on other departments. The Department of Finance is doing a mapping exercise that will highlight bottlenecks, and will be encouraging relevant ministers and departments to fix those bottlenecks. At the end of it, we will be able to map out the process. If we take restaurants as an example, we can produce a map showing how someone can obtain a restaurant licence and other things. It will be useful for the consumer. The first mapping project has been with restaurants and we are now looking at building approvals—that is, anything people want to do with a residential house. We will do the same thing in a 90-day exercise and then we will look at ecotourism and aquaculture. We think this will reduce red tape right across government. Some of these processes involve more than one department, and restaurants was a classic example as it also involved local government and number of other agencies.

Happy birthday, member for West Swan.

Ms R. SAFFIOTI: Thank you very much.

Mr W.R. MARMION: We are disappointed the member is not enjoying her birthday with us.

Mr W.J. JOHNSTON: The member is going to committee A now.

Mr W.R. MARMION: Unlucky! It is better here.

I am very keen to see this exercise continue. We have done one project, one is underway, and two are in planning. Hopefully, this will continue on an ongoing basis. The director general might want to add something.

Ms A. Nolan: What I would add to that is that tackling red tape is always a challenge and this is good new way of tackling it in a different manner than what was done in the past, particularly with our focus on doing it in a collaborative manner with not only a raft of relevant government agencies but also industry. We can all sit down together and by shining a light on the process and mapping it out, I think the penny drops often as to some of the challenges and the pain points, and ways of addressing them emerge very quickly. That is a good way of doing it. It is a short, sharp and terrific way of tackling red tape and it can come up with some amazing outcomes in a short time. We are delighted to be working together with the Small Business Development Corporation to work through a number of these matters. We are aware that four of them are on the go at the moment and we will be looking at a raft of others over the next six or so months. The current budget provides some funding for us to employ some additional staff to assist in that challenge, and we are delighted to be able to recruit in that manner.

[8.30 pm]

Mr W.R. MARMION: I would like to add that we have allocated \$1.6 million to this. I forgot to mention that it is a collaboration between the Department of Finance and the Small Business Development Corporation. That is probably a good source for ideas for small business and for solving problems facing small business, such as red tape, and for getting approvals. It is a good collaboration between the two agencies.

Mr W.J. JOHNSTON: I refer to the first service in the table on page 426, “Revenue Assessment and Collection, and Grants and Subsidies Administration”. The local government rates rebate cap has been revised but I understand that 19 300 pensioners will still be affected. That can be seen on page 121 of the *Economic and Fiscal Outlook*. Do we know in which local government areas those senior Western Australians are living?

Mr W.R. MARMION: We do, actually. We know which areas might be impacted most. I can give the member the top 11 if he would like that. They are Melville, Wanneroo, Geraldton, Mundaring, Mandurah, Armadale, Albany, Cambridge, Stirling and Joondalup. That makes up probably more than half of that number. The total number is 19 000 pensioners. I cannot do the exact calculation in my head, but if I add those figures up roughly, it would come to about 11 000 pensioners in those local authorities, and then there are about another 8 000 in other local authorities throughout Western Australia. We have looked at those by local government area.

Mr W.J. JOHNSTON: What is the plan to go forward on this issue? How are we going to bring those residents some relief from the cost imposts that the government is putting on them?

Mr W.R. MARMION: We made the cap higher than we were going to do; it was lower and we increased the cap. The Western Australia Self Funded Retirees wrote to me and said that it would prefer the cap to be \$1 000. We initially had it at \$550 and we have raised it to \$750. We have taken on board the impact it will have, but what reasonable amount should a state government pay so that a retiree with a very large property can stay living in a certain local government area? That is why we came up with \$750.

Mr W.J. JOHNSTON: Is the minister trying to claim that before the 2015 budget the government was being unreasonably generous with taxpayers’ money?

Mr W.R. MARMION: No, that is not what I am saying; they are the member’s words. I point out that 50 per cent of the people who are going to be paying more will be paying an extra \$44 on average. We looked at that and came up with what we believe is a reasonable cap of \$750.

Mr W.J. JOHNSTON: So the minister is saying that that \$44 impact on pensioners is acceptable to the government of Western Australia?

Mr W.R. MARMION: I am saying that is what the figure is. Fifty per cent of 19 290 people will be paying, on average, \$44 extra.

Mr W.J. JOHNSTON: Is the minister saying that is not a fair outcome?

Mr W.R. MARMION: I am not saying that at all; I am telling the member the facts. That is the budget.

Mr W.J. JOHNSTON: It is the government’s policy.

Mr W.R. MARMION: That is the number. We are in the estimates committee and the member wants to know what the number is. That is the number.

Mr W.J. JOHNSTON: I want to know the minister’s views, too. He is a very important person and we would really like to know what he thinks.

Can I get by way of supplementary information the outline of where those 19 300 pensioners live by local government?

Mr W.R. MARMION: I have just given you —

Mr W.J. JOHNSTON: The minister read out the top 10; I understand that. I am asking for all of them.

Mr W.R. MARMION: Does the member want that information for 139 local government authorities?

Mr W.J. JOHNSTON: I do not know. The minister can tell me. It is obviously a list of local governments and all the minister has to do is stick a stamp on it and give it to the Clerk and it is done. It is up to the minister.

Mr W.R. MARMION: We can provide that information.

[*Supplementary Information No B94.*]

Mr P. PAPALIA: I refer the minister to the table “Details of Administered Transactions” on page 436 and the First Home Owner Grant Act 2000 line item under “Appropriations”. I note that there has been a shift in the estimated actual for 2015–16 and the estimate for the current budget year. Could the minister explain that deviation?

Mr W.R. MARMION: There has been a change in the policy for the first home owners grant for new homes, but I will hand over to the Commissioner of State Revenue to address the specific detail on the changing figures.

Ms N. Suchenia: The change in the figures essentially relates to the change in the policy of the first home owners grant, which, with effect from 3 October 2015, abolished the grant of \$3 000 for purchasers of established homes and continued the \$10 000 grant for new homes. Essentially, those adjusted figures reflect the changed policy.

Mr P. PAPALIA: Does that mean the change in the policy is a \$23 million saving for the government? Is that the long and short of it?

Mr W.R. MARMION: I will let the Commissioner of State Revenue do the sums.

Ms N. Suchenia: How much did the member say?

Mr P. PAPALIA: It was, by comparison, the estimated actual cost this year to the current budget.

Mr W.R. MARMION: I understand that the measure is estimated to save \$25 million in 2015–16 and \$109 million over the four years to 2018–19. However, due to a delay in the passage of the amendments, it is expected that only \$16 million of the full saving in 2015–16 will be realised, which will reduce the estimated savings to \$100 million over the four years to 2018–19. That is the advice I have received.

Mr P. PAPALIA: Would the minister refresh my memory? Why was there a delay in the amendments? I know the minister will blame us, but that is probably not likely to be true.

[8.40 pm]

Mr W.R. MARMION: I will see whether the commissioner can respond to the delay in the passage of amendments.

Ms N. Suchenia: I am suffering from a faulty memory, sorry.

Mr P. PAPALIA: It is no big deal; I was just wondering.

Mr W.J. JOHNSTON: How many first home buyers are expected to be assisted in each year for the budget cycle, from 2016–17 onwards?

Mr W.R. MARMION: Rather than me reading out the figures, I would prefer the commissioner to provide them. She is just adding them up.

Ms N. Suchenia: The numbers that underpin the figures are 12 681 in 2015–16; 7 400-odd in 2016–17; just over 7 300 in 2017–18; around 7 250 in 2018–19; and 7 200 in 2019–20.

Mr W.J. JOHNSTON: Is the minister expecting the property market to remain relatively stable?

Mr W.R. MARMION: We rely on Treasury to do the forecasting and we work out the numbers from that. We rely on Treasurer Nahan's department for those figures.

Mr J. NORBERGER: I refer to the significant issues impacting the agency on page 424 of the *Budget Statements*. My question relates to the government's efforts to work with various agencies to reduce red tape. We know that is a very important topic. Can the minister please explain what the government is planning to do in this area for the remainder of 2016?

Mr W.R. MARMION: Yes, the member for Joondalup would recall that in 2015 the government introduced a report card and we asked departments to come up with some red tape reduction measures in each of their departments. We also had a portal—ShredTheRed—that the public could access. It is still there for people who have an issue with or an idea about reducing red tape. We collected a number of these issues—in fact, we got the top 36—and we put out a report card on that last year. We believe that resulted in cost savings of about \$150 million over a five-year period. Part of that program also repealed any obsolete acts. If amendments to legislation were required, we put those through in the last session of Parliament at around November last year. We will do the same thing this year. We will bring it forward a little because it is a short parliamentary year and Parliament will be prorogued. We are after the same sort of thing. We are looking to get a couple of good initiatives in each department, which will benefit consumers in Western Australia and their dealings with government.

Ms S.F. McGURK: My question relates to item 4 under “Service Summary” on page 426, which refers to projects and office accommodation. It is perhaps no surprise to the minister that I have a question about this. In 2012 the coalition government announced a decentralisation of government office space from the CBD. One of the local areas to benefit from that policy would be Fremantle, where the Department of Housing was going to relocate. Since 2012 there has been a lot of talk about that but we are yet to hear whether a decision has been made. Can the minister outline where that relocation is at as well as any other proposals? There were offices proposed for Joondalup and Osborne Park and the relocation of the Department of Environment Regulation to Bunbury.

Mr W.R. MARMION: I will deal with Fremantle first. I will make sure that I have the latest up-to-date information. The member is pretty well across the government announcement because she was there when we made the announcement in Fremantle. On 14 March the department issued a restricted request for proposal to the shortlisted expression of interest proponents. That closed on 11 April 2016. Subject to the outcome of the RFP process, which is underway, the government will consider the department entering into lease negotiations with the preferred proponent for the provision of new office accommodation in Fremantle. If this is progressed, an agreement for lease could be executed by December 2016, with agencies being relocated to the new premises in either late 2019 or early 2020. That is the government's plan for Fremantle.

The government is a bit further advanced than that for Joondalup. I will just make sure I give the member the exact dates. The government is expecting an agreement on the lease for Joondalup to be executed by the end of this month following completion of a current lease negotiation process, which is getting very close to finalisation. We are expecting construction of a new building in Joondalup to commence in October this year and practical completion of the building is anticipated in April 2018 when the department will commence the fit-out works to allow for a smooth relocation of the agencies in late 2018 and early 2019. Did the member want to know about the one in Bunbury?

Ms S.F. McGURK: Yes. Was there a decision about who relocates to Joondalup?

Mr W.R. MARMION: Yes, the departments of Water and Environmental Regulation and the Office of the Environmental Protection Authority. They are the three going there.

Ms S.F. McGURK: How many FTEs is that, minister?

Mr W.R. MARMION: It is approximately 800 FTEs.

Ms S.F. McGURK: I would be interested in the details about Bunbury, but how many FTEs are involved in the relocation to Fremantle? The Treasurer was reported just last Friday saying that the asset sales of CBD properties—I think he was talking about the Department of Housing's head office in Plain Street and Western Power's head office—would be deferred because of the state of the market. Does that announcement impact at all on the decision to relocate that we have just been speaking about?

Mr W.R. MARMION: I am not aware that he mentioned Housing. We are pushing along on the basis that Housing will be a tenant at Fremantle along with Corrective Services and Transport from various locations. That is how we are progressing at the moment.

Ms S.F. McGURK: I did ask how many FTEs were involved in the relocation.

Mr W.R. MARMION: Yes. We expect 1 350 public servants to relocate to accommodation of about 20 000 square metres in Freo.

Ms S.F. McGURK: The minister mentioned Corrective Services and Transport. Can he elaborate on that? There may have been something that other people are aware of. Did he say Housing?

Mr W.R. MARMION: Yes, the Department of Housing will be the main tenant and the other tenants will be the Departments of Corrective Services and Transport.

Ms S.F. McGURK: Are they relocating to Fremantle as well?

[8.50 pm]

Mr W.R. MARMION: Not the whole of the Department of Transport.

Ms S.F. McGURK: No, but elements of the Department of Transport.

Mr W.R. MARMION: Yes, to make up 1 350 public servants.

Ms S.F. McGURK: The minister would be aware that this issue has felt so near, yet so far for the people in Fremantle for quite a while. When will the Department of Finance and the state government make a definitive decision to relocate to Fremantle and select a preferred tender?

Mr W.R. MARMION: As I said before, we are in negotiations. If they are successful, a lease should be signed by December this year. Obviously we will make an announcement then.

The CHAIRMAN: Minister, can you run through the figures for Bunbury, please?

Mr W.R. MARMION: Mr Chair, I will ask Mr Sullivan to detail this very important project in Bunbury, which is just near the Dolphin Discovery Centre. It has a lot history. I grew up in Bunbury. The dolphins used to be fed —

Mr P. PAPALIA: Are we going to get a story from your childhood again?

Mr W.R. MARMION: You might as well!

Mr P. Papalia interjected.

Mr W.R. MARMION: No, I went to Bunbury Senior High School. Did the member for Warnbro go to Bunbury Senior High School?

Mr P. PAPALIA: Yes.

Mr W.R. MARMION: Long after me!

The mother of David Smith, who was very good Labor member for Bunbury, fed the dolphins four houses up from us in the 1960s. Unfortunately, when she —

Mr W.J. JOHNSTON: Is that one of the dolphins that died in Elizabeth Quay?

Mr W.R. MARMION: Dolphins do not die in Bunbury. Unfortunately, she passed away, and they ended up building a centre at Koombana Bay where the new facility is going. It is actually quite a good attraction for Bunbury.

Mr W.J. JOHNSTON: The ones floating upside down in the river are not!

Mr W.R. MARMION: That bears no relevance to the question! I will ask Mr Sullivan to detail how we are going. Does the member know about the shipwreck? Everyone in my day knew about the shipwreck. Mr Sullivan might like to say where we are at.

Mr W.R. Sullivan: This project is not being managed by the Department of Finance; rather, it is being run by the Department of Parks and Wildlife, but we are assisting it with the project. In August 2015 it approached us looking for assistance with procurement of the project. As the minister has already indicated, part of the lot identified for the proposed construction is a registered site under the Contaminated Sites Act and requires contamination assessment. That work is going on, as is the archaeological work that the minister referred to. I reiterate that we are not managing this project. The Department of Parks and Wildlife will be able to give an answer about the current process.

Mr W.J. JOHNSTON: Minister, did the Department of Parks and Wildlife get cabinet exception from normal procedures to do it itself?

Mr W.R. MARMION: I will pass over to Mr Sullivan.

Mr W.R. Sullivan: When the member says an exemption, the department —

Mr W.J. JOHNSTON: I am sorry to interrupt, but it is my understanding that Finance is the agency responsible for government office accommodation. Is it normal procedure if the Department of Parks and Wildlife does not go through that government agency? I will put it that way.

Mr W.R. Sullivan: My understanding is that it is not only office accommodation that will be part of the new headquarters in Bunbury. The Department of Parks and Wildlife has the power to construct under its own legislation rather than having to rely on the Public Works Act.

The CHAIRMAN: How many FTEs will be there?

Mr W.R. Sullivan: My understanding is that the announcement foreshadowed up to 300 staff within 10 years. It will be a progressive shift of operations.

Mr W.J. JOHNSTON: I have a further question.

Mr W.R. MARMION: Is it about contamination?

Mr W.J. JOHNSTON: I will get to that in a second. Is the agency doing the development or will it lease somebody else's property?

Mr W.R. MARMION: In terms of land ownership, I think it is a reserve, but I will ask Mr Sullivan to answer that question.

Mr W.J. JOHNSTON: Who will own the building?

Mr W.R. MARMION: It is land only; there is no building there. I know the site well.

Mr W.R. Sullivan: These matters are being pursued by the Department of Parks and Wildlife. The Department of Parks and Wildlife, not Department of Finance, is looking at zoning issues, so I am not in a position to advise the member on that.

Mr W.J. JOHNSTON: If Department of Parks and Wildlife is constructing the building, will it have to use Building Management and Works to manage the project?

Mr W.R. MARMION: Given that it is not pure office accommodation, the Department of Parks and Wildlife has the power to choose whether it does it or whether it asks us to do it. If the member wants further detail, he will have to ask the Minister for Environment. I personally know of the site. Cable Sands had an ilmenite facility there in the 1960s, so I think the contamination is mainly to do with ilmenite, monazite and things like that. To get a specific answer, the member will have to ask the Minister for Environment.

Mr W.J. JOHNSTON: Excellent; I wish I had known that three hours ago!

Mr P. PAPALIA: Under “Significant Issues Impacting the Agency” on page 424, I refer to the third dot point under “Economic Reform” which deals with the notorious Repeal Week. Can the minister tell us the net legislation loss or gain post last year’s Repeal Week? After the year was over and Repeal Week was over, did we end up with a loss of legislation or did we add more than we took away in Repeal Week?

Mr W.R. MARMION: I do not know off the top of my head; we would have to count them. We can provide that information if the member is keen for us to count the legislation for him.

The CHAIRMAN: Member, can you clarify what information you want the government to provide?

Mr W.R. MARMION: The director general has just said it may be hard to do. What specifically is the member asking us to provide?

Mr P. PAPALIA: The *Budget Statements* refer to the government’s 2016 Repeal week, which is obviously in the future. The minister will have to provide information for the previous one. Post-Repeal Week 2015, can the minister advise whether in the year up to Repeal Week 2015, we passed more legislation than the legislation that was repealed?

Mr W.R. MARMION: I think Parliament will have to provide the member with that information. It is not really our responsibility to do that.

Mr P. PAPALIA: What was the net return for the benefit of Repeal Week?

Mr W.R. MARMION: Does that include acts that have been amended? How do we define it?

Mr P. PAPALIA: I think new bills. That might result in a net benefit for Repeal Week.

Mr W.R. MARMION: We will provide what information we can, Mr Chairman.

[*Supplementary Information No B95.*]

[9.00 pm]

Mr P. PAPALIA: Further, is the red tape reduction report card based on the original recommendations of the Red Tape Reduction Group—the one that was chaired by the now Minister for Police and Deputy Premier—or is it based on some other criteria?

Mr W.R. MARMION: That red tape reduction committee was formed —

Mr P. PAPALIA: It travelled the state.

Mr W.R. MARMION: I believe that 94 out of 107 recommendations have already been implemented. This is a new program. We are reinvigorating the agencies to come up with new ideas. As I said before in answer to a question from the member for Joondalup, we are looking at putting out a report. Last year we had 36 initiatives. We are hoping to keep it at 36 every year.

Mr P. PAPALIA: I am assuming that a line has been drawn under the original report.

Mr W.R. MARMION: No, we have not drawn a line under anything. Anyone can come up with any idea and we will look at it.

Mr P. PAPALIA: Is the department looking at the consequences of implementing those reductions that the minister claims as victories over red tape, noting that I, for instance, opposed the elimination of the Defence Industry Skills Advisory Board, which in my view was a good thing, and the minister ticked it off as a reduction in red tape by getting rid of it? Did the minister ever look at the negative consequences of getting rid of a lot of boards and advisory groups that I would suggest are probably now being reinstated?

Mr W.R. MARMION: Every single initiative is looked at on a case-by-case basis. We look at the benefits of what that committee provides versus it not being there. If there are no benefits, we obviously do not need it.

[Mr P. Abetz took the chair.]

Mr P. PAPALIA: Having removed the Defence Industry Skills Advisory Board, this year the government just recreated a board called the Defence Industry Council chaired by the Chamber of Commerce and Industry of Western Australia. Is the department keeping a tally of the new boards that it is creating and a net loss or gain table of those boards as an ongoing record, or does the government just chalk it up as a victory because it was done five years ago?

Mr W.R. MARMION: That area comes under another minister so I cannot comment specifically on the merits or not of that committee. In looking at all the committees, that also comes under another minister, the Premier, who does keep a tally. When we came to office in 2008, that exercise was done by the Department of the Premier and Cabinet. It keeps a tally on that. We are keen to reduce committees that we do not need.

Mr W.J. JOHNSTON: As the minister probably knows, I FOI-ed the submissions and responses to the red tape reduction portal on the department's website. Can the minister tell us how many of those suggestions led to the elimination of any regulation?

Mr W.R. MARMION: Mr Dolling is the person who can give a very good answer to this question.

Mr A. Dolling: Obviously, we have received a number of requests and they fall into different categories, such as those that have already been addressed. At other times it is a matter of providing information to assist the relevant person on their journey. At other times it has not been addressed but is likely to be addressed with the existing reform program that is in place. At other times, though, it does require some more action by the relevant agency and department. As the member probably knows, we have referred many of those on in those circumstances. There is a genuine mix. Some have been implemented and many have been referred on for further work. As I said, some link in to the existing reform agendas.

Mr W.J. JOHNSTON: What was the answer? I asked how many regulations were eliminated.

Mr A. Dolling: Unfortunately, I cannot give the member an exact number that have been done right now because I do not have that in front of me.

Mr W.J. JOHNSTON: It would be useful to know how many regulations have been repealed based on suggestions made through the portal. Could we get that by way of supplementary information?

Mr W.R. MARMION: We can provide information on issues that were drawn to our attention and where the actions happened. It might have occurred regardless of whether it was caused by the person putting the advice or suggestion on the portal. We can provide information about what happened to any of those suggestions that are on the portal. How about that?

The CHAIRMAN: Are you happy to accept that as supplementary information, member?

Mr W.J. JOHNSTON: I ask the minister to describe what he is offering to me and I will tell him whether it is okay.

Mr W.R. MARMION: We can put the suggestions that are on the portal in one column and in the next column, we can say what has happened with those suggestions. Just clarifying, we will give the member the answer but because someone put it on the portal does not necessarily mean that is why it happened. It could have been in train anyway.

Mr W.J. JOHNSTON: That is fine. I am happy to have that.

[*Supplementary Information No B96.*]

Ms S.F. McGURK: My question relates to the heading "Building Management and Works" on page 425 of the *Budget Statements*. We are told that from July this year, Building Management and Works will change the way it funds its operations and the delivery of capital works projects on behalf of agencies to create greater transparency et cetera. As a percentage, how much is charged to manage government projects? Is there a set percentage? A good example would be the recent work at Parliament House, which I understand did have a set percentage of the cost of the work.

Mr W.J. JOHNSTON: It was 18 per cent.

Mr W.R. MARMION: I will ask Mr Sullivan to give the member a detailed answer. Historically—over many decades—that is how governments have worked. A percentage is applied for how projects are delivered. That is the way architects and the industry have been working. One could argue whether that is efficient. A good example is Perth Arena. When Perth Arena was built, which was initially a \$160 million capital project, a percentage was assigned to the architects, which was around 10 per cent. So, 10 per cent of that goes to the architects for all the drawings and their involvement. When it goes up to, say, \$400 million or \$500 million, they still get the same percentage. We could argue that there is not much extra work. There is still the same number of drawings; it is just that the capital has gone up. We could argue whether that is the right method of running a process, and how do we remunerate someone? For a large project, we might argue that it should drop off in percentage. Mr Sullivan will explain what we are doing in that area at the moment.

Mr W.R. Sullivan: The current arrangement that Building Management and Works has been operating under for quite a period of time, including back when it was within the Department of Housing and Works, is a sliding fee scale, but there is a large degree of complexity. Various factors are taken into account in how the fee is calculated, including the size and the complexity of the project and the like. It was interesting to read in *Hansard* earlier a reference to the works at Parliament House, quoting a figure of 16 per cent. I went back and looked at that project and the fee was nine per cent. As the minister has alluded to, the problem with that fee arrangement is that it has not been adjusted for a long period and it is not cost-reflective. One of the key things that came out of the agency expenditure review for the Department of Finance at least was a need to rebase the funding model for Building Management and Works for capital works.

[9.10 pm]

From 1 July 2016, with new projects going forward, we will have a new fee structure that will comprise two components. One will be the direct costs associated with the project in terms of, for example, the time of a project managed and the like, and then, over and above that, an overhead reflecting the fixed costs associated with providing that service. For example, the project management system that we rely on has to be maintained and each project needs to contribute to that cost. The problem with the current model is that it was probably very nice—it was before my time—in Building Management and Works, but when the works program turnover went up, that fee was set even though revenues went up. Over time that revenue was used to support other parts of building management and works operation so that people with capital works who were commissioning us to do the job in part because the fee did not adjust with scale, were implicitly cross-subsidising other parts of the business. The new model will be not only cost-reflective, but also bring down those costs because there will no longer be that cross-subsidisation. On average, the fee at the moment is in the order of 4.5 per cent. However, it depends on the nature of the capital works. When we get into the minor work space, the proportionate costs of project managing that smaller job because of a fixed cost component is higher than 4.5 per cent. It is a very complex formula at the moment. We have been working with agencies to look at that process and have come up with a far more commercial fee structure, which we believe will operate going forward.

Mr W.J. JOHNSTON: Last year in the budget briefing from the Department of Treasury, as arranged by the Public Accounts Committee, Treasury said that it costs 40 per cent more in Western Australia for the state to build a school than for the Catholic system to build a school. Is that figure accurate; and, if so, why are we spending so much more than the Catholic system to build a school?

Mr W.R. MARMION: I am not aware of that. I have no visibility of that statement. Mr Sullivan might be able to comment on it. I cannot comment on what another minister has said.

Mr W.R. Sullivan: To be honest, I do not have line of sight on what the cost of building is within the Catholic education system. I cannot comment on whether it is more or less than 40 per cent, or the same. I am confident that we work within the brief given to us by the Department of Education for what it wants delivered with its educational facilities, and we work to deliver those on time and on budget. Can they be done more cheaply? That is an interesting question, but we are improving our efficiency of delivery. We are also looking at new ways to deliver, particularly with modular building and the like, which is developing around the state, although not necessarily in the education sector, at this point in time. These are the sorts of innovations that we are looking at to drive down our costs so that we can deliver a quality product with a better outcome for the taxpayer.

Mr W.R. MARMION: We have to make sure that we are comparing apples with apples. It is a general statement to say that a school can be built for 40 per cent less. The process now is that a scope of works goes out to tender and it is very competitive. I am shown who wins the tender. Many people are tendering and they are coming in with a price that is a lot lower than two or three years ago. If we are looking at a government school and a Catholic school, then we also have to look at their scope of works. We are going to market, the market provides us with a price, we test that the proponent will be able to deliver through a check on the risk around its capability to deliver the project, and we go for the cheapest tender that we are confident will deliver. If the Catholic education system goes through the same process and goes out to tender, it will get the same result. Why would someone tender more for a government job? I cannot understand the differential of 40 per cent.

Mr W.J. JOHNSTON: It is not my figure. We were advised of that figure in a briefing from Treasury.

Mr P. PAPALIA: Noting that the minister's comparison across tenders is just solely in the government sector, would it not make sense to approach the Catholic Education of WA or the independent schools and inquire about whether we are competitive with like-for-like builds?

Mr W.R. MARMION: It is not necessary. We have gone to market, so we have already tested the market. We do not build the schools; we just go to tender. If we went to Catholic Education of WA—I have peak contacts there—we could ask what its process is, because it does not build the schools either. It also goes to tender. The only difference will be in the scope of works, and in the comparison it might be that it is a smaller school or it may not have basketball courts, enclosed areas or air conditioners. Those things might not be included in the scope of works but they might be found in an add-on package. Without seeing the actual detail, it is a hypothetical situation.

Mr P. PAPALIA: Exactly, which is why I asked whether the minister would consider broadening his analysis to incorporate a comparison between the building of a government school and a non-government school, as like for like as to what can be accomplished. The motivation is that that information was provided by Treasury; it was not anecdotal. However, if the minister is like me and is in and out of the metropolitan growth area, he would have witnessed schools being built in the government and non-government sector and have a pretty good idea of the comparative cost differential. I know that the minister is saying that they are not identical buildings, but I would have thought that a comparison would have been worthwhile. Does the minister think there is no value at all in making a comparison?

Mr W.R. MARMION: I am not sure what the member means by a comparison. Obviously, Building Management and Works could check it out. I am sure it has visibility in this space anyway because its staff would have counterparts in the same area in the education department, and they talk. At the end of the day, I have created many business cases for the education department for the building of schools and I know how the process works. An architect designs the school and it then goes out to the market and someone tenders on it. Catholic Education of WA does the same, but one could argue that—this was the member's suggestion—they may be more constrained in how they scope the works, and that is possibly —

Mr P. PAPALIA: Maybe they know they are not bidding for a government project.

Mr W.J. JOHNSTON: We are not unhappy with the minister's answer. All we are doing is putting to the minister arguments that were put to us by the government of Western Australia last year. Can the minister give us assurance that BMW is able to build schools at a cost-competitive price for the private sector?

Mr W.R. MARMION: Absolutely. The price is determined on the scope of the project. However, I am not the Minister for Education. I have no visibility of and was not present when the Treasurer or someone made that statement, so I do not even know whether it is true, but I am confident that the architects in Perth that I have commissioned for the education department under the government to design high schools—there was one that never happened in Midland in the —

Mr W.J. JOHNSTON: I just want the assurance that we are getting value for money out of the process. It was a very good design, I admit, but it goes out to tender and we get value for money by going out—member—

[9.20 pm]

Mr W.J. JOHNSTON: I am listening. I can do two things at once.

Mr W.R. MARMION: I will wait till the member has finished what he is doing.

Mr W.J. JOHNSTON: No, just finish the answer. I can read the *Hansard* tomorrow.

Mr W.R. MARMION: Okay; I just find it very disconcerting talking to someone who is not looking at me. Phillip Toyne did that.

Mr W.J. JOHNSTON: If the minister was one I did not like, I would walk out.

Mr W.R. MARMION: Thank you very much—now I have forgotten what I was saying!

I am comfortable that, because we have a very good procurement process in government, we are getting value for money.

Mr W.J. JOHNSTON: Excellent, thank you very much; I appreciate that.

Ms S.F. McGURK: My question relates to the works in progress listed on page 430 and again refers to the relocation of a department, specifically the office co-location project called the Quarter in Karratha. What government agencies will move to that centre, and will there be a hotel or other facilities in that precinct?

Mr W.R. MARMION: My advice is that we are co-locating 10 government agencies into the Quarter in Karratha. It is on track to be completed in late 2016. That is the data that I have. Does the member want to know which departments are being co-located?

Ms S.F. McGURK: Sure.

Mr W.R. MARMION: The agencies that are going into that building are the Departments of Agriculture and Food, Commerce, Education, Finance, Mines and Petroleum, Planning, Transport and Water, as well as the Housing Authority and the Pilbara Development Commission.

Ms S.F. McGURK: How many full-time equivalents will be located there?

Mr W.R. MARMION: I do not think I have that figure with me, although I could probably get it. The other note I have here is that the offices will occupy level 2 in building 2, so maybe the member can work out from that how many staff there will be.

Ms S.F. McGURK: What happens in building 1 and the other levels in building 2?

Mr W.R. MARMION: It is a private building, and my understanding is that that is the part we will occupy, but I do not know who else is going into the other building. Those are the government agencies that are going into that building.

Ms S.F. McGURK: Will there be any other accommodation as part of the Quarter project?

Mr W.R. MARMION: The only information I have about that particular building is that those agencies are going in there, and they are on level 2 in building 2. I will just see if I have any more information on that. The

number of staff may be 120, but maybe Mr Sullivan can talk a bit more about the Quarter, because I would like to know a little bit more about it myself.

Mr W.R. Sullivan: The minister is correct—there are 120 staff from those 10 agencies. We see it as a very positive development from a state government office accommodation perspective, because we have been able to get 10 agencies from single locations into one location, and the efficiencies that come from that are quite large, particularly the space saving and the shared facilities. The other thing we are quite excited about is that they are all going into one floor plate in that building, and doing it without partitioning, et cetera. They are going into an open plan, and that will be a different way for those agencies to work together. We are hoping that it will not only be more productive, but also foster greater cross-agency cooperation.

Mr W.R. MARMION: Collaboration plus.

Ms S.F. McGURK: When is the minister expecting that move to occur? I think he said by the end of 2016. Is that correct?

Mr W.R. Sullivan: That is correct. We are just in the process of getting practical completion from the builders. They will hand it over to us, the fit-out will take place, and we hope that the agencies will be moved in before the end of the year. It is certainly on track for that to happen.

Ms S.F. McGURK: I think the ministers should be asked to work in open plan, if they expect all those departments to work together.

Mr W.J. JOHNSTON: There is a little table at the bottom of page 423, titled “Spending Changes”. One line item of that table is “Revised Building Maintenance Turnover Forecasts” and the next one is “Revised Capital Works Turnover Forecasts”. I wonder what those two items are all about.

Mr W.R. MARMION: I will pass that question over to Mr Sullivan.

Mr W.R. Sullivan: The table basically records spending changes that have taken place since the income statement was presented as part of the 2015–16 budget in Parliament. Those adjustments on that table were made, I believe, at the midyear review to reflect changes since the budget was prepared in the previous April, which had certain estimates of turnover in maintenance and capital works. These are the changes in those expense limits, reflecting the changes in those turnover numbers. In other words, the budget sets a particular estimate for capital works turnover and maintenance turnover. Over the year, as projects are added or additional works are commissioned from agencies for us to undertake, those numbers change. We have to operate within an approved expense limit. These adjustments basically change those expense limits, reflective of the change in the turnover that we were expecting.

Mr W.J. JOHNSTON: We are talking here about \$600 million extra in revised capital works turnover. What does that \$600 million buy us?

Mr W.R. Sullivan: Those numbers in that table reflect two components. The first is timing issues, with works moving into other years, and the other is that the numbers are written into the forward estimates based on the government’s approved asset investment program. In year one of the forward estimates, there is obviously a large degree of certainty, but by the time we have exhausted those projects there is not as much turnover in the out years. As the forward estimates roll forward there will be a need to increase, as a result of that. That is why those numbers look the way they do. It is again the incremental changes coming through.

Mr W.J. JOHNSTON: I am terribly sorry, minister; I am grappling with this. I know it is late at night, and I apologise, but what is the \$600 million actually for? What projects—what are we getting for it? I think I understand the adviser saying that something would have been done this year, and then it is being done in another year; I can appreciate recashflowing. What are we getting? What is the \$600 million for? Can the minister refer me to another line item in the budget? Is it some other agency’s work? What is the money going to do?

Mr W.R. Sullivan: That reflects the turnover associated with the asset investment program for each of the agencies that are asking us to do work. For example, in the section of the budget papers devoted to education, there will be, under the department’s asset investment program, a listing of the schools that have been undertaken, not all of which are being undertaken by us, the member will be aware. Those schools would be reflected in those numbers, and the adjustments coming through. New projects are coming in, and the timing of some projects has changed, but for the overall program itself, the taxpayer is getting schools, health facilities, courts, police stations et cetera. These are the facilities that we construct on behalf of government agencies. If the member wants a total list of what is being delivered, he would need to go to the asset investment program listing in each division or agency of the budget papers.

The appropriation was recommended.

[9.30 pm]

Division 37: Office of the Government Chief Information Officer, \$9 019 000 —

Mr P. Abetz, Chairman.

Mr W.R. Marmion, Minister for Innovation.

Mr G. Nunis, Government Chief Information Officer.

Ms M. Burchell, Acting Executive Director, Policy and Governance.

Mr L. Carren, Chief Finance Officer.

Mr G. MacLean, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next week's sitting. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if the minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Cannington.

Mr W.J. JOHNSTON: I refer to the significant issues impacting the agency on page 439 and note in the first dot point that the agency has been created for only three years. Who will be managing these information technology functions when we no longer have the Office of the Government Chief Information Officer on 1 July 2018?

Mr W.R. MARMION: I envisage that the role will continue on past that date. That is how it was appointed.

Mr P. PAPALIA: The minister is speculating because those years do not exist here.

Mr W.J. JOHNSTON: Is the minister saying it is his belief, as a member of the cabinet of Western Australia, that the Office of the Government Chief Information Officer will extend past 1 July 2018, despite the fact that the first dot point just presented to us as a significant issue impacting the agency states —

The Office was formally established on 1 July 2015 for a period of 3 years, ...

Is the minister saying that is wrong?

Mr W.R. MARMION: This office was established by creating a fund that was based on 15 per cent reduction in other agencies' information and communications technology budgets. That fund has been set up for three years. It is early days, and I would imagine, because of the importance of having a strategy around ICT right across government, that in a year or two the value of the Office of the Government Chief Information Officer will be such that we will not want to get rid of the position. That is how I would see it panning out.

Mr P. PAPALIA: It is not in the budget though.

Mr W.J. JOHNSTON: Was the minister at the cabinet meeting that decided to create it for only three years?

Mr W.R. MARMION: We have created it in the way that I explained. We wanted to get a strategy right across government. We needed to get some money. Cabinet decided, or the Treasurer decided, that we would allocate funds for three years, and that is what we have done. It may be that if it is not required in three years it might not be there, but I imagine it would be required.

Mr W.J. JOHNSTON: I imagine it would be, too.

Mr P. PAPALIA: I refer to page 438, referencing the spending changes table generally. There is no mention there of any functions being transferred from the Industry and Innovation division of the Department of Commerce to the Office of the Government Chief Information Officer. We understood that was the intention. Is that no longer the plan?

Mr W.R. MARMION: This particular issue relates to the Government Chief Information Officer and was set up specifically for ICT. When this budget was prepared that is what was done. I think the member might be referring to my new portfolio as Minister for Innovation, which is not covered under this because this budget was produced prior to its formation.

Mr P. PAPALIA: Is that because the minister forgot about innovation when he wrote the budget?

Mr W.R. MARMION: No.

Mr W.J. JOHNSTON: Is the minister saying that after the cut-off date for the budget, he is transferring the innovation function into this area, or that the innovation function is not going to the GCIO?

Mr W.R. MARMION: That has nothing to do with this particular estimates hearing, by the way, but I will answer the question. It is early days. That is being negotiated at the moment with the Minister for Commerce.

Mr P. PAPALIA: It does have something to do with it insomuch as prior to announcing the creation of the portfolio, this office was going to transfer functions from the Industry and Innovation division of the Department of Commerce.

Mr W.R. MARMION: The innovation budget does not start until July 2016.

Mr W.J. JOHNSTON: This budget starts on 1 July 2016, too.

Mr W.R. MARMION: I know. When the office of innovation came up, we did not have that detail. We are working out the detail now. It has just started. I do not how many FTEs we might get from the innovation section of the Department of Commerce.

Ms S.F. McGURK: I could use a number of references for my question, with a few on page 440 around services and key efficiency indicators. There is talk about the establishment of platforms for the delivery of better government services through ICT strategy, policy solutions and then trying to work across whole of government ICT strategies, identifying and advising innovation that will enhance government services to meet business and community needs, and providing ICT standardised approaches across government and the like. My question relates to how government interacts, for instance, with the community sector. I know the Government Chief Information Officer presented at the Western Australian Council of Social Service conference not that long ago on the question of open data and making data more accessible. I imagine it is the same for business, but in this context it was the community sector saying that not only should the government make that data available, but also it should be available in an accessible form and in common formats so that they can better assess what government is doing, for instance, in social services, which is a good example. Can the minister advise whether the government is working in that area, and how it is doing that?

[9.40 pm]

Mr W.R. MARMION: We want to do exactly what the member has just said. Our aim is to work with departments that have big databases of information—that is all departments—and encourage the data to be available to the public. Some data is confidential, so under privacy laws we probably cannot do that in some individual cases. But our aim is, as best we can, to make available data that is stored away in various different departments, in different hardware packages that do not communicate across departments, so that agencies can better utilise it to help to deliver services online and so that any interested person in the community or in business can use that data to come up with bright ideas to develop fantastic applications such as the very good app that we launched when we announced the new Minister for Innovation. That simple app uses public data to show people what the waiting times are at hospitals and the distance from a hospital. We hope that by making more data available we can provide better services to the community, and that smart people in the community can come up with clever ways of utilising that government data. I hope that answers the member's question.

Ms S.F. McGURK: My further question is maybe similar to the one that the member for Warnbro was going to raise; that is, is there also dialogue with business or industry on how to share information? The minister has spoken about the government's sentiment, or goal, but is the agency working in partnership with those sectors to achieve that? How is that occurring in practice?

Mr W.R. MARMION: I will let the Government Chief Information Officer explain how he is going about that.

Mr G. Nunis: Firstly, our open data policy became effective on 3 July 2015. Numerous government agencies have already been in the process for a reasonable period of time to make data available, but not many government agencies are in that space. There are over 800 datasets available in a variety of different formats in that portal that are accessible by government, businesses or any member of the community. We have every intention of extending the number of datasets; we think they should be into the thousands. However, we obviously need to deal with issues of privacy and with limiting the type of personal information that is going out before we make those available. We have not yet commenced the process of working with the business community to look at ways to use its data to help us. We would need to go through that process at the appropriate time. However, there are a few partnership forums. One that was recently announced was the data

linkage forum, headed by the Chief Scientist, Professor Fiona Stanley and me, and that will look at how we can make that a better environment. There are many technological changes in data linkages—some are becoming automated, rather than being manually driven—and we want it to be real-time capable as well.

Mr P. PAPALIA: I have a question that relates to the same heading but probably focuses on a different dot point. I am interested—in fact, I am interested in all of them—in whether, specifically beyond the publicly available data and the data that the agency is looking at making available more easily, the agency has engaged with some departments and their ridiculous systems. For instance, the police database that identifies a call-out cannot communicate with the database that records someone having been charged, so the police cannot tell whether the call-out was for a mentally ill person who was then charged with a mandatory sentencing charge as a consequence of the call-out. Those two databases do not talk to each other in the same department. Are they looking at using the office's expertise to help them?

Mr W.R. MARMION: The member has highlighted only one of the problems; there are more. That is obviously not a very good system to have. Hopefully, with Giles' expertise and that strategy, those things will be ironed out. It is still up to the specific department or the minister to deliver that. Giles might be able to explain that in a bit more detail. Perhaps Giles might even know something about that specific example.

Mr G. Nunis: We recently also released an interoperability policy, which sets a standard to allow for multiple systems to talk to each other under a standard format and arrangement. That was released only yesterday in accordance with the ICT strategy. It is now putting the government on a footing that provides that if we are going to start using our information better, we need to look at how to consolidate that information so that it produces rich content, bearing in mind that in some circumstances privacy is an issue. In some circumstances, it may not be appropriate that a police officer know things that police officers should not necessarily know at a particular point in time. That is not to say that they should not know about mental health issues, but there may be some circumstances in which people are concerned about their particular medical issues being made available to those who are not related. We need to deal with those types of real issues. However, if it is about the safety and wellbeing of police officers delivering the services, we need to give them as much cross-government information as we can that helps them to deliver their service better.

Mr P. PAPALIA: It is kind of motivated by the patients.

Although the agency is developing the policy that enables or encourages that communication across databases, what expenditure, effort or resources will be required to achieve that? Is that going to be the parent department's responsibility? Is that how it works?

Mr W.R. MARMION: I will open it up. We have a small budget to be a policy deliverer, but the change will happen within the department and will be driven by the minister. They will report to me and I will be reporting to cabinet.

Mr P. PAPALIA: Is it hoped that the minister will drive that change?

Mr W.R. MARMION: Absolutely.

Mr P. PAPALIA: I was asking about those two databases five years ago, and we got the same answer in subsequent years that they just do not talk to each other.

Mr W.R. MARMION: I totally agree with the member. We need someone to drive this, and to drive it damn hard.

Mr W.J. JOHNSTON: You are the man!

Mr W.R. MARMION: The member does not have to worry; I am an outcome-focused person. If any department is a bit slow, I will be dealing directly with the minister. I am doing that already.

Mr J. NORBERGER: I refer the minister to the third dot point on page 439. I understand that as part of its funding allocation, the Office of the Government Chief Information Officer was required to deliver a state ICT policy by 1 July 2016. Can the minister update the house on the progress of this requirement?

Mr W.R. MARMION: I will be quick because there is not much time. The first task the Government Chief Information Officer had to deliver was a strategy within 12 months, and he has delivered it. I am happy to have this tabled if I am allowed to table it in estimates.

The CHAIRMAN: You cannot table it.

Mr J. NORBERGER: Just wave it!

Mr W.R. MARMION: I am pleased that it has been released two months ahead of schedule.

Mr J. NORBERGER: It is not in electronic form. That is not very tech savvy.

Mr W.R. MARMION: It was well advanced in the first few months. There was a lot of consultation with industry on this.

Mr W.J. JOHNSTON: The Auditor General's report had nothing to do with it either.

[9.50 pm]

Mr W.R. MARMION: No, it did not either. It was just convenient; we had planned it some months ago. This is a very good report. This takes up the member's point about having to be driven; I highlight that we are not taking away the responsibility of individual ministers for how they run their operations. Information and communications technology is part of the glue and each department has to run its own, but we want them to talk to each other. I refer to some of the points already raised, such as interoperability between departments and between databases within departments. They are some of the obvious things in the strategy, but it is also a framework or a map to make sure that departments comply with some overall policy concepts across government.

Mr W.J. JOHNSTON: That was the strategy. The minister stated that the Government Chief Information Officer has developed several policies. Which policies have been developed?

Mr W.R. MARMION: We have a list. One of the first projects from which I think we will get the biggest return in cost savings is the GovNext project.

Mr W.J. JOHNSTON: I asked about policies, not projects.

Mr W.R. MARMION: I know; I am building up. GovNext relies on the cloud.

Mr W.J. JOHNSTON: I know what GovNext is; it is all right.

Mr W.R. MARMION: That policy is about moving away from having hard drives and hardware in all the different departments; probably 100 or more will move to the cloud. That is one policy. The disaster recovery is a policy right across government. I mentioned interoperability, which is the key to the whole thing. The online servicing policy, as the member knows, is that 75 per cent of stuff that can be done online should be done online by 2020. That is a key performance indicator, really. Another key thing is security. We want to ensure that departments have a proper security framework right across their database.

Mr W.J. JOHNSTON: Excellent. Does the minister have implementation plans for those policies?

Mr W.R. MARMION: Yes, I do.

Mr W.J. JOHNSTON: That is the strategy.

Mr W.R. MARMION: The implementation plans are for each department. Except for the ones that we are driving, at the end of the day each minister is responsible for their own ICT and we have suggested guidelines and time frames that they might follow to move more services online or into the cloud et cetera.

Mr W.J. JOHNSTON: Is the Government Chief Information Officer focused on delivering a finance system for independent public schools that delivers the needs of the schools and does not show carry-over cash as income, for example? Are there any assurances that the minister can give us for that topic?

Mr W.R. MARMION: The member would have to ask the Minister for Education.

Mr W.J. JOHNSTON: I am asking whether the GCIO will deliver in this very important area of expertise.

Mr W.R. MARMION: The GCIO will assist governments and provide advice on how they might better deliver.

Mr W.J. JOHNSTON: I will put that as his number one KPI.

Mr W.R. MARMION: We will take that on notice.

Mr P. PAPALIA: I refer to page 440 of the *Budget Statements* and the number of full-time equivalent positions in the Office of the Government Chief Information Officer. Is the 19 FTEs the extent of the workforce for the GCIO or is the government planning to recruit more people?

Mr W.R. MARMION: We have a detailed HR plan and I will allow the Government Chief Information Officer to outline some of the HR plans for the future. Hopefully the member for Wanneroo will wake up.

Mr G. Nunis: We have 15.6 full-time equivalent positions in the office and as more projects come on board we will get those FTEs on a finite basis for the period of a particular project, but they are not there as permanent employees; they are there to come on as public servants under contractual arrangements and at the end of the project they will finish.

Mr P. PAPALIA: How many permanent positions does the office have and what roles do they fill?

Mr G. Nunis: The public servant roles are my role, an executive officer and a publications officer. The policy positions are Marion's position, executive director of ICT policy and governance; two principal policy officers; and a senior policy officer. For the technological agenda we have the executive director of technology innovation, three program directors and a project officer. For the strategy section, which delivered that strategy, there is an executive director for strategy and delivery, and two directors.

Mr W.J. JOHNSTON: I refer in the last couple of moments to the third dot point under “Services and Key Efficiency Indicators”, which states —

identifying and advising on ICT innovation, which will support and enhance government services to meet business and community needs;

What is the relationship between the Office of the Government Chief Information Officer and the Technology and Industry Advisory Council, which until now had been the principal advisory body on information technology innovation to the government of Western Australia?

Mr W.R. MARMION: Technology and Industry Advisory Council is established under the Minister for Commerce and the Government Chief Information Officer is established under the Department of Finance, so they have different ministers, but we get on very well together.

Mr W.J. JOHNSTON: Yes. What is the relationship?

Mr W.R. MARMION: In terms of line or structure?

Mr W.J. JOHNSTON: Given that TIAC has already produced reports and given advice on the issues that the Office of the Government Chief Information Officer is doing, how is government integrating TIAC’s advice with the advice coming from the GCIO?

Mr W.R. MARMION: TIAC was set up back in the 1980s by a very good minister.

Mr W.J. JOHNSTON: Mal Bryce.

Mr W.R. MARMION: His mother taught me at Bunbury Senior High School; she was Mrs Bryce to me. TIAC was set up primarily to start Technology Park Bentley WA: it did a very good job. Also, an innovation building was set up there to support start-ups and incubation and technology clusters. TIAC is about promoting science and innovation. The Government Chief Information Officer is the glue that holds all the departments together with their ICT, such as computers and telecommunications, specifically for government departments and across government. TIAC is about supporting the small business industry and technology development, and Technology Park, throughout Western Australia to make WA as good as Silicon Valley.

The CHAIRMAN: We must keep the questions and answers short now.

Mr W.J. JOHNSTON: TIAC referred to the minister the outcomes of its Innovation Focus Forum. What is the minister’s response to the information that it provided to him?

Mr W.R. MARMION: The member is saying that the chairman of TIAC —

Mr W.J. JOHNSTON: TIAC held the Innovation Focus Forum and the Minister for Commerce sent the Minister for Innovation the outcomes of that forum.

Mr W.R. MARMION: When?

Mr W.J. JOHNSTON: I do not have the date in front of me.

The CHAIRMAN: Members, given the time, I think we need to draw this to a conclusion.

The appropriation was recommended.

Committee adjourned at 10.00 pm
