

Legislative Assembly

Tuesday, 1 June 2010

ESTIMATES COMMITTEES A AND B ESTIMATES COMMITTEE A

The meeting commenced at 9.00 am.

Division 1: Parliament, \$50 011 000 —

Mr M.W. Sutherland, Chairman.

Mr G.A. Woodhams, Speaker of the Legislative Assembly.

Mr P.J. McHugh, Clerk of the Legislative Assembly.

Mr R. Bremner, Executive Manager, Parliamentary Services.

Mrs D.G. Timmerman, Chief Finance Officer, Parliamentary Services.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the chairman's intention 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 Speaker may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the Speaker to clearly indicate to the committee which supplementary information he agrees to provide, and I will then allocate a reference number. If supplementary information is to be provided, I seek the Speaker's cooperation in ensuring that it is delivered to the committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the Speaker to cooperate with those requirements. I caution members that if the Speaker 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. Only supplementary information that the Speaker agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

I now ask the Speaker to introduce his advisers to the committee.

[Witnesses introduced.]

The CHAIRMAN: Members, questions please. The Leader of the Opposition.

Mr E.S. RIPPER: Why is it that the —

The CHAIRMAN: Sorry, which page?

Mr E.S. RIPPER: It is page 49. Why is it that the appropriation for the Assembly is nearly \$1 million more than it was two years ago?

The CHAIRMAN: Sorry, where is the Leader of the Opposition reading from?

Mr E.S. RIPPER: From page 49, under "Delivery of Services". Why is it that the appropriation for the Assembly is nearly \$1 million more than it was two years ago, and why is it that the total cost of services for the Assembly is nearly \$2 million more than it was two years ago?

The SPEAKER: Effectively, on page 49, if I were to draw the Leader of the Opposition's attention to "Major Spending Changes", that is possibly the section to which he is referring. We have brought forward \$500 000 from the last financial year, and there was also roughly about \$1 million that we had pulled forward from

previous years also. Most of that money would be for use on the various committee operations we have, and there was also some spend in there for the regional Parliament.

The CHAIRMAN: Further questions?

Mr E.S. RIPPER: Not on that issue. I do have further questions.

Ms R. SAFFIOTI: My question relates to the works in progress on page 58, under the “Asset Investment Program”, and it is about the Legislative Council chamber refurbishment of \$2.4 million for 2009–10.

The CHAIRMAN: Sorry, the member cannot ask questions on the Legislative Council, only on the Legislative Assembly.

The SPEAKER: If I might, Mr Chairman, there is some capacity in this, because —

Ms R. SAFFIOTI: It is under Parliamentary Services.

The SPEAKER: It would be under Parliamentary Services, so I could get Mr Bremner to provide some further information in this context. However, let me give the member some information, and perhaps the head of Parliamentary Services might like to add some further detail. Parliamentary Services did manage the fit-out, so it is the responsible organisation, and it did that on behalf of the Building Management and Works division of the Department of Treasury and Finance. If the member wants to talk specifically about that, she would need to direct that question to that agency. However, \$2.5 million was the capital allocation to PSD for the Legislative Council chamber fit-out, and the costs to date are just under \$2 million. Currently, Building Management and Works is in discussions with both the contractor and the project architects regarding the finalisation of those building costs. Possibly, any difference between the final total costs and the \$2.5 million that was allocated would be the subject of discussions with the Department of Treasury and Finance in seeking approval to utilise those funds for other capital projects within Parliament. That is about as much information as I can provide. I do not know whether Mr Bremner wishes to add further detail to that.

Mr R. Bremner: No, but I will clarify one point that the Speaker made. Parliamentary Services received the appropriation. However, we engaged the Department of Treasury and Finance, through its Building Management and Works division, to manage the project on our behalf. It let the tenders and superintended the project, so it is responsible for all the project management, and we get accounts from Building Management and Works and we pay the accounts. But the rest of the information is as what the Speaker said.

Ms R. SAFFIOTI: Just following up, no breakdown is available, so, from the Speaker’s perspective, would it be appropriate to ask DTF for that breakdown?

The SPEAKER: Yes, the member would need to ask the Department of Treasury and Finance. Alternatively, the member could make inquiries with the Legislative Council and go down that road.

Mr J.M. FRANCIS: I have a question relating to the Speaker’s answer on the expenditure for the refit of the Legislative Council chamber. I am not sure whether the Speaker will know the answer, but, if he does, can he inform us when the decision was made to refit the Legislative Council chamber?

The SPEAKER: Off the top of my head, I do not know the date. Mr Bremner?

Mr R. Bremner: I would have to check.

The SPEAKER: If the member would like us to do it, we can provide that information, but we do not have hard data in front of us on the table here. That would only be through Parliamentary Services. If the member wants us to provide that as supplementary information, I am sure that we can follow that road.

[9.10 am]

Mr R. Bremner: All I can say at this stage is that two financial years ago the appropriation was first allocated. We received a \$240 000 tranche in 2008–09; last year a \$2.2 million tranche; and this year a \$60 000 tranche. It was spread over three financial years.

Mr J.M. FRANCIS: It would have been in 2007–08 that the decision was made.

Mr E.S. RIPPER: I can provide information on this. The decision was made by the incoming government, not the previous Labor government, if that is what the member is driving at.

Mrs L.M. HARVEY: I refer to page 45, under “Efficiency Indicators”. It indicates that the average cost of providing procedural and administrative support to each committee for 2009–10 was \$235 100 —

The SPEAKER: I might interrupt there. The member is dealing with Legislative Council information and I cannot answer on behalf of it. Sometimes I would like to, but I do not have to do that.

Mr E.S. RIPPER: I want to go to Parliamentary Services. A sentence on page 55 states —

The Department provides apolitical ancillary services to Members of Parliament.

I want to refer to the drafting services available to non-government members of Parliament. My understanding is that those services have changed. Previously they were provided by a private legal firm. Now non-government members are referred to Parliamentary Counsel, which is saying that it gives priority to the government. Why is that service no longer provided to non-government members? Who made the decision to instigate those changes? Can you, Mr Speaker, assure us that the same confidentiality given by that company to non-government members will now be met by Parliamentary Counsel? Is there a dedicated resource for non-government members or will non-government members have to get in line behind the government and never get their material drafted in the same way as in the past?

The SPEAKER: In fact that responsibility is not with Parliamentary Services. It sits with the Legislative Assembly still and I might get the Clerk of the Legislative Assembly to provide you with detail of that.

Mr P.J. McHugh: There has been an approach made by others to myself because of levels of dissatisfaction expressed with the turnaround time for the private drafter in the past and perhaps the quality of some of the work, although I do not want to cast any aspersions at all on Talbot Olivier, which was undertaking the work. The money provided to that company has been diverted to the Parliamentary Counsel's Office to assist them with general drafting and providing staff who are well qualified and experienced to get the drafting done. As to the financial transfers to bring this about, I cannot swear by that, but it is a matter for the Attorney General and Department of Treasury and Finance. The advice from Walter Munyard, the Parliamentary Counsel, is that they will give their best endeavours. While they are a good group, he says there will be no issue in getting a good turnaround, particularly in session. They express concern about drafting very large bills in a very short time, but that will be a problem in any event. My understanding is they have guaranteed in the documentation sent to members last week that they will maintain absolute confidentiality and in our discussions with them, frankly, I have no doubt that that will be the case. Can we guarantee it? I suppose we cannot guarantee it, but we have certainly been given undertakings and the Parliamentary Counsel has written in that document that it will maintain absolute confidentiality. In terms of priorities, they say in that document that priority will be given to government drafting. From my discussions with Walter Munyard, I understand that they expect to be able to turnaround all the amendments and drafting in a very good time. I suppose we will have to wait and see whether any problems will emerge from it. Our view in the discussions was that this would be a better system for members of Parliament.

Mr E.S. RIPPER: I have a follow-up question. The advice to members of Parliament is that the government's legislative program is to remain PCO's primary function and the provision of non-government drafting services is not to interfere with that legislative program. Having previously been involved with setting drafting priorities for the previous government, my understanding is that there is such competition for drafting priorities that a statement like that could mean that there would be no opposition or private members' drafting at all. Would it not be better if there was a quarantined resource in the Parliamentary Counsel's Office that was for non-government members of Parliament? It would appear that at the moment we are relying on internal decisions of the Parliamentary Counsel's Office to ensure that non-government members get a go, given the intense competition between government agencies for their drafting priorities.

The SPEAKER: I recognise the points that you make. I do not know whether Mr McHugh wishes to add further detail.

Mr P.J. McHugh: All I can say again is that Parliamentary Counsel has given us a best endeavours approach. It may well mean that in some circumstances the Parliamentary Counsel may have two or three individuals taking on amendments and private members' drafting as well as their other work and that there could be some segregation between that and the other drafting that they were doing. In some circumstances there might be quite a high demand for private members' drafting and that might be spread across three or four drafters perhaps, as opposed to having one dedicated resource. At this stage we have not seen it work. We did discuss the question of a dedicated resource that was thought not to be the best approach. I cannot say more than that at this stage. I guess it will be a case of seeing how it works out in practice. The Parliamentary Counsel seemed to me to be very genuine in the approach he intended to take.

Mr E.S. RIPPER: With whom should complaints be lodged if the service does not meet the requirements of non-government members?

THE SPEAKER: In the first instance, the best thing to do would be to draw that attention to me. Certainly I would need to be made aware of it. I have not had any members come directly to me to talk about drafting issues. Historically, there probably is a process in this place whereby members may have come to the Table while Parliament was sitting to seek advice and perhaps the Clerk, Deputy Clerk or someone else may have indicated how that might be obtained. To answer the Leader of the Opposition's question directly, I suggest that if there are major issues I should be the first person to be made aware of that.

Mr A.J. WADDELL: I refer to a line item at page 50 of the *Budget Statements* that states —

Promote Public Knowledge and Awareness of the Parliament

I note that there has been a drop of \$100 000 from the 2009–10 estimated actual to the 2010–11 budget estimate. I also note on page 51 a note at the second paragraph indicating that there is a remote regions education program that appears to have been discontinued. Why is this program being discontinued and who took the decision to discontinue the remote regions education program?

[9.20 am]

The SPEAKER: I missed the first part of the member's question, but can I just allay any fears the member for Forresterfield might have? I would be equally disturbed—in fact, I might even be further disturbed—if there were any suggestion at all that this program would not continue. We had allocated some funds to do a test run for this program, but the program is certainly ongoing and continuing. It has been a very successful program from this Parliament's perspective, and there is no intention at all that I am aware of for this program to cease. If it did, I, along with many other people in this place, would be manning the barricades to make sure that it continued.

Mr A.J. WADDELL: What accounts for the reduction in costs?

The SPEAKER: That is simply the figure attributed to the test run; that is all that figure is for. There is a greater allocation to enable the program to run in the out years. I know that the Clerk has been involved in this as well. He may want to add some more details to that.

Mr P.J. McHugh: Just briefly, Mr Speaker. There are two aspects to our outreach program. One is to get to most of the parts of the state, and we engage casual presenters in various regions around the state to deliver that program. However, in the current financial year, an amount of up to \$130 000 was allocated to get to the 77 remote schools in the Kimberley, Pilbara, Mid West, Goldfields central and Goldfields east regions, covering about 4 000 students. That was the Hear Me program; members might have seen the calico scrolls from that program being put up around the Parliament. The idea of that program is to see how we can get to those remote schools, which is very expensive, and how we can communicate best with those kids, many of whom do not necessarily meet the usual level of education for students of those years. Many of them are in remote Aboriginal communities and there are particular communication issues. The idea of this program was to test out across those 77 schools how best we can communicate with them. I do not think it would be a practical matter to allocate \$130 000 every year to communicate with those schools, so there will be an evaluation of this program at the end of this financial year. There is still a visit underway as we speak, and we will be looking at how we can get presenters into those areas, or at least train up teachers in communication methods that will assist those students' understanding of our political process. There is an evaluation yet to take place.

The SPEAKER: If I might just add a little more detail, we are talking about the Kimberley, Pilbara, the inland parts of the Mid West and the Goldfields. As members will appreciate, the Goldfields stretch out to the border with South Australia and the Northern Territory in parts, so it is a large patch. For some of those kids we are trying to reach, English is definitely a second language, so there are some added tasks in there, but, as the Clerk points out, that money is really to enable this pilot program to be developed so that we can make some assessment of it, because that is the part that disturbs me; I reinforce that there is absolutely no desire at all to shuffle this program off—not at all. I thank the member for asking the question.

The CHAIRMAN: Member for Mandurah, did you have a question? I have you down for one.

Mr D.A. TEMPLEMAN: I am a non-committee member, but I think I am allowed to ask a question.

I refer to various parts of the *Budget Statements*, but particularly to the table on pages 50 and 51, where the numbers of full-time equivalent parliamentary employees appear. I am interested in current permanent staff versus casual staff. Has there been a reduction in permanent staff in favour of more casuals; and, if so, what are the numbers and what is the reason for that?

The SPEAKER: Can I just get some clarification from the member? When the member says “parliamentary”, is he talking only about the Legislative Assembly?

Mr D.A. TEMPLEMAN: It is staffing, including dining staff and Legislative Assembly staff. My understanding is that there has been a change in the number of permanent staff versus casual staff; and, if so, I would like some indication of what numbers that involves and the reason behind that shift.

The SPEAKER: We are talking about two things, effectively, or two separate operations; we are talking about the Legislative Assembly operation and about the Parliamentary Services Department. I think it might be appropriate to ask Mr McHugh, the Clerk, to answer on behalf of the Legislative Assembly and how that operates, and then I might ask Mr Bremner to respond for Parliamentary Services. They are two different operations, really, but I understand the question the member is asking.

Mr P.J. McHugh: Thank you, Mr Speaker. In relation to the Legislative Assembly, we have just under 34 full-time equivalents. The only casuals in the Legislative Assembly are casual presenters who work from time to time in the regions, presenting our education program, and they do that work on an as-needed basis. The rest of the staff in the Legislative Assembly are permanent.

Mr D.A. TEMPLEMAN: What about dining staff and that section?

The SPEAKER: Mr Bremner?

Mr R. Bremner: In respect of Parliamentary Services, there are two main areas where we engage casual staff. The first area is reporting services—the Hansard and audiovisual areas. Our AV operators, who man the control room on sitting days, elect to be casual staff rather than part-time or sessional part-time staff. In the dining area, we have always engaged casual staff because of the sessional nature of parliamentary sittings and the fact that Parliament House is used for both executive government and parliamentary functions. We have a very atypical organisation and structure in our catering environment inasmuch as we have dinners only two nights a week for about 22 or 23 weeks of the year. We do not have the typical Friday and Saturday dinner situation, and we have to staff the dining room with casuals when we have late bookings, because we have to provide a core permanent staff to provide a member service during the week. However, we have a lot of bookings coming in during the week and, depending on those bookings, in the morning the dining room manager may in fact get casual staff in. By and large, the option is generally given in the first instance to casual staff who work here on an ongoing or longer term basis to take any permanent positions that come up, but in some cases our casual staff elect to be casuals because of the loading and because of their own financial situation.

Mr D.A. TEMPLEMAN: Of the permanent staff—for example, in the areas of dining or gardening—has there been a reduction in the number of permanent staff in favour of casual staff between last year and this year?

The SPEAKER: I will ask Mr Bremner to answer that.

Mr R. Bremner: I would have to get back to the member, but, off the top of my head, I would say no. It would be much the same. Certainly in the gardening area, the only time we ever have casual staff is when we engage casuals to cover people going on long-term leave; we get people in to cover an extended period of leave.

Mr D.A. TEMPLEMAN: What about the dining area?

Mr R. Bremner: No; I think we probably have exactly the same number of permanents as we had this time last year, but I can certainly check that and get back to the member.

[9.30 am]

The SPEAKER: Could I suggest that we provide that as supplementary information?

The CHAIRMAN: Exactly what information are you going to give?

Mr D.A. TEMPLEMAN: Could I have a breakdown of the number of permanent staff versus casual staff in the various parliamentary areas?

The SPEAKER: Is the member just talking about the Parliamentary Services Department or the Legislative Assembly as well?

Mr D.A. TEMPLEMAN: I would be pleased to have the staffing levels for both the Assembly and Parliamentary Services.

[*Supplementary Information No A1.*]

Mr J.E. McGRATH: My question is along similar lines. I am interested to know something about the staffing of the Legislative Assembly committees. A public statement was made earlier this year about the workload of the committee staff. I am chairing one new committee that is reporting this year. I think it is placing extra pressure on staff in the Legislative Assembly committee area. What are the staffing levels in the committee area? Are they adequate? Have there been any increases in staff in the past 12 months? Mr Speaker, do you have a view on the growth of the roles of committees, which seems to have had a number of inquiries and reports over the past 12 months?

The SPEAKER: We do have two unfunded committees that the member is possibly aware of. Representation has been made to Treasury with respect to that. Those two committees remain unfunded. The member for South Perth has been around for two Parliaments and he would notice that the levels of inquiry or the work of a particular committee may vary quite substantially from committee to committee and from year to year. Sometimes Parliament will refer an inquiry to a committee. At other times a committee might create its own inquiry. The parliamentary inquiry has precedence, and that is the one that needs to be followed through. From my observation, that is quite often the one where additional stress is involved.

I do not think it is my place in this estimates hearing to make a personal observation about committee workloads. A range of things happen. I am not trying to skip around it. Outside of this place, I could make some comments about how difficult it is for some committees to do their work, but I do not think it helps our process in here for me to make personal observations. I would argue for greater funding, and that is something that we should take to Treasury. If this place wants those two committees that are currently unfunded to continue and to deliver some

reasonable information and results into this place, we need to get some funding for them. For the time being, that is not the case.

Mr J.E. McGRATH: For the sake of *Hansard*, what are those committees?

The SPEAKER: The Joint Standing Committee on the Commissioner for Children and Young People and the one that the member for South Perth is involved in—the Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts. Both of those committees serve a substantially important role in the current environment. On the record, it would be fantastic if they could be appropriately funded.

Mr J.E. McGRATH: I have one further question on committee staffing. The budget does not specify how much money is paid for staff in the committee area. I could not find that. What is the cost of staffing the committees and what was the cost last year? What has been the increase?

The SPEAKER: It is a good question. Although I have plenty of information about committees and budgets et cetera, I do not have that sort of analysis or comparison. I am more than happy to provide the member with supplementary information.

The CHAIRMAN: For clarity, what information are you seeking?

Mr J.E. McGRATH: I am seeking the cost of staffing the Legislative Assembly committees last financial year and this financial year.

[*Supplementary Information No A2.*]

Mr E.S. RIPPER: We have accountability arrangements for ministers' travel and for the travel of members of Parliament but it would seem that Presiding Officers' travel is not subject to the same reporting requirements. Mr Speaker, are you prepared to adopt the same reporting requirements as apply to ministers for the travel that you undertake, including the people on the delegations, the locations, the itinerary and the cost, and provide that information to Parliament?

The SPEAKER: The details of my travel arrangements, including the itinerary undertaken—it would be similar for the President of the Legislative Council—are provided in an annual report that is tabled. That report shows the travel that I have undertaken or the travel that other Speakers may have undertaken on my behalf.

Mr E.S. RIPPER: Is that an annual report of the Legislative Assembly?

The SPEAKER: I table an annual report that is available to the Leader of the Opposition or any other member in this place if they wish to see it.

Mr E.S. RIPPER: Is this an annual travel report?

The SPEAKER: No, certainly not. It is a report of my office over the past financial year.

Mr E.S. RIPPER: When would we expect a report for this financial year?

The SPEAKER: While I have not looked directly at the report for this year, I am advised that it is in the Legislative Assembly's report. It is not a separate Speaker's report but the detail that I referred to earlier would be found in there. I am not familiar with the absolute requirements for those ministerial reports that the Leader of the Opposition referred to. I could certainly make myself more familiar with them in terms of the accountability that is found in them that the various ministers have to adhere to. That is certainly something that I am prepared to look at. At this stage I would be a little reticent to adhere to something that I do not have enough knowledge about in terms of what ministers have to report, when that reporting is done, what the accountability is and what the areas of responsibilities for that minister are. I do not know totally what all those requirements are. I could familiarise myself with that and make a decision. At this stage, I would be rather reticent to say, "Yes, I would do the same thing" without knowing what it is.

Mr E.S. RIPPER: When will that annual report for this financial year be available? Is that subject to the same rules as other agencies, so we should have that report by 30 September?

The SPEAKER: Yes, at the end of September.

[9.40 am]

Mr E.S. RIPPER: Mr Speaker, are you prepared to make a statement by way of supplementary information, or indeed in the report, on harmonisation of accountability requirements between ministers, members of Parliament and Presiding Officers? I appreciate that you want to look at those requirements before you make a statement, but are you prepared to commit to making some later statement about these issues?

The SPEAKER: I would be prepared, Leader of the Opposition, for you and I to sit down and discuss this. I really need to familiarise myself with all that information. I am certainly not familiar with it at the moment. But I give an undertaking to you to certainly sit down with you and talk further about it before I am prepared to make a statement, and I would like to talk to further about it.

Mrs L.M. HARVEY: My question relates to page 51 and the asset investment program. I notice there is nothing estimated for 2010–11 and forward years. I am just wondering if there is no further asset investment proposed or if that is portrayed somewhere else in the *Budget Statements*.

Mr E.S. RIPPER: While that answer is being worked out. I hope to ask some questions of the Parliamentary Commissioner for Administrative Investigations. I am concerned we might not have time to do that.

The SPEAKER: I acknowledge what the Leader of the Opposition has said. I was going to draw your attention, Mr Chairman, to the time, because I know that the Ombudsman is here and it would be worthwhile for this estimates committee to meet with the Ombudsman.

To answer your question, member for Scarborough, most of those funds are attributable to two things. They are in fact the replacement of photocopying facilities. While we describe it as a one-off event, those sorts of things happen from time to time, but most of the capital you see there is a photocopier replacement, printer replacement programs and, likewise, some acquisition of mainly Indigenous artworks. That is what appears there, but in terms of other assets or other developments in the out years, I might ask if the Parliamentary Services Department, through Mr Bremner, wants to add any detail. From our perspective in the Legislative Assembly, we do not have any capital or funding next to it, and we do not see any replacement programs at this stage.

Mr R. Bremner: I just draw the member's attention to page 58 where the PSD asset investment program is listed. I am more than happy to answer any direct questions in relation to that either now or outside this forum.

Mr J.E. McGRATH: We talk about capital investment. Once again in the committee area, I notice in the existing committee accommodation that some of the committees are overlapping and are sharing accommodation, one after the other. If one committee sits a bit late, another committee might be waiting to use the room. Do you foresee any problems in future years with accommodation in the existing facilities that the Legislative Assembly committees are using, and do you see that that might have to be addressed?

The SPEAKER: Yes; there will be difficulties in the coming years. You are referring, I imagine, member, essentially to just the separate rooms.

Mr J.E. McGRATH: Yes, for hearings.

The SPEAKER: Some rooms are able to do things that other rooms are not. That is why a committee might want to be able to access room 2 instead of room 3, or whatever it might be. Yes, those problems are there. They are acknowledged from conversations I have had and from the information that is continually brought to my attention. It is one of the issues that over a period of time we need to resolve, but in the meantime it remains a challenge.

The CHAIRMAN: The question is that the appropriation be recommended for division 1.

Mr J.M. FRANCIS: I have another question on this division, which is a very short one.

Mr E.S. RIPPER: We are going to finish our questions so that we can talk to the Ombudsman. If we have other questions on this division, time is going to be chewed up.

The appropriation was recommended.

Division 2: Parliamentary Commissioner for Administrative Investigations, \$5 424 000 —

Mr M.W. Sutherland, Chairman.

Mr G.A. Woodhams, Speaker of the Legislative Assembly.

Mr C.J. Field, Ombudsman.

Ms G.M. White, Assistant Ombudsman, Strategic Services.

The CHAIRMAN: The Leader of the Opposition.

Mr E.S. RIPPER: Thank you very much, Chairman. I refer to page 63 and to "Significant Issues Impacting the Agency". The first dot point reads —

There was a significant increase in the number of complaints received during this year.

Why have complaints increased? What types of complaints constitute the increase? How long does it take to resolve these complaints? How many of these complaints are currently unresolved?

The SPEAKER: I will get Mr Field to add some details on that in a moment, Leader of the Opposition. The inquiries that I have made with the state Ombudsman's office would indicate that there was certainly a very significant spike in complaints, which seemed to coincide, or run parallel, with the global financial crisis. It seemed to be a remarkably similar graph, as it were. The majority of those complaints were then simply of a financial nature. Once again, they seem to have been resolved in a suitably short period of time, from my perspective. That is my broad understanding of things, but I might get Mr Field to add some more detail to that,

because, once again, from my inquiries leading up to estimates and just from an ongoing interest I have had in the Ombudsman's office over a number of years, I think that our office of the Ombudsman in comparison with other states of the commonwealth is a long way ahead. That may be some praise for Mr Field, but Mr Field might want to give some detail on what I have just offered.

Mr C.J. Field: I am always delighted to accept that praise. Thank you. I thank the honourable Leader of the Opposition for his excellent question. The increase was really a story in two parts. In around early January 2009 there was an increase in complaints we started to monitor. During the period from July to December, there was about a 92 per cent increase in complaints, which is not an insignificant increase. What we have noticed since that time—the first half of the calendar year, or the second half of the fiscal year—is a dropping down in complaints to around 60 per cent compared with the same time in the previous year. Although graphs do not work very well for *Hansard*, if I were to put up a graph of the complaints, the curve would go something like this, and members would notice a very similar curve for what has been widely acknowledged as a very significant financial crisis worldwide, and of course Western Australia was not unaffected. Interestingly, I have talked to my colleagues in Australia and New Zealand, and the Leader of the Opposition will be interested to know that many of the Ombudsman organisations also attribute an increase generally in that 15 to 40 per cent range to factors like the global financial crisis. It might also be that some of the other activities explain why there has been an increase—for example, our rural and regional outreach program, which we began around two years ago. That was done principally because we thought there was a significant imbalance in rural and regional Western Australians and, in particular, Indigenous Western Australians utilising our office. We have taken a program, which we have reasonably widely publicised, to a range of regional areas and centres, reaching out to Indigenous and regional Western Australians. We can see that in those areas we visit there is an above-average, or above-trend, increase in people coming to our office; and the areas that we have not seen are significantly below trend. Therefore, we have increased the awareness and access for particularly Indigenous Western Australians, which are a critical cohort for us given they were so under-represented in our office historically, and also for regional Western Australians.

[9.50 am]

The second part of the Leader of the Opposition's question related to the type of complaints. There is no real trend in relation to the type of complaints. They have been fairly much across the board. Some departments and some areas are slightly above trend and some are slightly below trend, but generally speaking it has been a trend largely across the board. There are a couple of areas in which it is slightly higher than trend. Those can be explained in probably three ways. The first is that in some areas that are above trend, the numbers are incredibly small. We might have received, say, one complaint in 2007–08 or 2008–09 and five complaints this year, so it looks like a large percentage increase, but it is off a base number that is so small the percentage increase would not make sense. The second type is that some departments—the Department of Housing is an example—have examined the way in which they are undertaking their own internal complaint handling systems. Historically, agencies have had, say, one tier of complaint handling, a second tier and a third tier and that differs in different departments, depending on the size and variety of complaints they receive. Some of those departments have removed their third tier of complaint handling, believing it is more efficient to come through the Ombudsman's office. We have spoken to those departments about that and we think it is a perfectly sensible initiative. In relation to the type of complaint, there are also areas where there can be, once again, a slight adjustment to the numbers; for example, in the Department of Corrective Services, where there might be a slightly increased number above trend in relation to prison complaints, but they include petitions. If those are taken out, they are in fact well below trend in relation to the complaint numbers; that is, above the 92 per cent or above the adjusted number if we take the 92 per cent and 60 per cent over a whole fiscal year percentage increase.

The Leader of the Opposition asked how long and what has that done in relation to the handling of complaints. Largely speaking, we have been able to handle those complaints in a way that keeps us at national best practice in relation to time lines. The Western Australian Ombudsman's office is becoming more widely recognised as having some of—if not all—the most timely resolved complaints in the country. We have certainly made enormous inroads in that in the past three to four years. During my time, we have put a lot of focus on that so that we still have outstanding time line resolution rates of complaints. There is a major reason, though, that we were able to not allow what otherwise is a fairly significant increase in complaints off what historically has been a pretty efficient base of funding affect the timeliness. One would think that if we were efficiently funded and we had a big increase in complaints, it must change the timeliness. The principal reason that it did not is that we were, in the first instance, able to call upon some additional discretionary resources within our staff, although that was very limited because they were already working to near optimal efficiency. What we did was to look at a couple of other areas in the organisation—our administrative improvement section and our strategic services department—and we moved resources into the area of complaints handling because of its present need. That was not going in any way to blow out or become affected by the increasing complaints. Once we realised it was a sustained increase, we started speaking to Treasury about a supplementary funding amount, which ultimately

was \$300 000. That allowed us to employ 3.5 FTEs and to deal with that significant increase in complaints that we received, remembering too, of course, that the increase in complaints was already by that stage starting to tail down. We might be at, say, 60 to 65 per cent at the end of the year or around that sort of number. We will have to wait until the close of books to know that.

How many cases remain unresolved today? I do not have the exact number of cases on hand as of today. I have the exact number at 14 May 2010; it is 274. I thank my assistant Ombudsman. I should make the point that on-hand number is at a historic low for the office. If we talk about four years ago, we had an average age of open allegations of 274-odd days. Do not quote me exactly on that number—it was around 270 to near 300 days. It now takes on average around 78 days to resolve a complaint. We have seen a massive improvement in timeliness of complaint handling in the past three or four years. Given the fact that we had a national best practice level in relation to timeliness, we have some slight capacity to absorb an increase in complaints without it looking like a significant blow-out in relation to complaint handling numbers. That is possible for us.

Mr E.S. RIPPER: I think I need a little more clarity on the increase in complaints. I thought I heard the Ombudsman say a 60 per cent increase in complaints when one compares one financial year with the other, but that masks a 92 per cent increase in complaints when one compares the first half of the financial year to the first half of the previous financial year. Is that an accurate understanding?

The SPEAKER: Mr Field has some very good detail on this and I ask him to provide further information.

Mr C.J. Field: My sincere apologies, I may have been unclear for the Leader of the Opposition. Let me explain it again and try to be clearer about it. In the first half of the 2009–10 financial year—that is July 2009 to December 2009—we saw a 92 per cent increase in complaints compared with the same time the previous year, so that is the same six-month period of the previous fiscal year. Then, in the second half of the fiscal year—that is January 2010 through to effectively now—we are seeing a 60 per cent increase in complaints compared with that same comparison period in the previous financial year. We are seeing, over the financial year, a 92 per cent increase in the first six months, dropping down to 60 per cent for that first number of months since January 2010. What that will give us, projected forward, is something less than 92 per cent and something more than 60 per cent at the end of this 2009–10 financial year, but it is a little too early to say because we still have a couple of months' worth of figures to put together to see where that will be for the full fiscal year.

Mr E.S. RIPPER: If that level of complaint continues—I am looking at the budget—it appears that your budget for 2010–11 will not start to exceed your budget for last year until 2012–13, which must be of concern if a new base is established for the level of complaints on the basis of this year's experience.

The SPEAKER: I will respond initially to that. I acknowledge the question from the Leader of the Opposition. Certainly I am concerned that the state Ombudsman's office is able to deal with complaints on a timely basis, and I note the comments Mr Field has made about the budget. I ask Mr Field to respond to that.

Mr C.J. Field: Thank you, Mr Speaker, and thank you to the Leader of the Opposition for another good question. The reality is that we are going to monitor the situation. As of today, we have an exactly appropriate budget to execute the functions that I am required to execute, and we feel completely comfortable with our appropriation at this stage for the out years. What we need to do, though, is to monitor exactly the situation the Leader of the Opposition has alluded to—that is, whether there is a changed baseline going forward. If we thought—and we do think—that the global financial crisis is the principal explanation for that increase and that spiked up increase, then we would not anticipate a fundamentally changed new baseline for the next fiscal year and the out years after that, in which case there obviously would not be a significant concern in exactly the numbers the member is referring to. Remembering four or five years prior to 2008–09 we had effectively a static line of complaints—it was a fairly static base—it was basically the same complaint numbers pretty much every year; around 1 000 complaints. If we see a significant change to that baseline, we will monitor that situation.

The appropriation was recommended.

[Mr J.M. Francis took the chair.]

[10.00 am]

Division 40: Sport and Recreation, \$68 050 000 —

Mr J.M. Francis, Chairman.

Mr T.K. Waldron, Minister for Sport and Recreation.

Mr R. Alexander, Director General.

Mr A. Watt, Director, Business Management.

Mr D. Rosielle, Manager Finance, Business Management.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the chairman's intention 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. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which 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 committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the minister to cooperate with those requirements. 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. Only supplementary information that the minister agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

I now ask the minister to introduce his advisers to the committee.

[Witnesses introduced.]

The CHAIRMAN: Are there any questions? The member for Nollamara.

Ms J.M. FREEMAN: I refer to page 509 of the *Budget Statements* and the \$2.3 million and the \$82.5 million allocated to the ME Bank Stadium planning and development. When does the government expect construction to commence and how long will it take?

Mr T.K. WALDRON: I thank the member for the question. We expect that construction will start in 2012. Obviously, if we are organised earlier we will start earlier, but the expectation is 2012. Just to let the member know, stage 1 is development of the eastern stand. I cannot give the member a direct answer on the actual timing but I know that we will start in 2012. We have done the base planning and we are doing the final costing and planning now, so I do not want to elaborate on the time for that stand at this stage because I am not quite sure how long it will take. However, it will start in 2012 and if we can start earlier, we certainly will.

Ms A.J.G. MacTIERNAN: Canoeing Western Australia appears to be under the impression that \$5 million is allocated for the development of a whitewater park in the Champion Lakes area. Can the minister show me where in the budget I might find that? My second question is: what is the Logue Brook recreation offset trust being spent on?

Mr T.K. WALDRON: We have made a commitment of \$5 million for the whitewater park and of that we have allocated \$150 000 to reaffirm the business case. As the member knows, Canoeing Western Australia has made several attempts over a number of years to try to get that commercial development up without success. We made the commitment of \$5 million; \$150 000 has been allocated —

Ms A.J.G. MacTIERNAN: Is it in the budget, though? I am just trying to sort that. Is that \$5 million in the budget?

Mr T.K. WALDRON: It is not shown in the budget.

Ms A.J.G. MacTIERNAN: Therefore, it is not in the budget.

Mr T.K. WALDRON: We had an allocation, which has now gone towards the netball centre. However, the commitment for the \$5 million is there; we have allocated the \$150 000 for the base planning, as I said, to reaffirm the business case. We have to ensure that the project is commercially viable and obviously Canoeing WA has been looking for a commercial provider as well. That is the situation at the moment and we are waiting for it to now come back to us.

Ms A.J.G. MacTIERNAN: Who has the government given the \$150 000 to?

Mr T.K. WALDRON: That funding, as I understand it, has gone to Canoeing WA.

Can the member repeat the second part of her question and where it is in the budget?

Ms A.J.G. MacTIERNAN: It is on page 514. Are there any allocations against the Logue Brook recreation offset trust?

Mr T.K. WALDRON: We had allocated \$10 million for Logue Brook and that was repaid to the Water Corporation but we were able to retain the interest earned, which was used to fund a study for the identification and establishment of a strategy for existing and proposed recreation on dams and inland water bodies within the southern Darling region. Therefore, the \$10 million was returned but the interest of \$704 000 was retained to carry out that report.

Mr J.E. McGRATH: I refer to the third dot point about significant issues on page 506. Can the minister outline some of the strategies he has supported to address at-risk youth initiatives, such as the Northbridge youth engagement project?

[10.10 am]

Mr T.K. WALDRON: I thank the member for South Perth. As members would be aware, there have been a lot of issues in Northbridge. Sometimes I think they are a little overstated, but there is no doubt that we have had problems in Northbridge, and there have been problems particularly with youth. I do not think there is one thing that will fix all that, but the Department of Sport and Recreation has certainly wanted to play its part. We have a diversionary project that is trying to engage young people out of Northbridge to keep them away from Northbridge at night. As the member knows, a number of young kids have been frequenting Northbridge, and they have been picked up at late hours. The City of Armadale and the City of Swan were chosen as two priority areas for this project. We did that on information that was obtained from Mission Australia and the Department for Child Protection. These projects involve providing things for these young people to do in their own areas, in Midland and Armadale. These are activities such as basketball, hip-hop and acrobatics, as well as games et cetera identified by the kids themselves as ones that they would like to participate in. The year-to-date statistics for this from the Department for Child Protection indicate a 45 to 50 per cent reduction, approximately, in the number of young people being detained in the Cities of Swan and Armadale. Although this is not the be-all and end-all, it certainly is providing an opportunity to get those children active in their own areas so that they do not congregate in the city.

I will quickly add one thing. We have also done this in partnership with the Department of Culture and the Arts. For years, the Departments of Sport and Recreation and Culture and the Arts always seemed to be apart and challenged each other for funding et cetera. What I am trying to do and what the Minister for Culture and the Arts is trying to do is bring the departments closer together. When we talk about delivering social benefits and delivering justice outcomes, we have different mechanisms to get there, but we can deliver many of the same things. Those members who go up to Kimberley communities will see that their families are very important to them, but so is their sport and their culture and their art. I believe that the two departments need to work closer together, and this is one of the ways in which we are doing it. I would like to think that we can do this in more places as time goes on, depending on budgetary constraints.

Mr P.B. WATSON: I refer to the heading “Infrastructure and Organisational Development” on page 507. Prior to the last election, the Liberal sports spokesman said that the then opposition saw merit in a Western Australian Institute of Sport proposal for a \$22 million high-performance centre and that a Liberal government, if elected, would give it the highest priority. Does the government still give the upgrade of WAIS facilities to provide a high-performance centre the highest priority; and, if not, why not?

Mr T.K. WALDRON: That is a good question. Yes, we do. In fact, the Premier and I will be visiting WAIS again shortly to look at that. A business case was completed in late 2009. There is no doubt that there is an urgent need to improve the current WAIS facilities. It was one of the priorities this year, but in the end it did not get up this year. However, I see it as a great priority. I know that through the extra funding that we have given to VenuesWest this year, it also recognises that and will be doing some extra work with WAIS. We need to continue to work with WAIS now to put up a strong proposal for next year. With that in mind, I have asked the Premier to go with me and look over the facility to see exactly what is needed.

Mr P.B. WATSON: Minister, the government has been in power for a few years.

Mr T.K. WALDRON: It is nearly two.

Mr P.B. WATSON: Yes, it is nearly two years now. It was a priority, and the minister still has not even taken the Premier down there. I just wonder why there has been the delay.

Mr T.K. WALDRON: It is a fair question.

Mr P.B. WATSON: The government takes credit for all the sportspersons who come out of WAIS, and they do a tremendous job, but there is no funding going towards it.

Mr T.K. WALDRON: There is funding going towards WAIS, but I think we need to upgrade the facility. I am not going to argue with that. I recognise that need. I agree with the member that WAIS kicks way above its weight. We have just seen the recent achievements by some of our athletes. There is no doubt that WAIS kicks way above its weight. The point is that when we come to make budget allocations, we have to weigh up the

needs across government. This year, we have worked with VenuesWest on ME Bank Stadium and the netball centre, for which people have also been waiting for many years. It was a priority call. We would like to be able to do them all, and do them all straightaway. However, that was not the case, but it is still definitely a priority for me as minister.

Mr P.B. WATSON: Royalties for regions funding seems to get thrown around for everything. There are a lot of country athletes. Could some royalties for regions money be allocated to this area?

Mr T.K. WALDRON: Royalties for regions is about the regions, and, yes, we have athletes coming from the regions. I think the member would probably be the first to admit that royalties for regions is contributing a whole heap extra to sport and recreation across WA. I do not want to waste time on the answer, but the member has asked me the question.

Mr P.B. WATSON: The minister's core responsibility, though, is sport and recreation —

Mr T.K. WALDRON: Yes, that is right.

Mr P.B. WATSON: — not royalties for regions.

Mr T.K. WALDRON: Since we have come to government, there has been an increase in funding for the community sporting and recreation facilities fund from \$9 million to \$20 million. Sport and Recreation is delivering projects and services through two major grants. Firstly, there are development commission grants. It must be remembered that the development commission grants are financing quite a lot of projects. I will throw in just one. There is an equestrian complex in Cuballing. That is just an example. It is one that I know because it is a local —

Mr P.B. WATSON: That is in a National Party seat.

Mr T.K. WALDRON: That is in a National Party seat, but I think the member will find that these projects are right across Western Australia. I think the member even criticised us for doing too much up north. That may be the way it has fallen now, but that will —

Mr P.B. WATSON: The minister reads the Albany papers, does he?

Mr T.K. WALDRON: Yes, I do. The other thing that is very important to recognise is that local governments also get a royalties for regions local government grant. Many of the local governments have done two things towards sport and recreation with that grant. The first is that they have done projects themselves utilising that money, but probably more important —

Mr P.B. WATSON: In Albany, minister, they built a dunny and change rooms.

Mr T.K. WALDRON: Albany has not done too badly with its recreation centre et cetera. We have taken \$3 million across, at the request —

Mr P.B. WATSON: Under a Labor government.

Mr T.K. WALDRON: No. We have allocated the money. The member will recall that we made the commitment, and we have taken the \$3 million across.

Mr P.B. WATSON: No, the sports centre was done under a Labor government.

Mr T.K. WALDRON: I will get back to the member's question. When I was in opposition, one of the problems that I saw with the CSRFF was that in many cases it was becoming very difficult for the local government to access the one-third that it had to find and for the sport to access the one-third that it had to find. I think the member would agree with that. Therefore, the government has done two things. Firstly, we have looked at the government's ability to fund up to 50 per cent, for which some outcomes must be delivered—for example, water saving, power saving, co-location and those types of issues. Local governments have been able to use some of those grants to leverage the CSRFF grant, and that has enabled a lot of local governments —

Mr P.B. WATSON: Not all the councils are doing it that way.

Mr T.K. WALDRON: No, that is a council's decision. I am not here to tell councils how they should utilise their money. That is their decision, and royalties for regions is about local decision making. Many have, and some of the bigger projects have got up.

Mr P.B. WATSON: I have heard enough. I thank the minister.

Mr J.E. McGRATH: Further to that question of funding, I am interested in what the minister just said. I was not aware that the government now puts in 50 per cent. Does that mean that the actual sporting body and the council have to put in 25 per cent?

Mr T.K. WALDRON: The base figure is still one-third. However, if there is a project that meets certain criteria—those criteria being that there are power-saving and water-saving initiatives in a project, that there is

co-location whereby three sports are being moved to the one location and that it can be demonstrated that there is a greater uptake of people playing that sport so that it will increase participation—the government will consider up to 50 per cent. Therefore, it is an incentive, and it is being taken up. I think it was a good incentive.

Ms A.R. MITCHELL: I refer the minister to page 509 and to the line item “State Netball Centre — Construction”. Obviously, this is taking a long time to occur, and there will be many benefits to netball in Western Australia, which I will get the minister to comment on. However, I notice that the minister often refers to it as the preferred site.

Mr T.K. WALDRON: Yes.

Ms A.R. MITCHELL: I am just asking why the minister does that. Also, how will the relationship with the Perth Netball Association be established?

Mr T.K. WALDRON: That is a good question. First of all, as the member knows, netball has been waiting for many, many years. An amount of \$5 million was put away by the previous government and by our government, but nothing has ever been actioned. We made a decision this year. With more than 800 netball clubs—probably altogether there are 100 000 participants—I think everyone would agree that netball is a fantastic sport that delivers very much across our community. We did not have a home for netball or a training centre for our elite teams, both at the state level for the West Coast Fever and state competition. For example, this weekend is country week. All the country teams will be coming to Perth and to the Matthews centre. The decision was made to have four indoor courts at the Matthews centre as well as an administrative centre that will be for netball and the Perth Netball Association.

[10.20 am]

I will be open about this: originally I favoured the new netball facility to be located at Challenge Stadium—AK Reserve—along with the other facilities. There has been an argument for some time about where it should be located. The preferred location is at Matthews, but if something comes up that we do not know about now, then we could go back to Challenge. We have left it open just in case something unforeseen occurs. The Town of Cambridge is doing the road planning.

Obviously at AK Reserve there is WAIS and the other sporting facilities. We have a magnificent precinct there and I acknowledge the work done by the previous government on that precinct. It is fantastic and we want to keep it going. We have to weigh that against, firstly, the cost of the actual facility; and, secondly, as this is not a centre at which West Coast Fever will play—it will still play at Challenge and maybe later at the new arena—it was thought we needed to keep this for netball at the community level. There were some benefits in that. We had to weigh up the decision with the cost and the connection with community netball. Given the fact that community netball will be using this facility regularly, in the end it was felt that perhaps the best way to go was at the Matthews site.

Ms J.M. FREEMAN: The minister is saying that it came down to the cost of the facility. It was cheaper at Matthews —

Mr T.K. WALDRON: That was one issue.

Ms J.M. FREEMAN: The minister is also saying that West Coast Fever will play at Challenge and Challenge is where elite sports people play. The minister is really saying that netball is a lesser sport and, therefore, it should be centred at Matthews. The other issue I have is that the Perth Netball Association is associated with Matthews. What about the other regional associations and how does that play out in terms of the elite nature of it, the exclusive nature of it and the delivering to one area over others?

Mr T.K. WALDRON: I am not saying that netball is not an elite sport. I have four daughters and I think I have watched at least 800 netball games. I have a love of netball. More than that, I can see what netball delivers.

Ms J.M. FREEMAN: If the minister has a love of netball, why not make it an elite sport and put it at Challenge?

Mr T.K. WALDRON: The fact is that the Wildcats will be stationed at the new Western Australian Basketball Centre but they will still play at Challenge Stadium and the arena when it is developed. It was always to be a training facility. One of the issues that West Coast Fever has is that the members of that team are doing most of their training at, I think, Perth College. This will give them a training venue that they will have full access to. Rather than saying that it is not elite, we are doing this because it is elite. It is a very critical time for netball in Western Australia. While we are very strong across the board, at the elite level we have not had the success recently that we would like. I always say that in sport we need the top level and the grassroots level. Youngsters do aspire to the top level and they will get involved if they are exposed to top-level sport. This will give West Coast Fever a home base in which to train. It will have the proper facilities that will help it to achieve at a higher level.

I refer to the member's point about all the other centres. That is true and it is similar with the basketball stadium. Basketball is played at AK Reserve and the club there is the Perry Lakes Hawks. That is an issue, but the main centre cannot be in different locations. Matthews was chosen because of its locality and its long history. We cannot have it everywhere.

Mr M.P. MURRAY: Will there be a bus connection between the two?

Mr T.K. WALDRON: That will be among the issues that will need to be worked out. Obviously, those things will happen. It will be like what the Wildcats do at the moment. It is better than going to Perth College and other training venues. This will be a great improvement for netball.

Mr P.C. TINLEY: To be clear minister, what will the Fever's relationship be with the Matthews centre on an operational level, and when that conflicts with community netball—that is, the Perth clubs specifically or Perth district—who has priority?

Mr T.K. WALDRON: It is probably a VenuesWest question. I will hand over to the director general on that. Members should remember that this is aimed basically at a training centre for netball in Western Australia. All clubs will have access to it. I will hand to the director general.

Mr P.C. TINLEY: Maybe, minister, you would address the first part of my question first. Minister, in your estimation, what will be the Fever's relationship with Matthews?

Mr R. Alexander: Basically the centre is being built for state netball. It is its state training centre. It will have first call over the use. It will sit down with VenuesWest, which will be the manager, and say how it wants to use the venue. The venue will need to be programmed. It does not want to be doing the programming of the venue. To make the most of the venue to ensure that it gets used, netball will be the anchor tenant and it will determine how it wants to use it and VenuesWest will program it, obviously, preferably for netball. If there are other uses, it will provide for them to ensure the viability of the centre.

Ms J.M. FREEMAN: What else can be done on a netball court?

Mr R. Alexander: It can be used for basketball and badminton.

Ms J.M. FREEMAN: These are simply —

The CHAIRMAN: Before you continue, member for Nollamara, you are restricted to asking questions to the minister, not the adviser.

Ms J.M. FREEMAN: Will they be synthetic netball courts?

Mr T.K. WALDRON: They will be wooden courts. It is a bit like the basketball stadium with which there have been issues. When it was developed under the previous government it was to be for multipurpose use. I think that was right. In the case of basketball, it is the major tenant; in this case, netball will be the major tenant. For these facilities in which we invest a lot of money—\$26 million for netball and \$40 million-odd for basketball—we have to make sure that they get optimum use. It involves taxpayers' money and we want the community to benefit. However, we need to look after the major sport.

Mr P.B. WATSON: It is like being half pregnant for Netball WA. Obviously there will be four indoor courts. There are four indoor courts in Albany for that area. Surely if it is for teams in the whole of the metropolitan area and country area, when they come for country week, more than four courts should be built.

Mr T.K. WALDRON: The member must remember that this is a training centre for netball.

Mr P.B. WATSON: Will it be used for games?

Mr T.K. WALDRON: Of course they will play games there. The \$5 million that the previous government set aside and this government set aside was for a training centre for netball. It also includes an administration part. Of course, it will be utilised. It will be utilised for state league games. It will have seating in it. It is not like the old Entertainment Centre or Challenge Stadium, which holds about 4 400 spectators. The member for Albany and I attend netball and the facility is full sometimes and sometimes it is not. If it goes well and the crowds get bigger and the arena is finished, we will look to having games played there. At this stage, Challenge Stadium will still be its home. It will be used by netball for various things, such as training and matches. They may wish to play trial games there. It will be for them to decide. Members must remember that this is what netball asked for. It is what it wanted; therefore, we are delivering the need it wanted.

Mr P.B. WATSON: Did it only want four courts?

Mr T.K. WALDRON: Yes.

Several members interjected.

The CHAIRMAN: One at a time, members. Before we continue, minister and member for Nollamara, I am being as fair and reasonable as I can, but you are confusing me. The member for Willagee on a further question.

[10.30 am]

Mr P.C. TINLEY: Just going back to a point the minister or his adviser made earlier in relation to the potential multiple use of the facility, it might sound a bit trivial, but does this mean that these courts will be multi-marked and have multiple lines?

Mr T.K. WALDRON: Yes, I think they will. If the member has been to the new basketball stadium, he will have seen that the courts there are also multi-marked.

Mr P.C. TINLEY: It is a bit like the old high school gym, is it not? It is meant to be elite.

Mr T.K. WALDRON: We are spending a lot of taxpayers' money. To confirm the member's earlier question, Netball WA wanted four courts, so we are doing what it wants. The proposal was no different under the previous government. These facilities will cost a lot of taxpayers' money; they also cost a lot to run and for upkeep. We tend to forget; we build a new facility, everyone says that it is great, but the maintenance costs of running sporting facilities are very large and have to be paid for. These centres have to be utilised and the upkeep of those buildings maintained for a reasonable lifetime so that they do not fall down in 15 years. That is really important, and is something that we have perhaps not done very well in the past in this state. To the credit of VenuesWest and the Department of Sport and Recreation, they are now making sure that that occurs, and that is really important. At the moment we have a nice new facility, but in the future we will need to upkeep, maintain and improve that facility.

Ms J.M. FREEMAN: We are talking about multiple courts with multipurpose uses. The minister said that the preferred site was originally Challenge Stadium —

Mr T.K. WALDRON: No.

Ms J.M. FREEMAN: The minister wrote a letter to the mayor of the Town of Cambridge to say that he believed that the Challenge Stadium site offered many advantages including, inter alia, being part of the vision of the broader sporting precinct, providing greater scheduling capacity and flexibility to the Western Australian Sports Centre Trust and direct access to Challenge Stadium and its services to the West Coast Fever from its training base. It seems to me that the minister is saying that he wants this multipurpose use and wants the team to be elite, but wants to put it in a cheaper venue. Is that the case? We are basically shifting them to a cheaper venue because it is a girls' sport and it is cheaper to develop it there. We are not putting them in an elite environment with basketball at the Western Australian Institute of Sport, where there is greater flexibility; we are putting girls' sport in a cheaper environment.

Mr T.K. WALDRON: I think I have already answered that question, but I will answer it again. I made an announcement that I thought Challenge Stadium was probably the best place for it to go. Over time I have changed my opinion, because I have looked at it more closely and realised that there are a lot of advantages in having it there. Netball WA just wanted a new venue; it was desperate because it had been promised for so long under both governments. The final decision was that we felt that benefits would flow to netball generally and there would still be an elite training centre, even though it is not located as close to the Western Australian Institute of Sport. We have to take into account that we are spending taxpayers' money and try to get the best outcome we can. We want to do that and also utilise funding across the board for other things; one always has to do that in government. It will be a fantastic centre; I went out there with the Premier for the announcement. We have had a huge response from the netballing public, and I will be there again on Saturday for the country week launch. This is very important for West Coast Fever, because it is a big step forward, but it will also benefit all of netball. It will probably be more accessible where we are going to put it.

Mr M.P. MURRAY: Further to the existing debate, I suppose, more than answers, we have made the decision. Have any consultancies been let; and, if so, to whom, and when will they report back?

Mr T.K. WALDRON: Is the member talking about consultancies on netball or on the plan?

Mr M.P. MURRAY: The whole box and dice; how are we going to progress it? That is what I want to know.

Mr T.K. WALDRON: The netball centre? The base planning has been done and we are now on to the next stage of planning, which is included in the funding. I will throw to the director general in a minute. We are already working with the Department of Sport and Recreation, Netball WA and the Town of Cambridge to progress that. To answer the member's question about consultants, I will throw to Ron; I am not sure whether we are at that stage yet.

Mr R. Alexander: I might have to take some questions on notice on the exact consultants we are using; I think it may be GHD. We have already put together steering committees to make sure we include all the stakeholders, including what the clients, Netball WA, and also the Town of Cambridge and VenuesWest want in a facility. We want to make sure that all parties are there right at the start so we can plan that. Then we will decide what goes into the facility. That is the stage we are at now—right at the very start.

Mr T.K. WALDRON: While we are talking about a date of 2012, we would hope to start by the end of 2011, which is earlier than —

Mr M.P. MURRAY: That was the basis of my question.

Mr T.K. WALDRON: In all sincerity, now that we have made the decision, we want to get on with it as soon as we can. The member rightly asked the question, and we want to make sure that we do the base planning properly, and if there are any issues, we want to find out about them early, before we proceed.

Ms J.M. FREEMAN: Will the government table a copy of the final business case, or a summary of the advantages and disadvantages of the different site locations for the netball centre?

Mr T.K. WALDRON: No; base planning is still being undertaken, so I will not be tabling that at the moment.

Ms J.M. FREEMAN: The minister said earlier that it would be built at Matthews Netball Centre and that if something unforeseen happens, it will go back to the Challenge Stadium site.

Mr T.K. WALDRON: No, we put “preferred site” there in case something came up either with the council’s planning or in the project, so that if that happened, we would obviously have to look elsewhere. I do not foresee anything like that happening. We are pushing ahead now to have it at Matthews Netball Centre.

Ms J.M. FREEMAN: Why then is there no final business case for the Matthews Netball Centre?

Mr T.K. WALDRON: Because that is part of the \$26.1 million. It was up to \$2 million for that final work to be done. The base planning has been done. It is the final planning.

Mr P.C. TINLEY: The minister has publicly announced that Matthews Netball Centre is going to be the site, but now he is saying that he has not performed with full due diligence —

Mr T.K. WALDRON: No; we have done the base work to enable us to make a decision in the budget to commit to something that no-one has committed to for the past 15 years. It is actually going to happen. With all such things, we want to make sure before we actually start the project that our planning costings are correct.

Mr P.C. TINLEY: There is the potential, however slight, that the advantages and disadvantages have not been weighed up to the point of making a decision, yet the minister could still potentially change his mind.

Mr T.K. WALDRON: No, that is not right. The decision has been made that the best way to go is Matthews Netball Centre. That decision has been made. That is the preferred site. However, we are also dealing with the Town of Cambridge. I think the member would have seen recently that the Western Australian Cricket Association wanted to look at some land to do something, and suddenly it could not happen. I guess it is a safety net, because I am a realist. Sometimes these things happen, but I honestly think the members are getting hung up on that point. The money is there, the initial planning has been done, and the final planning is now being undertaken for the new netball centre at Matthews Netball Centre. We hope to start by the end of next year.

Ms J.M. FREEMAN: When will the business case be presented?

Mr T.K. WALDRON: I think in October.

Ms J.M. FREEMAN: Will the minister present the final business case to Parliament in October?

Mr T.K. WALDRON: No, that will go to the government. There could be confidentiality issues as well, but it will go to the government. Before I proceed with these things, I always want to make sure we have everything right, and that is for the government to decide. I will ask the director general to provide a further answer.

Mr R. Alexander: When there is a business case for something like this, we have to put things out to tender. Some of that has to be confidential, otherwise we will run across issues with the Auditor General. That is just one example.

[10.40 am]

Mr I.C. BLAYNEY: I refer to page 511, the heading “Details of Controlled Grants and Subsidy” and the line item “Sports Lotteries Account”. How is the state government supporting the development of sport in regional Western Australia and what commitment to this end has been made in this budget?

Mr T.K. WALDRON: Over the past few years, especially the last couple—I am probably biased—sport in country Western Australia is now getting great support through a number of initiatives. I have already spoken about the increase of the community sporting and recreation facilities fund, which benefits sport in metropolitan Perth, as it should do, as well as across country WA. There is also investment via the royalties for regions program. We also have what is called the sports lotteries account country package. Its funding has increased to \$800 000 in 2010–11. It gives support for our regional sporting organisations to undertake their core business, improve their skills, their capabilities, education and training programs and enables them to deliver sport better across country WA. It also provides assistance in hosting regionally based sporting events in country WA, which is really important. Since I became minister, I have lifted the funding of the country sport enrichment scheme.

That scheme was introduced when I managed country football many years ago. It was brought in by Hon Norman Moore. I remember well that we wanted to take elite football games to parts of Western Australia but funding was always a problem. The country sport enrichment scheme, which was carried on by the former government, is a wonderful success. Not everyone in the country can come to Perth to watch the West Coast Fever, the Wildcats, the Perth Glory, the Eagles or the Dockers. We have to try to get some of our elite sports out to country WA. I spoke to the director general about this. We increased the funding to take more of those country sport enrichment scheme games across different sports to country WA. The really important thing about those games is that it is not just the game that takes place. Those teams also take the administrators with them, they run coaching courses and the referees and umpires run courses with local umpires and referees. They try to lift the standard of the local sport while they are there. The other important part of this scheme is that it exposes those country kids to elite players. If they can see one of the star netballers on a court in their town or one of the Wildcats or a gun AFL player from South Fremantle or a gun WAFL player, it is of great benefit to those kids. That is also a very important part of that scheme.

One of the other things that I will mention—I think the member for Albany is very much aware of this—is that our regional sport houses are operational in 11 regional offices. That is about bringing other sports in with Sport and Recreation to work amongst sports and to have access to Sport and Recreation and share ideas. If one goes to Geraldton, where the member comes from, and goes into the office with all the other sports, one would find that it is an absolute hive of activity and that they learn from each other. I think we are doing quite a lot for country sport and we need to continue to do that. At the same time, we need to ensure that our clubs and our sports in the metropolitan area, where the bulk of our population is, are also looked after well. I am very aware of that. I have been going out with local members, including members of the opposition. I went out with the member for Mindarie and the member for Cockburn to look at issues in their areas. I have also been out with government members. I want to ensure as minister that when there are issues in a region, I go out and have a look so that I understand the problem better. When I went out with the member for Mindarie, he made some really good points to me about the needs in his area. That helps me identify those sport and recreation needs.

Ms A.R. MITCHELL: The minister mentioned the country sport enrichment scheme. Is the champions to the regions scheme still operating? Has its budget also increased? We do not have the games and events because a lot of sports cannot do that but they can take the champion sportspeople out to do other things.

Mr T.K. WALDRON: It is still operating, as well as the coach in residence scheme, under the normal budget allocation. I do not have that with me now. They are important schemes. The club development officers link into that as well. The one thing we forget in sport is that we have a sensational network right across our state. I think we need to utilise that network more. At times I do not think we utilise the network. At times our own sports need to recognise what they have with the network. When I managed country football, I remember being told that the football commission never gave football anything. That was because we did not do anything. We were not raising the money ourselves. I recognised that we had this great network within which we were able to attract sponsors who could get their message to that great network. Country football league sponsorship is probably up near \$1 million as a result of utilising that network. I think we need to recognise that in a lot of sports.

I have just been passed some figures. Country package annual grants are worth \$440 000 and the country package category grant is worth \$190 000. The director general may be able to explain those further.

Mr R. Alexander: I can go through them. The country package enables our regional offices to have money that the local community can come straight to rather than having to come to Perth. Each office gets an allocation. We run a sports house system where all the development officers come. They reside in one set of offices so they can bounce off each other. It is also about economies of scale. We have five or six different schemes that ensure country sports get access to not just dollars but also information.

Mr P.B. WATSON: I heard what a great job the minister is doing for people in the regions. What about the staff? I did a report a couple of years ago that showed that staff lacked housing in regional areas and they could not get enough staff to work there. Has any money been put aside in the budget to look after staff better?

The CHAIRMAN: What page are you on?

Mr P.B. WATSON: Page 500, “Employee benefits”.

Mr T.K. WALDRON: I have not got page 500.

Mr P.B. WATSON: I will go to “Delivery of Services” on page 505. The department’s staff do a tremendous job in regional areas but they are generally understaffed and no housing is provided, especially up north. Has any money been put aside or are there any plans to look after this issue?

Mr T.K. WALDRON: The Department of Sport and Recreation does a hell of a lot to try to look after its staff. I will come back to the housing issue in a minute and then I will throw the question to the advisers for the detail. Bringing staff to Perth for different conferences et cetera as part of professional development is a really

important part of what they do. They are well serviced in their own offices with information to assist them in carrying out their duties. Club development officers are now in place to help them do those jobs. Clubs Online is another new initiative that provides information that they can refer people to to make their job easier and also to ensure that they can deliver the job better.

Housing is an issue right across government. It has been an issue for quite a long time. I am not the Minister for Housing or the Minister for Regional Development but I know that another 75 houses were mentioned. This is not my specific area.

Mr P.B. WATSON: Will the minister be looking after his staff by following this up?

Mr T.K. WALDRON: We are delivering houses in country WA through royalties for regions. Some of them have been completed. Through the specific allocation under royalties for regions, the local government fund is being utilised to build housing to attract people to their towns. That is something that has never been done before. If there is any further detail on what we spend, I will throw to either the director general or Mr Watt.

[10.50 am]

Mr A. Watt: We have budgeted to spend \$155 000 as our contribution to rent for regional housing. As an example, in the Goldfields we are about to change our housing stocks. We have three houses in the Goldfields. We have one house in the Wheatbelt, one in the Gascoyne, one in the Kimberley and one in the Pilbara. The Pilbara cost of housing is budgeted at \$68 000 this year.

Mr P.B. WATSON: Does the package to attract people into isolated areas provide subsidies?

Mr T.K. WALDRON: It does, but I will pass that question to the gentlemen here, because I do not know the detail of that and I would rather give the member the right information.

Mr A. Watt: In the benefits to attract managers to the regions, for example, the director general has approved access to the government vehicle scheme for level 6 officers, so they have the benefit of the private use of a vehicle after hours. In addition, we offer flexibility for starting and finishing times. The managers in the regions and the regional staff more or less self-direct their hours according to the work that is required. As I said, we have regional housing. We also offer salary packaging around the rental for that housing as well, which benefits an employee.

Mr R. Alexander: Depending where in the state, there are ranges of flights to Perth as well, so there is a range of benefits. At the same time, we also invest heavily in the professional development of our people.

Mr T.K. WALDRON: I just want to add one thing because I think it is a good question. I as minister need to ensure that we continue to do that. We want good people working in sport and recreation because it is such an important area. As I often say, I think sport and recreation has been underrated and undervalued. I make a point when I am in regional areas to visit the local Sport and Recreation office. I like to go and have a chat with people on the ground so that I keep myself informed of issues. I sit down and have a cup of coffee and ask them if there is anything they want to tell me as minister. I have not had the issue raised that they want more, but they would probably raise that more within their own framework.

Mr P.B. WATSON: They would raise it with their local member.

Mr T.K. WALDRON: The local member, if he is a good one. The member is very good.

Mr P.C. TINLEY: I refer to the reference to the ME Bank Stadium on page 509 of the *Budget Statements*. The estimated total cost, with planning works, is \$82.5 million. Can the minister provide a breakdown of that \$82.5 million into direct building costs, provision for cost escalation and any consultancies?

Mr T.K. WALDRON: No, I cannot. I can tell the member that \$2.5 million is for the final planning, which includes stage 1, which is the eastern stand. The \$80 million is just for the new eastern stand to replace the temporary stand that is there at the moment. We have seen as a priority the building of that stand first to provide better facilities for the public to go to watch rectangular pitch sports, and better facilities for the players as well, because it will include making sure that the pitch is upgraded. I think what has happened is that people sat back and we have not been able to get these much-needed projects. The Emirates Western Force successfully moved back to ME Bank Stadium from Subiaco Oval, although its season was unfortunate because the team had a lot of injuries and it has not been a season it would have liked. I think if the team had been more successful, there would have been bigger crowds, but the crowds were really good. I think everyone here would agree that watching rectangular pitch sports in a rectangular stadium is best. That is why we have made the commitment to make it a 25 000-seat rectangular stadium that will cater for the Western Force, Perth Glory and maybe a rugby league team. At some stage we may end up with our own rugby league team, so we are trying to look to the future to cater for that. As for the breakdown of the \$80 million, I will hand over to the director general.

Mr R. Alexander: The \$2.5 million is basically to start the project definition plan, and that includes the scope, the capacity and also the staging, because games will be continually played there so we have to stage that. We

then finalise the business plan and that becomes the operation and the maintenance, and we resolve the management structure and those sorts of issues then. That is what the \$2.5 million will basically be for.

Mr P.C. TINLEY: If I am hearing the minister correctly, and sometimes I am not, leaving out the \$2.5 million, the \$80 million in stage 1 is for the eastern stand?

Mr T.K. WALDRON: Yes.

Mr P.C. TINLEY: That is \$80 million just for the eastern stand.

Mr T.K. WALDRON: Yes, we are just doing the eastern stand, which is stage 1. That is all we have committed to at this stage. We are committed to the overall project, but stage 1 is the eastern stand, and that is what the \$80 million is for. The \$2.5 million is for planning for that and also for the western side and the north and south ends.

Mr P.C. TINLEY: For the eastern stand, has there been some form of heads of definition to describe how many open boxes, how much corporate hospitality, how many seats and so on will be involved?

Mr T.K. WALDRON: We have done two things. We funded the Town of Vincent, which did a report and plan for a facility that came to about \$70 million. We have also done our own report. In the future plan, the main stand would be on the western side where the majority of corporate facilities et cetera would be. However, we are looking at exactly what we will have in that eastern stand in the way of seating, corporate facilities, change rooms and those types of things.

Mr P.C. TINLEY: So what will go into that eastern stand is undefined?

Mr T.K. WALDRON: I am not going to commit to exactly what is going in there, because we are doing that planning now in association with the sports et cetera as well.

Mr P.C. TINLEY: Will that stand provide cover for the patrons to protect them from rain and sun?

Mr T.K. WALDRON: Yes, it will. I am not sure how far the roof will extend. It is a real issue. It is a good question. At the moment at the ME Bank Stadium there is very little coverage. Remembering that it is the eastern stand, it depends where the weather comes from. One of the things that have been taken into account is the fact that people are out in the weather. It is a real problem. We will address that. I do not think that we would be able to cover everybody. However, it will certainly be much better than what is there at the moment.

Mr P.C. TINLEY: So it is pretty ill-defined at the moment, apart from the fact that there will be a stand and it will cost \$80 million.

Mr T.K. WALDRON: I do not think that it is ill-defined, because a lot of work has been done. Once again, it is like netball: we want to make sure that once we commit and proceed, we do it best for the taxpayers' dollar. The director general might have some more detail.

Mr R. Alexander: It is actually quite reasonably defined. We have looked at a range of models around Australia and also in other countries. The one that seemed to appeal to certainly the government as well as rugby and soccer was Skilled Park on the Gold Coast. That was done a number of years ago. When we look at that, it seems to really be what Western Australia needs and can manage. It will be built to contemporary standards. If we are building a quality stand and we are spending \$80 million, we are not going to expect people to get wet. There will be some limited corporate boxes and change room facilities there, but the intention is that the major stand will be on the western side, because of weather and sun, when it is finally completed.

[11.00 am]

Mr T.K. WALDRON: I think Skilled Park is a good example, because at the end that is the aim.

Mr P.C. TINLEY: My preference is that the minister looks at Suncorp Stadium, but that is a different issue. Given the information provided by the minister's adviser—I thank him for it, and maybe the minister might have to go back to his adviser—how many Department of Sport and Recreation staff are working on this project and how many full-time equivalents will be allocated to it over the life of the project?

Mr T.K. WALDRON: With all new developments and facilities, we need to have staff to handle the planning, construction and all of that. I will hand over to the director general on the number of staff and how he is managing that.

Mr R. Alexander: Probably, the answer is too many! We have a director in our facilities area who, basically, will be responsible for that. He will have a project manager, who will have at least one assistant, and he will also work with Building Management and Works and an officer from the Department of Treasury and Finance will assist as well. We have already set up a steering committee and we have people liaising with BMW as well as our own people there. When this project has peak times, we might draw other people from our organisation, depending on the workload. That will be the basic group.

Mr P.C. TINLEY: I thank the minister and his adviser for that input. The sum of \$80 million was allocated to build one stand, and I am sure there are projects associated with that; it is not just a straight concrete structure. What commitments are there for the western stand and the remainder of the facility to bring it up to the benchmark of a Skilled Park?

Mr T.K. WALDRON: I am trying to remember when it was, but I think it was late last year that the government committed to a staged upgrade to ME Bank Stadium. We did not commit to the amount et cetera then, but I said that by July this year we would make a commitment on stage 1. That is what we have done. We have said that is what we would do and that is what we have done. We have the funding in the budget for that, and as part of that \$2.5 million we will look at those other stands. I am not going to forecast what they may or may not cost.

Mr P.C. TINLEY: At what point will the minister be in a position to make statements about the remainder of the facility?

Mr T.K. WALDRON: I do not think it will be for while yet, and not until the plan that is being done now has been completed. I would not do anything until I receive that.

Mr P.C. TINLEY: When does the minister expect to receive that?

Mr T.K. WALDRON: That should be finalised by the end of this year—by October–November, or some time around then.

Mr P.C. TINLEY: We will get the plan this year.

Mr T.K. WALDRON: It will be up to government then to decide.

Mr P.C. TINLEY: Of course.

Mr T.K. WALDRON: The one thing I want the member to remember is that we have to be very careful. We are talking about taxpayers' money. Western Force and Perth Glory are playing there. It is fantastic the Glory have now signed Robbie Fowler, because that will help with the crowds. We have an issue with crowds and with our sports' ability to attract crowds. Once we get on and get this first stage, which will take us to around 21 000 to 22 000 capacity that will give us a good idea of how the sports are developing and whether or not we are getting the Rugby League there on a more regular basis and the success that they have. The one thing I know from my sporting career, and we see it with the Eagles, the Dockers and any sporting team is that if a team is winning and is successful people will come to their matches. We like to back winners. The day a team drops down the list, the crowds drop off. We have to be aware of that as we proceed.

Mr P.C. TINLEY: The Dockers found that out too!

Mr T.K. WALDRON: It is a fact. I remember way back in my Claremont days, it was the same thing.

MR J.E. McGRATH: You did not have a lot of support.

Mr T.K. WALDRON: Do we have any further questions? I worry about other members having the opportunity to ask questions.

Mr P.C. TINLEY: They are all right; they are really interested in this. The point I am making is that the minister is going to spit out \$2.5 million this year to come up with plan for expending \$20 million in 2011–12. Have I got that right? This is in the forward estimates.

Mr T.K. WALDRON: Yes. That could depend on how quickly we do it et cetera.

Mr P.C. TINLEY: That is the nub of my question. When is this thing going to be done?

Mr T.K. WALDRON: We start in 2012.

Mr P.C. TINLEY: When is it going to finish?

Mr T.K. WALDRON: I am not sure of the completion time. I am not going to guess that because the final planning will give us that. We want to start this and the netball facility as soon as possible. The government has made a commitment and the money is in the budget. We have never had this before. It is going to happen. We have talked about these things for years, and people get accused of making promises et cetera—whether that is right or not—but the facts are that the netball facility is underway and so is ME Bank Stadium for our rectangular sports. I come from a football background and those sports have missed out over the years. There is no doubt about it.

Mr M.P. MURRAY: Are your forward estimates the same as the Premier's? They might be or could be true!

Mr T.K. WALDRON: If we can do it sooner, we will.

Ms A.R. MITCHELL: I refer to dot point 2 on page 506 of budget paper No 2 concerning the large body of evidence that suggests physical activity levels in children are declining in the general population. What is occurring to address this issue?

Mr T.K. WALDRON: It is a good question, member for Kingsley. I think everyone knows that issues of obesity and children not getting enough physical activity et cetera are big issues that we have to address. In my mind I think that we are starting to turn the corner on that and we are seeing some results. There is still a lot of evidence that says we have big problems and we have to stay vigilant. I came into the Parliament in 2001 and to the credit of the then Premier, Geoff Gallop, he instigated the Premier's Physical Activity Taskforce. I supported that at the time, and still do. It was a great initiative. I raised questions about the Physical Activity Taskforce in the last few years in opposition, because I felt that while it had been really good and had delivered some good stuff and I fully supported it, it was losing a bit of its oomph and I queried whether it was delivering physical activity benefits, particularly to young people, but not just young people as it is just as important to give older people a good lifestyle in their later years. When we came to government I looked at this again. While the people there were working really hard and had great intentions and were doing some really good stuff, the whole idea of the Physical Activity Taskforce was to deliver physical activity across government. What had happened was the task force had got into doing everything itself and not delivering the outcomes across government. We have refocused the task force. One of the things that we did was to take it back under the wing of the Department of Sport and Recreation. The task force was in Dumas House and there was a huge amount of money going into these offices, which I thought would be better used to deliver services on the ground. There has been a whole refocus. The member for Kingsley would know Joe Davies, who is now in charge of it, and I am the chairman of the Physical Activity Taskforce. One of the things I have tried to do is re-engage the agencies in this. If this is going to deliver, it is really important that the agencies are involved in it. I have encouraged this, and what we see happening now at our meetings is that the directors general and ministers from other departments come along and we show them what this is all about and how they can get on board. I am pleased to say that the base funding has increased to \$560 000 and we have funding from planning, health and education of \$60 000 a year. This will enable us to deliver physical outcomes for people in Western Australia. When we are doing this, we need to have evidence-based outcomes. In most areas, we would probably like to do more and more research. The Physical Activity Taskforce is doing research, particularly on obesity issues in youngsters and kids going through school. We announced the initial Children and Adolescent Physical Activity and Nutrition Survey, CAPANS, and I will be announcing the final report in the not too distant future—in about July I think. I have a whole heap of strategies listed here. I will not go through them all but they include the public open space strategy, community service leadership, sport and recreation—the political side of that; act smart, to motivate people into physical activity; the community approach to inclusive community participation; youth engagement; the Northbridge project and all of these type of projects.

[11.10 am]

Ms J.M. FREEMAN: Can the minister table that document?

Mr T.K. WALDRON: I can table that document. I think it is a very good document because it outlines what the Department of Sport and Recreation is delivering across so many areas. I take the opportunity to say that I think for years governments of all persuasions—federal, state, local—have underestimated the value of what sport and recreation can deliver to our community, not just in the games of football, cricket, netball or whatever it may be, but also, particularly, socially. Sport is not the be-all and end-all, it cannot solve all problems, but it plays a very important part. We are moving much more into the justice area to try to help people who are at risk of perhaps going off the rails and, in particular, we have inclusivity programs. I will not go into all the detail because of time —

Ms J.M. FREEMAN: We have Midland beat ball; we do not have Mirrabooka beat ball.

Mr T.K. WALDRON: The important thing is that, although I talk about the social and health deliveries of sport, I am also very conscious of the fact that we have to be careful; we still need to maintain our sports. People play sport to enjoy the sport and a lot of those other things come with it. At times we do not recognise that. For instance, when I was in Perth managing country football, I did some coaching at the Willetton cricket club. There were a couple of boys from a nearby suburb who had really rough lives and the club wanted to get rid of them. I was the coach and stuck to my digs and said no because I thought they were good kids. I did not know it at the time, but one boy in particular came from a really unfortunate background. It taught me a lesson because I stood up for those kids and copped a bit of criticism, but that boy ended up being a leader at that club, is now married and leading a good life. I know that that cricket club probably saved that kid. Those are all the types of things that the member is talking about. I did go off track there so I will not go on, but I think it is important that we understand what sport and recreation does deliver because I do not think enough people understand it.

The CHAIRMAN: Minister, you were asked for a document to be tabled. It is not normal to table documents at estimates but that information can be given as supplementary information. Minister, do you agree to provide that information as supplementary information?

Mr T.K. WALDRON: I certainly agree to provide that.

The CHAIRMAN: Can you tell us exactly what that is?

Mr T.K. WALDRON: It is headed “Physical Activity Taskforce Meeting 25 May 2010: Sport and Recreation Overview of Current Policy, Priorities and Initiatives”.

[*Supplementary Information No A3.*]

Mr M.P. MURRAY: I refer to “Infrastructure and Organisational Development” on page 506 of the *Budget Statements*. What, if any, money has been allocated to the upgrade of Barbagallo Raceway? If money has been allocated, how much? While we are on the topic of wheels, let us talk about two wheels and four wheels. Has the government allocated any money in this budget for the implementation of “Back on Track: WA State Trail Bike Strategy”? I think there are about 50 000 trail bikes now riding willy-nilly. We often see problems in woodland communities, as well as accidents, and I wondered whether any money has been allocated to that.

Mr T.K. WALDRON: I will deal with the V8 Supercars first. As the member knows, V8 Supercars Australia withdrew from the 2010 race round in Western Australia. That was due to issues with the contract fee between V8 Supercars and the WA Sporting Car Club; it was a cost-basis issue. I have met with V8 Supercars on several occasions and we have another meeting this week. The government has allocated \$3.2 million and the WA Sporting Car Club \$1.5 million to do initial upgrades to the track—safety upgrades et cetera. Also, we have a plan for future development for another track out there.

The main issues for V8 Supercars were not only its contract with the WA Sporting Car Club, but also the pits. The pits are at the back and the drivers have to come down through the crowd; it is not ideal. I must say though, member, V8 Supercars changed what it wanted. When V8 Supercars first came to us and we were looking at what it wanted to do, it wanted to upgrade the track and all those types of things. However, when it came back just before the race and pulled out, its focus had completely changed, but that is all in the past now. I went to the V8s last year with members of V8 Supercars and I actually did a lap with Mark Skaife, whom it employs. The drivers love the track at Wanneroo. It is one of their favourite tracks, so they are happy with the track. We have to ensure, of course, that safety standards are maintained at the track, but at the moment they are happy with that. The issue is the pits.

V8 Supercars put forward a proposal to have the pits on the inside of the track and we looked at the possibility of that. It has since come back and said no, it does not want that. There are issues about viewing at the track because one of the great things about Barbagallo is that people actually see the cars take off and go round and over the hill. If structures were put in there, it would eliminate some of that viewing. We are looking at another proposal at the moment on where those pits can go. I want to ensure that if we make a further investment at Barbagallo with V8 Supercars, it fits in with our long-term planning because we must remember that, although the V8s are very important and we want them back —

Mr M.P. MURRAY: I believe it asked for \$12 million.

Mr T.K. WALDRON: We have \$5 million there —

Mr M.P. MURRAY: Is that \$5 million in this year’s budget?

Mr T.K. WALDRON: The \$5 million is there, yes. I do not know whether it is actually shown in the budget but it is there. There is \$3.2 million of our money and \$1.5 million from the WA Sporting Car Club, and there is other money for planning for the other section. We are currently in negotiations and I am being open and honest with the member; in fact, we have a further meeting this week. I will not disclose anything from the negotiations, and the member will understand that.

I am quietly confident that we will see V8 cars racing in Western Australia again. Yes, the government is meeting with V8 Supercars and we do need to support that pit restructure. I personally think that the situation with the pits at the moment is dangerous, so something needs to be done. However, I do not want to invest taxpayers’ money and in a few years do further development and waste that money. That is what we are working on at the moment. The Department of Sport and Recreation, I have to say, has done a hell of a lot of work on this. At the last meeting one of the department’s officers was there and what has been put forward is really excellent. I hope that we can come to an arrangement. There is also the issue of the WA Sporting Car Club and the actual fee for racing, which is all part of these negotiations. I am quietly confident that we will have a good outcome.

Mr M.P. MURRAY: And the trail bikes?

Mr T.K. WALDRON: It is good to see the member for Maylands sitting at the back. I congratulate the member for Maylands because she continually talks to me about this issue. She has a very keen interest in this area and so do I because this issue was raised with me when I was in opposition. I have issues in the forest around Wandering et cetera, and something needs to be done about this at some stage. I think in the past both sides of politics have realised that this needs to be done across government. It involves lots of agencies such as transport, planning, sport and recreation, regional development—the whole gamut. Basically, we have a problem. What worries me are the trail bike deaths and serious injuries, so sport and recreation has taken on the trail bike

strategy. The member for Darling Range via the joint implementation agency committee have made some recommendations to me. There is no actual lead agency. I guess the Department of Sport and Recreation is taking it on to get something happening. I called a meeting of all the ministers recently and, as I advised the member for Maylands, there is a real will to do something about this issue. I asked the member for Darling Range to re-form that joint implementation agency committee to provide a discussion paper and to work up a cabinet submission to take this to government. One issue is that it is a big cost; we are probably looking at costs of \$20 million or so over time, maybe 10 years. One idea that has been put forward is licensing. Obviously, licensing is a very important mechanism but there are costs et cetera in that. Through the member for Darling Range, the committee will come back to me very soon with a discussion paper, so the minister can take a submission to cabinet on the best way we can go forward. There are other issues such as who is going to administer it, who is going to take control, and how we do this across government, because there are planning issues and all sorts of other issues with it. Many members of the public are upset by trail bikes whizzing past them when they are walking—there is dual use and all those types of things to consider. It is a sport that is growing, and the use of trail bikes is growing, so I think we need to give people designated areas.

[11.20 am]

Mr M.P. MURRAY: So the real issue is that at this stage there is no money in the budget to further this project.

Mr T.K. WALDRON: No, not at the moment. However, it is my intention to take this project forward to my government, and that is what the cabinet submission will be about.

Mr M.P. MURRAY: But there is no identified money at this moment.

Mr T.K. WALDRON: No, it is not in the budget. I will say one thing: I am not going to rush this. I will tell the member why I am not going to rush it. It is a huge decision that people have shied away from for ages because it has been too hard. I do not think it is too hard, but there are a lot of issues with it. We are having a real crack at it, but I want to make sure that we do it right. When we come up with something, we have to try to make sure that people can still engage in what is obviously a very good sport—a good activity. We talk about getting people outdoors and out into nature. This is part of that, but we must make sure that we, firstly, protect those people and, secondly, protect the public. There is going to be a cost involved. Then we look at licensing fees, and there are obviously issues around licensing fees that I want to work right through. However, I think we need to bite the bullet and do something. There is a real will to do so. When we had the meeting with the ministers, there was a real will to do something.

Mr J.E. McGRATH: I refer to “Asset Investment Program” on page 509, and I congratulate the minister and the government on what has been done with the state netball centre and ME Bank Stadium. However, I want to ask one question about something that will be the biggest project ever undertaken by a state government, and that is the major sports stadium. I read the minister’s commentary the other day that a statement will be made early in the new year.

Mr T.K. WALDRON: In February next year.

Mr J.E. McGRATH: I am very supportive, as the minister knows, of a new stadium. I think the state needs it and the people of Western Australia need it. The two Australian Football League clubs now have memberships that basically fill the stadium, so members of the public cannot get to the games. However, the point I want to raise is that it has been suggested that portions of royalties for regions money be used to help construct the new major sports stadium when it comes about. That suggestion has been made, I believe, mainly because country people—the minister is a country person—have historically supported our national game. Historically, country people have come to the city to attend football games. From memory, the West Australian Football League grand finals used to be on a weekend when a lot of country people came to Perth, and a lot of our best footballers came from the country.

The CHAIRMAN: Would you get to your question, member.

Mr J.E. McGRATH: The question I am asking is: can the minister make a comment on the suggestion that has been made that a portion of royalties for regions money be used to help fund the construction of a stadium that would be used by all Western Australians, country people included? Is it something that we can look at? It may be a project that the government might look at to give country people some say in, or some ownership of, the new stadium, which is going to cost a lot of money. Who knows where the stadium will go?

Mr T.K. WALDRON: I thank the member for the question. I am happy to answer that question as best I can. Royalties for regions is under the control of the Minister for Regional Development. I would not see royalties for regions funding a stadium in Perth. I heard the member for Collie–Preston talking about Merredin. I have always said that it should be at Jingalup! Then royalties for regions might look at it. I guess that is something that we could always look at, but I do not see that. However, I will comment on the stadium itself and some of the points that the member made. When we came to government—I think people like to know and I have to keep reinforcing this—and there was an economic downturn, the government decided to delay any decision on the

stadium until February next year. Nothing has changed in that area. However, the Premier and I have said on many occasions that we need a new stadium in Perth; there is no doubt about that. Subiaco Oval has served us really well. Football can still be played there, and we still get reasonable crowds there, although it is very rarely filled at the moment. However, it is a good surface, and footy can still be played there. But there are lots of things wrong with it. The ladies have to queue for the toilets, and there are problems with the exits et cetera. We need a new stadium. I want to congratulate the task force that did the report. It did so much really good work that we are still utilising it today. That decision has been put off, but we acknowledge that there is a need for a new stadium.

We have committed to a new 60 000-seat stadium at Subiaco for the Australian FIFA World Cup finals bid for 2018 and 2022. We will know the result of that bid on 2 December; so we will know whether we are going to get it. In those negotiations, we have been able to get a guarantee from the federal government of \$250 million towards a stadium, which will make a huge difference if we are successful in the FIFA World Cup bid. The bid is in. I think we have a good bid. There is a lot of different comment about it. However, that is out of our control now; the bid is in. If that bid is successful, we are committed to delivering a stadium, and we will have that \$250 million. However, no announcements will be made until February. If we do not win the FIFA World Cup finals bid, we still want to build a new stadium, because the state needs it. We will then need to renegotiate with the federal government on that. I have met with the federal minister on a number of occasions, and also with Andrew Demetriou from the AFL, on this issue. I think Western Australia has really dipped out on support for a stadium in Western Australia from federal governments of both persuasions. I did an interview the other day on 6PR in which Karl Langdon was reeling off all the stadiums over east and asking why we had not done it. Most of those stadiums have had federal government input; we have not had any of that.

Ms J.M. FREEMAN: Is any of the money in this budget going towards the development of a stadium for Subiaco Oval for the FIFA World Cup?

Mr T.K. WALDRON: No.

Ms J.M. FREEMAN: So there is no money in this budget for the FIFA World Cup.

Mr T.K. WALDRON: No, not that I am aware of, unless there is some —

Mr J.E. McGRATH: No, not until 2018.

Mr T.K. WALDRON: No, there is not. I will just finish answering the question. I have a really good relationship with the federal minister. A federal election is coming up, and who knows what will happen then? Obviously, if we were not successful, we would continue to talk with the federal government. The Premier and I will not be making any announcements until next February. I have to say that I think it was a very responsible decision to delay the stadium because of the state's financial position. I believe that if Labor had got back in, it would have been faced with a similar situation. However, we can all say that; it did not happen.

Mr J.E. McGRATH: Further to that question, is the minister aware of some commentary in the eastern states media at the moment that Australia's bid to get the FIFA World Cup might have been jeopardised by the AFL's reluctance to hand over a significant number of major stadiums for the soccer? Has the minister read that?

Mr T.K. WALDRON: I have read some press talk. I think the AFL has been heavily involved with FIFA and Football Federation Australia in the bid. I am not privy to the actual final bid and what will happen, so I cannot really comment on that. Obviously, the AFL has been very compliant in making grounds available generally. There was also what is called the Confederations Cup the year before. There was a request to do the same thing that year. I think it was a bit over the top to ask the major sport to put off all those games for eight weeks in the previous year.

Ms J.M. FREEMAN: Speaking from a football perspective.

Mr T.K. WALDRON: No, speaking from a general point of view. The FIFA World Cup is a huge event, and I think the AFL has a responsibility to try to do everything it possibly can to get the World Cup here.

Ms J.M. FREEMAN: And the government should do everything it can to get it here.

Mr T.K. WALDRON: I believe we have. In the period since we have been in government, we have been 100 per cent behind this bid. We have supported the federal minister and the federal government in this bid 100 per cent.

[11.30 am]

Mr J.E. McGRATH: I have one further question. Can the minister clarify that even if Australia is unsuccessful in getting the hosting the FIFA World Cup finals, the stadium will go ahead?

Mr T.K. WALDRON: We will not make any announcements until February. That is what we said. We made that call to delay any decision for two years, and that is what we will stick with. As the Premier and I have said,

Western Australia needs a new stadium and we will deliver a new stadium. We are not saying yet exactly when. It obviously depends on the FIFA World Cup finals bid. It will have an influence. It has actually worked in our favour, because we have been able to secure that funding.

Ms J.M. FREEMAN: I come back to pages 506 and 509 of the *Budget Statements* that refer to the state netball centre. Can the minister advise how the estimation of \$26.1 million was determined? Can the minister provide a breakdown of the \$26.1 million by activity? What are the broad arrangements of any agreement with the Town of Cambridge to locate the state netball centre at the Matthews Netball Centre?

Mr T.K. WALDRON: Basically, to start with, we undertook a project scale base study that gave us the information to scale the facility at \$26.1 million. I might get the director general to reply, but we have already been through this. The Town of Cambridge is happy about the centre being located there. It has some issues with it. We have committed to the state netball centre, but there is a lot of stuff around it that is the responsibility of the local authority, and I understand that that is part of the discussions that are already taking place. I do not know whether the director general would like to give any more detail on that. I do not think there is any more detail that I can give.

Mr R. Alexander: No; there is not, other than after discussions with the client, Netball WA, a project scale was done to give the base parameters of what needs to get built to work out approximately what is needed. We have had discussions with the Town of Cambridge about the site. It currently controls that site. The idea is that that site will be excised for the state netball centre.

Mr D.A. TEMPLEMAN: I refer to the full-time equivalent for the department on page 507 of the *Budget Statements* at which 90 FTEs are shown, and in the current budget that figure is estimated to be 93. Is the current structure of regional offices to continue in its present form?

Mr T.K. WALDRON: As I understand it, it is. That is the first time I have heard a question about any changes there. Yes, it will continue. These offices around Western Australia are really important. It is very important that they continue.

Mr D.A. TEMPLEMAN: I am happy with that answer. Specifically, will the Peel regional office continue in its current form?

Mr T.K. WALDRON: As far as I understand, it will. There is no other plan from me.

Mr D.A. TEMPLEMAN: Is there for the Peel regional office any intention to increase staffing?

Mr T.K. WALDRON: Not that I am aware of.

Mr D.A. TEMPLEMAN: I am referring to this financial year.

Mr T.K. WALDRON: No.

Mr D.A. TEMPLEMAN: My final question relates to page 514, “Community Sporting and Recreation Facilities Special Purpose Account”, for which the appropriation shown for the 2010–11 budget is \$25 million. I understand that is correct. My question relates to the Peel regional sporting complex planning. I am interested in the progress of that, given that the Peel region currently does not have a major regional sporting complex. What is the progress of that complex?

Mr T.K. WALDRON: I am not being silly here, but this is a special-purpose account; is the member talking generally about the centre as it applies to the community sport and recreation facilities fund?

Mr D.A. TEMPLEMAN: I am interested to know whether there is within that \$25 million an allocation to the Peel regional sporting complex?

Mr T.K. WALDRON: I stand corrected if I am wrong, but my understanding is that under the community sports and recreation facilities fund, sporting groups and local governments apply for funding. I am not aware whether they applied last year or will apply this year. Can the member tell me whether it has applied?

Mr D.A. TEMPLEMAN: I would be interested if the minister could table the list of projects that will be funded under that \$25 million. Rather than the minister reading them out—I do not want to waste the committee’s time—I would like the minister to table the list.

Mr T.K. WALDRON: I do not have the list here. I will provide it as additional information.

Mr D.A. TEMPLEMAN: The minister will provide that as additional information. Perhaps the director general, through you, minister, could answer my question about the progress of the Peel regional sporting complex. An area of land has been identified adjacent to the Forrest Highway extension of the Kwinana Freeway, near the Fiegert Road area. I am interested to know whether the land acquisition has been completed by the department or government, and when it is proposed that that complex will be committed to?

Mr T.K. WALDRON: I will throw that to the director general, because he will have the detail. I do not know the detail.

Mr R. Alexander: That is still being considered. The Fiegert Road complex has not progressed to any great degree.

Mr D.A. TEMPLEMAN: Has the land been acquired?

Mr R. Alexander: Not that I am aware of. I am not 100 per cent sure, but I do not think it has.

Mr D.A. TEMPLEMAN: This area of land has a long history. It was identified some years ago as part of the Peel region scheme in the late 1990s. The member for Murray–Wellington would be supportive of this. It is absolutely critical that there is a commitment to the sporting complex at some stage. A number of planning documents have been developed by the department over the past couple of years and they have been reviewed by the department; however, we are yet to see a genuine commitment by the government to that project.

Mr T.K. WALDRON: From memory, I understand there are legal issues concerned with this land. Is that correct?

Mr D.A. TEMPLEMAN: There are some.

Mr T.K. WALDRON: I will not comment on those legal issues, because I am not across them. I remember that there are some legal issues with it. I am happy to find out whether the legal issues are precluding any advancement of that. That is the only detail I can give the member at the moment. I am happy to find out further information on that. I will not make anything up. I am not sure of the exact position of that land. It has not come before me.

Mr D.A. TEMPLEMAN: Therefore I would request, if the minister is able to, that as supplementary information he provide an update on the status of the land acquisition for the Peel regional sporting site in the Shire of Murray.

Mr T.K. WALDRON: I am happy to do that. I would like to get that information for my own benefit. It might be a good idea if, when I get that detail, the director general, myself, the member for Mandurah and the member for Murray–Wellington meet and discuss this. I need to have a good understanding of where it is at. There are issues there, and we need to do what we can to help out. I offer an opportunity to meet with members, the director general and probably an officer from my office.

The CHAIRMAN: Is the minister agreeing to provide some information?

Mr T.K. WALDRON: Yes.

The CHAIRMAN: Would the minister outline what information he will provide?

Mr T.K. WALDRON: I will supply the updated information that is available for me to supply. I cannot designate what it is at this stage, because I do not know.

Mr D.A. TEMPLEMAN: I am very happy to take up the minister's offer of a meeting with the minister along with my colleague the member for Murray–Wellington.

[Supplementary Information No A4.]

The CHAIRMAN: I draw members' attention to the time. I understand that there was some sort of agreement that we go to 11.20 am on this division; to 12 o'clock on the next division; and to one o'clock on the following division. It is entirely up to members. I am just reminding members. The member for Willagee.

[11.40 am]

Mr T.K. WALDRON: At some stage can I request a very quick toilet break? I drink too much of this water! I would be happy to have a quick five-minute break, if members would like to do that. It is up to members how long we go on this division.

The CHAIRMAN: I have three questions: the member for Willagee, the member for Collie–Preston and the member for Kingsley.

Mr P.C. TINLEY: Noting the minister's constitution, I will be as brief as I can.

Mr T.K. WALDRON: It is okay; it is not that bad. I am under control!

Mr P.C. TINLEY: That is good!

I go back to "Asset Investment Program" on page 509 of the *Budget Statements* and the line item for ME Bank Stadium. The government has allocated \$82.5 million on the stadium. The minister mentioned in an earlier answer that the stand would include some limited corporate boxes and change rooms. Can the minister tell me what he means by that? What is the detail around that?

Mr T.K. WALDRON: As I said before, I will not give the detail. If we had money to completely build a new stadium and we could do the whole lot, the focus would be on the western stand. However, we are doing the

eastern stand first and there will still be corporate facilities and the change rooms will still be there, as they are now, in the western stand. As to what else we require, we will talk to representatives from the various sports as part of the planning stage. It may be that we incorporate some change rooms and corporate areas in the eastern stand as well. The extent to which we do that has not been finalised.

Mr P.C. TINLEY: Further, who are the stakeholders the minister is engaging with, both potential users and other affected stakeholders in this arrangement?

Mr T.K. WALDRON: Under the \$2.5 million allocated, detailed planning will take place. I have met and spoken with representatives from the various sports, including rugby league, rugby union and soccer; sorry if I still call it “soccer”! We have talked about these issues, but there is a formal planning process through which we will finalise those issues. I am not going to make a prediction. I omitted the Town of Vincent, and obviously the process includes the Town of Vincent also.

Mr P.C. TINLEY: So the minister has engaged them all; will he engage them all right through the process?

Mr T.K. WALDRON: I will ask the director general exactly how the process will run, because that is being facilitated.

Mr R. Alexander: It is very much a critical part of the process to make sure that the clients are involved. If they are going to use the facility and play there, it has to be what they want. The people who might manage it have to be involved, along with the government and the Town of Vincent because they will be looking after the surrounds et cetera. The steering committee has met with netball representatives to determine that, and I also mentioned the other stakeholders earlier. We need all the stakeholders involved early and constantly.

Mr P.C. TINLEY: Are the three users of the ground engaged?

Mr R. Alexander: Yes.

The CHAIRMAN: Member for Willagee, you need to come through the Chair and direct your questions to the minister rather than the director general.

Mr P.C. TINLEY: My apologies.

Minister, we have \$80 million and we are not quite sure what we are building with it.

Mr T.K. WALDRON: Yes, we are; we are building the eastern grandstand to replace the temporary stand that is there now.

Mr P.C. TINLEY: Okay; I will give the minister that much, but where did the \$80 million figure come from? There must have been a draft feasibility study or pre-feasibility study undertaken.

Mr T.K. WALDRON: Yes.

Mr P.C. TINLEY: If so, why will the minister not provide it as supplementary information?

Mr T.K. WALDRON: I will throw that question to the director general, but we have done pre-scoping of the project, and, as I said before, the Town of Vincent also carried out a process. As to the document, I will ask the director general to answer.

Mr R. Alexander: I would like to have the opportunity to go back and consider what there is of a confidential nature that might affect any tenders. I would like to have a look at that, and if there is nothing that might affect that process, I would certainly discuss with the minister the possibility of doing that. First of all, we have to be very careful about the probity of it, because there will be tenders and I would like to examine whether, with the probity order, it is appropriate or not.

Mr P.C. TINLEY: Will those parts that might have some commercial-in-confidence characteristics be excised so that the minister can provide what he can?

Mr T.K. WALDRON: As the director general said, he will go back and have a look at it, advise me, and then I will speak to the member. I will not make any guarantees, however, because as the director general said, there may be issues that will make it inappropriate to do that. I do not want to jeopardise the project. As I said before, this project is going to happen and we are going to have a stand and a decent rectangular stadium in Western Australia.

The CHAIRMAN: Minister, just to clarify: are you providing supplementary information on that?

Mr T.K. WALDRON: No.

Mr M.P. MURRAY: I refer to “People Development in Sport and Recreation” on page 507 of the *Budget Statements*. Is the minister aware that the South West Academy of Sport, which was launched 18 months or two years ago with much fanfare, has had a major sponsor withdraw? Will the minister help the academy with funding while it finds another sponsor? Is there another academy of this type being planned for Albany?

Mr T.K. WALDRON: I thank the member for the question. I am aware of issues around the Griffin Group having been placed under administration. As I understand it, it is honouring its sponsorship agreement for this year, but has requested a release from the sponsorship agreement for the third and final year. The South West Academy of Sport is working to identify corporate opportunities in the local region. The Department of Sport and Recreation provided seed funding to the South West Academy of Sport, and I was with the member for Albany on the day we opened the office and released the Watson report, which was an excellent report. The Department of Sport and Recreation has set up what we think is a well-governed and well-managed model, but we do not have the funds to provide ongoing support to the academy.

In respect of the other situation, I know that Geraldton and the Mid West are looking at possibilities up there. I thoroughly support these groups; I went to a dinner last year in Bunbury, and I think they are doing a wonderful job. It is something that we would look at if it was going really well and there was a real issue, but we are very limited with what we can do. I would like to see more academies, but I do not want them popping up just so that regions can say that they have one. Geraldton and the Mid West are identifying their need and ability to support such an academy. I support them 100 per cent, but we have to ensure we do not set them up just so that regions can say that they have a sports academy, if there is not adequate throughput et cetera.

Mr M.P. MURRAY: If the South West Academy of Sport is unable to find a major sponsor, is the minister willing to see it fold?

Mr T.K. WALDRON: No, I did not say that. I will always look at things on a case-by-case basis, but there is no funding in this budget for that at this stage. We have been in contact with the academy, and it is at this stage looking for another supporter. We are obviously giving them every assistance with that.

The appropriation was recommended.

[11.55 am]

Division 41: Western Australian Sports Centre Trust, \$139 496 000 —

Mr A.P. O’Gorman, Chairman.

Mr T.K. Waldron, Minister for Sport and Recreation.

Mr D.P. Etherton, Chief Executive Officer.

Mr P. Stewart, Director, Corporate Services.

[Witnesses introduced.]

The CHAIRMAN: The member for Nollamara.

Ms J.M. FREEMAN: My first question relates to “Capital Upgrades and Maintenance” on page 521. Does Challenge Stadium comply with the Building Code of Australia regarding change rooms and toilet facilities? Will the state netball centre address these issues and will any of this money be used to address these issues; and, if not, why not?

Mr T.K. WALDRON: I will give a general answer and then I will ask Mr Etherton to comment further. I understand that the facilities do address those needs. If the state netball centre had been built at Challenge Stadium, it would have been built on the southern side of Challenge Stadium, so I do not know whether there would have been access to those toilets and change rooms. I will ask Mr Etherton to answer that in more detail.

Mr D.P. Etherton: My understanding is that Challenge Stadium did comply with the Building Code of Australia when it was constructed in 1987. As the member would be aware, the Building Code changed post the construction of its buildings. I have not done an analysis to check whether it currently complies, but it did when it was constructed. My understanding is that if the netball centre was built at Challenge Stadium, there would have been additional facilities and change rooms in that facility and there will be at the new centre as well.

Mr T.K. WALDRON: There is an extra \$1.8 million in the budget to enable VenuesWest to do upgrades to meet maintenance work et cetera at all its venues. That is a really important allocation in this budget. It was actually getting behind. I know that VenuesWest also approached the former government for that extra funding, which was not forthcoming. We did not provide it last year but we saw the need and we provided it this year. As I said earlier, it is really important that we keep the facilities that VenuesWest manages up to scratch, particularly with safety issues. The member may remember the incident in which a netball game was stopped because of a leaking roof. We do not want those sorts of things happening. We have seen that need and we have invested that money.

Ms J.M. FREEMAN: I wish to clarify that. The stadium was constructed in 1987 and it complied with the Building Code at that time. The chief executive officer said that he has not assessed it at this point. Is the minister aware of whether it therefore complies with the health codes with respect to change rooms and toilet facilities and with other aspects of the health codes that rely very heavily on the Building Code?

Mr T.K. WALDRON: That is a fair question. I am advised that the health inspectors from the local governments carry out regular inspections. No issues have been raised. About \$300 000 is being spent on new toilet facilities at Challenge Stadium.

Ms J.M. FREEMAN: Is that out of the \$1.8 million that has been allocated?

Mr T.K. WALDRON: That is an extra \$1.8 million on top of what was already allocated. The CEO would have to advise on exactly where that \$300 000 is coming from.

Mr D.P. Etherton: A total of \$1.7 million has been allocated this financial year to capital works and \$300 000 will be committed to additional toilets in the next couple of weeks.

Ms J.M. FREEMAN: Is that out of the \$1.8 million?

Mr D.P. Etherton: It is out of this year's allocation, not next year's allocation. The works will carry forward into next year because they have not commenced yet.

Ms A.R. MITCHELL: I refer the minister to page 524 and the line item "Non-current Assets". Can the minister explain the significant increase in total non-current assets from \$214 million in 2008–09 to \$798 million in 2013–14?

Mr T.K. WALDRON: As the member would know, there has been a massive increase in the value of VenuesWest's property portfolio from 2008–09. This is as a result of the transfer of the Western Australian Athletics Stadium, the Western Australian Basketball Centre during 2009–10 and the forecast transfer of the ownership of Perth Arena in 2011–12. The valuation of properties is conducted by the Department of Land Information's valuation services branch each year. Therefore, the figures reflect the increase in the value of the property portfolio for VenuesWest.

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

Ms A.R. MITCHELL: Has the management of Perth Arena been decided?

Mr T.K. WALDRON: No. The tender process has taken place and it will be taken to cabinet for a final decision.

Ms J.M. FREEMAN: I refer to "Significant Issues Impacting the Agency" on page 517. I understand that VenuesWest operates those facilities listed and will also operate the netball centre. Can the minister outline what the estimated ongoing operational cost of running the new netball centre at Matthews will be for VenuesWest?

[12.02 pm]

Mr T.K. WALDRON: The sum of \$900 000 has been allocated in the final year of the estimates for the operational costs of the netball centre. I am trying to find the line item now. I will refer to the CEO for the actual detail of the running costs.

Mr D.P. Etherton: I cannot find the line item either, but since the budget was announced, \$26.1 million to build the state netball centre was announced in the Department of Sport and Recreation budget, and an additional \$900 000 was allocated in the final year of the out years for VenuesWest to manage that facility—that is depreciation, capital, maintenance and operating deficit.

Ms J.M. FREEMAN: When Mr Etherton says "final year of the out years" for \$900 000, that is not in 2010–11 but in 2013–14?

Mr D.P. Etherton: It is in 2013–14.

Ms J.M. FREEMAN: Therefore, up until that point, there is no funding for VenuesWest to be involved in the state netball centre.

Mr T.K. WALDRON: If the centre were completed earlier, obviously the government would make sure that VenuesWest was in a position to manage and run that facility.

Ms J.M. FREEMAN: Does the minister expect that VenuesWest will be involved as one of the stakeholders in the development of the state netball centre; and if so, is it expected to fund that involvement out of its existing budget and FTEs?

Mr T.K. WALDRON: As I understand it, VenuesWest is already involved as a stakeholder, but so the member for Nollamara gets the correct information and detail, I will ask the CEO to answer that.

Mr D.P. Etherton: In the earlier division Ron Alexander mentioned the stakeholder group that has been set up. VenuesWest was involved in the first meeting of that group with Netball Western Australia, the Town of Cambridge, and the Department of Sport and Recreation, and we will continue to be involved until the facility opens. We will be involved in setting up contracts, leases, licences and agreements for the people who use the facility and in providing advice on the most cost-effective way to build the facility so that it operates effectively.

Ms J.M. FREEMAN: I do not think my question was answered. The department is involved, but there is no additional funding for that involvement and it is out of existing FTEs and the existing budget.

Mr T.K. WALDRON: That is correct.

Ms J.M. FREEMAN: What is the estimated ongoing operational cost of running the centre in the out year of 2013–14, and can the minister submit that information as supplementary information—and also what he expects will be the operational costs of running the new netball centre?

Mr T.K. WALDRON: I think it is too early to provide that information because we would have to make a lot of assumptions, including what Netball WA is going to pay to use that facility, and we have not got to that stage as yet. Therefore, I do not think I can supply that information at this stage.

Ms J.M. FREEMAN: In terms of the WA Sports Centre Trust or VenuesWest's involvement in the netball centre, was it VenuesWest's preferred position that it be constructed adjacent to Challenge Stadium and has it changed its view and, if so, why?

Mr T.K. WALDRON: That is probably for VenuesWest to answer. At the end of the day, the government makes the decision on these things. The government is responsible for the overall decision, and that decision has been made. VenuesWest may well have liked it to be on the precinct; however, in this case, the decision has been made in the best interests of netball and the taxpayers.

Ms J.M. FREEMAN: What about the best interest of that precinct in terms of what we were discussing?

Mr T.K. WALDRON: That is a fair question, because it is a great precinct. We now have lots of sporting facilities on that precinct. That precinct was also looked at by the Western Australian Cricket Association for a special training facility. In this case, a decision was made in what the government thought to be the best interests of netball, not only at the elite level but also the connectivity to community netball, which is huge in this state. The member has made a fair point, and as I said before, we can argue that there are benefits in having at it the AK Reserve, and I acknowledge those benefits, but there are benefits the other way. Sometimes one has to make the call, and in this case it was based on cost but more importantly to me as minister was the connectivity to community netball.

Ms J.M. FREEMAN: Is that the cost that was associated with parking at the WA Sports Centre Trust versus the parking costs associated with Matthews?

Mr T.K. WALDRON: Obviously parking at the facility at Challenge was an issue and a cost. There are parking issues at Matthews and the town, the Department of Sport and Recreation, VenuesWest—the stakeholder group that has been mentioned—will be looking at those issues. The town already has plans for the roads. The mayor showed me through roads et cetera and how they will manage the parking and the traffic.

The CHAIRMAN: I remind members of the time.

[12.10 pm]

Mr P.C. TINLEY: I refer to page 516 of the *Budget Statements* and I will start with a general question that relates to the entire division. Has the Western Australian Sports Centre Trust been abolished?

Mr T.K. WALDRON: No, it changed its name to VenuesWest.

Mr P.C. TINLEY: Has it just changed its name?

Mr T.K. WALDRON: No, it happened about a year or so ago; it has been VenuesWest for some time.

Mr P.C. TINLEY: Absolutely, but my question is: is there more to it than just the name change?

Mr T.K. WALDRON: No. I think it was —

Mr P.C. TINLEY: So why bother?

Mr T.K. WALDRON: As the member knows, VenuesWest, formerly the WA Sports Centre Trust, has its own board that runs that operation. The board makes decisions that it thinks best reflect the running of its operation for commercial opportunities and, obviously, to project itself as a manager of state sporting venues. I will get the chief executive officer to perhaps enlarge on the advantages the board saw in changing the name to VenuesWest. Some people might like it, some might not. However, I will pass the question to the CEO.

Mr D.P. Etherton: About 18 months or two years ago it was made clear that VenuesWest would be owner of Perth Arena. Perth Arena is principally an entertainment facility; about 80 per cent of the expected use of Perth Arena will be entertainment rather than sport. Between 10 and 20 per cent of the arena's usage will be for sport. As a result, the board of the then Western Australian Sports Centre Trust felt we needed a name that encapsulated all our facilities and the broad range of stakeholders that we address, which are not only sporting stakeholders but also entertainment and recreation stakeholders, hence the name change to VenuesWest.

Mr P.C. TINLEY: Given the name change has been settled for some time since the WA Sports Centre Trust was abolished, I presume the necessary constitutional changes were made to the trust's constitution—the minister might want to speak to that—and that VenuesWest would have a recast charter or however it has been constituted. My point is: has there been any cost savings in doing that?

Mr T.K. WALDRON: Before I pass the question to the chief executive officer, I will comment on that. When I was in opposition, at some stages I had some real concerns about the WA Sports Centre Trust and how it was operating et cetera. I was not privy to the knowledge I have since found out. I think it needed a new direction. That happened under the previous government, which I support, and I support the previous minister, who I think was a good minister and did a good job. I think I have been very fortunate as Minister for Sport and Recreation because I inherited a board with a chairman that is doing an excellent job. The board has changed the whole direction—its responsibility in the financial and reporting areas, looking after its staff, getting better use and return from the facilities, working closely with the sports—I think it has really turned around. There will be issues between VenuesWest and sports from time to time and I acknowledge that. As minister, that is something I am always aware of. We have had instances whereby I have actually called sports and VenuesWest in to a meeting and we have talked it through. I am a great believer, when there is an issue, in getting the sides in to talk it through because usually everyone is trying to get a good outcome for sport, but sometimes we can go off the rails a bit as we go along. I must say that I have been really impressed with the way VenuesWest has changed over the past three or four years from a body that I had concerns about to one in which I have every confidence. It is being asked to do more and more with facilities and the arena coming on. VenuesWest is a very important organisation. I will get the CEO, if he can remember, to answer the other questions the member asked.

Mr D.P. Etherton: The Western Australian Sports Centre Trust Act contains a provision that the organisation can trade as something else. We are trading as VenuesWest; nothing else was required.

The appropriation was recommended.

Division 42: Racing, Gaming and Liquor, \$90 702 000 —

Ms L.L. Baker, Chairman.

Mr T.K. Waldron, Minister for Racing and Gaming.

Mr B.A. Sargeant, Director General.

Mr T. Ng, Chief Finance Officer.

Mr S. Spallarossa, Policy Officer.

[Witnesses introduced.]

The CHAIRMAN: The member for Collie–Preston.

Mr M.P. MURRAY: My question concerns the services and key efficiency indicator “Licensing — Evaluation and Determination of Applications” and the line item for employees. How many liquor licence applications were received and processed in 2008–09 and 2009–10? With a rising number of applications to process, will a reduction in staff from 60 to 56 result in longer waiting times for applicants to have their applications processed?

Mr T.K. WALDRON: I will get the director general to comment on that, but I will make a point about the time to process licences et cetera. Sometimes there is criticism of that and sometimes the department does get put under pressure, due mainly to the continued requirements in the control and management of alcohol across Western Australia. One thing that we intend to do to try to help that is in the area of approved managers. At the moment—this is off the top of my head without referring to notes—approved managers are limited to operate wherever they have their approved managership for. We want to bring those licences in for a five-year period and make it so that if someone is an approved manager at the Collie footy club, he can carry out that same role in Kojonup, for instance. That will take some of the pressure off the director and his staff. There are more pressures coming on them and that is something I have watched closely this year. I think there may be a time when I will have to talk within government to give some assistance to the director general.

I will let the director general talk about the statistical side of it, but I have before me the information the member has requested. I can go through them all, but would it give members opposite more opportunity to speak if I table them?

The CHAIRMAN: You cannot table them, minister, but you can provide supplementary information.

Mr T.K. WALDRON: I will get the director general to make some comment on them.

Mr M.P. MURRAY: Has the number of applications gone up?

Mr B.A. Sargeant: The number of applications has not gone up; overall, the numbers remain fairly static. What can happen is that the focus of the applications can change, particularly to one-off extended trading permits or one-off occasional licences, which do have a constraint in that we have to have them processed within a specific time frame because an event is going to be held on a certain date. Overall, the numbers have not gone up

significantly. The only area that went up as a result of the 2007 changes to the liquor licensing act was approved managers, whereby it was a requirement that every licensed premises have an approved manager on duty during its opening times. As a result of that, more than one approved manager had to be appointed at licensed premises. Since the May 2007 amendments we had a peak in processing those particular applications. The minister referred to the fact that we have some proposals, which hopefully will be coming before Parliament, to streamline that process and make it much easier.

[12.20 pm]

However, even though we had a large number of applications, under the act, once an application is lodged for an approved manager, it is deemed to be approved unless we determine otherwise. During that time we refer the application to the police for probity checks, and we then process the application depending on that particular probity assessment. There was a backlog, but I do repeat the point that once the applications are lodged, they are approved. From the point of view of the overall number of applications for new licences, for transfer and for removal, there was not a significant increase; it was only in the number of applications for an approved manager. However, I would be happy to supply the statistics as supplementary information.

The CHAIRMAN: Can I just clarify: will some supplementary information be provided?

Mr T.K. WALDRON: Yes.

The CHAIRMAN: Can we just title it? Does the minister agree to provide the supplementary information; and, if so, will he state exactly what information will be provided?

Mr T.K. WALDRON: It is the total number of licence applications received and the application statistics.

[*Supplementary Information No A5.*]

Mr M.P. MURRAY: I refer to the number of licences that have been coming through. The public interest test for these licences was introduced to facilitate the granting of small bar licences, according to my understanding. Has there been a proliferation of other licences that perhaps may not be as desirable, because section 38(4)(d) has not been invoked when granting those licences?

Mr T.K. WALDRON: The member may be referring to liquor store licences. Is that what he is referring to?

Mr M.P. MURRAY: And the public interest test.

Mr T.K. WALDRON: There has been a general increase, but not a proliferation, as I see it. The Director of Liquor Licensing—I will get him to comment in a minute—has to assess all applications, and he assesses them under the public interest test, which was brought in, as the member said, by the last government. He assesses and makes decisions on applications in the public interest. I know that a lot of lobbying has been going on about this—that is, the claimed proliferation of applications and too many in each area et cetera and that there is no room for refusal. That is not correct, because in the past six months, I think five applications have been refused, so they do get refused. I have some more information in front of me. It is a situation in which the director has to take into account the public interest, and that goes two ways. The public interest particularly concerns health issues—that is, if there are considered to be implications for health issues et cetera. However, the public interest test was brought in by the member's government to make sure that, in the best interests of the public, it had adequate services. That is what applies. The Liquor Stores Association WA wants a bit both ways. It does not want increases, because it sees that that will affect its businesses. However, our population is growing and our areas are expanding. At the same time, these stores want to be able to trade as often as they can. They cannot have it both ways. We have to be careful, because if we go into a density limit, if one likes —

Mr M.P. MURRAY: Just by way of interjection, I presented a grievance to the minister in this house about the number of square metres in a certain area. Further to that, in the Cockburn area, there was an application relating to a location that was next door or very close to a youth club, and my understanding is that that application was granted. Those are the sorts of interests that concern me.

Mr T.K. WALDRON: That is fair enough. I will let the director comment on that because, as the member knows, the director is independent, so he has to make those calls. I have said that, in government, I will continue to monitor the situation. We may reach a stage at which I feel the government has real concerns. I looked at this closely probably six months ago because of concerns that I think the member might have raised with me at some stage. However, at this stage I see no reason to change the legislation in the public interest. There is no evidence that would force me to change any of it at this stage. I will hand over to the director now, who can probably give the member a bit more in-depth detail on how those decisions are made and what he has to consider.

Mr B.A. Sargeant: In relation to the number of licences granted, again I am happy, if the minister agrees, to table another document. Last time the member asked a question about the number of applications received. This is about the number of licences granted, which is different. I have a document that I am happy to table, or I will provide supplementary information, if the minister is happy to do that.

Mr T.K. WALDRON: I am happy to provide that supplementary information.

Mr B.A. Sargeant: It is entitled “Total number of licences granted”.

[Supplementary Information No A6.]

Mr B.A. Sargeant: Specifically, in relation to the matter that the member raised about Cockburn, that licence has not been granted. The applicant has asked us to adjourn that matter pending something that the applicant wants to proceed with. No new liquor store licence has been approved in Cockburn at this stage. I think the member said that the location was next door to a youth centre. That application has not been granted.

The major thing that the amendments that came through in 2007 did, if I can be a bit technical, was to amend section 38 of the act. Section 38 was originally based on what was called a needs test. An applicant had to establish whether there was a requirement. The section was amended to make it such that there was a public interest test. It was a broader test, and it introduced questions about health, amenity et cetera. However, since 1989—or even prior to that—there had always been a broad public interest determination anyway. Therefore, even if under the old requirement a need had been established, it was still possible, under the public interest test, for the licensing authority to decline an application. That section, which was section 33, was not amended as a result of the 2007 changes. The public interest test involves sections 38, 33 and 5. Section 5 is the objects of the act. What happened was that in addition to one of the primary objects being to minimise harm or ill health, the government introduced an equal object, which was to cater for the requirements of consumers for liquor and related services. As a result of introducing the broader public interest test, it was also recognised that there had to be a weighing and balancing of the harm that potentially could come from granting a liquor licence versus the fact that there is a requirement for liquor services and that the licensing authority is charged with weighing and balancing the various competing interests in arriving at a decision to grant a licence application or to not grant a licence application.

The minister referred, I think, to five applications for liquor store licences being declined. Since I provided the information, seven liquor store licence applications have been declined, and we have also declined some tavern licences and some nightclub licences based on the public interest test. When the legislation was introduced, as the second reading speech identified, it was considered that the public interest test was a fairer test, rather than the strict needs test.

Mr T.K. WALDRON: I have made some notes for myself. The director has to weigh and balance the application against the objects to minimise harm and ill health to cater for the requirements of consumers, as well as facilitate the use and development of licensed facilities, reflecting the diversity in requirements of consumers. So it is a balancing act. I know that concerns have been raised, and I will continue to monitor them, but there is no need to make a change at this stage.

Mr I.C. BLAYNEY: I refer the minister to page 528 and to the third dot point under the heading “Significant Issues Impacting the Agency”. There seems to be a growing trend for remote communities in WA to seek voluntary alcohol bans under section 175 of the Liquor Control Act. What is the process that needs to be followed and are the bans granted automatically?

Mr T.K. WALDRON: I thank the member very much for that question. As I think other members will be aware, under section 175, remote communities come to us voluntarily seeking to have liquor banned in their communities. Quite a few communities, particularly in the north, had local by-laws that banned alcohol, but the problem was that they did not really work, and they were not really enforceable except within the community, and that did not happen as well as it should have happened. To its credit once again, the previous government kicked this off with the community of Wangkatjungka. When I became the minister, one of the first things I was confronted with was the coroner’s report from Oombulgurri. Oombulgurri is the only community in which I or the previous government have imposed the ban. After I read the coroner’s report about what was happening in that community, particularly to women and little children, I had no hesitation in imposing that ban in Oombulgurri. I have since visited Oombulgurri, and I know it has made a real difference.

[12.30 pm]

Ms J.M. FREEMAN: Are there any issues with section 175 and is the minister empowered by the act to impose those sorts of liquor bans? Has the minister looked at the legalities of whether the act gives him that empowerment and whether those regulations are enforceable?

Mr T.K. WALDRON: As far as I know and to the best of my ability, the answer is yes. I give the previous government credit for kicking off liquor bans at Wangkatjungka. I have renewed the ban twice. It is now renewed for a five-year period. I have the details with me. Banning liquor is not the be-all and end-all and it cannot be done forever. We are looking at communities that are having problems, particularly with women being bashed, kids being interfered with and kids being unable to sleep at night in their own home. In other words we are looking at communities in which there is violence—dysfunctional communities. If I can do something to help that situation, I certainly will, particularly when a community comes to me.

The member for Geraldton asked whether these bans are automatic. No, they are not automatic. A couple of communities have come to me in the past six months and I have not agreed to impose section 175 on those communities. Under the legislation, we are required to consult local government, the police and the community. We do that in writing, but I like to visit the community as well. I want to make sure in my mind that the communities are committed to make the ban happen. We can write something on a bit of paper saying that we agree to an alcohol ban, but then there might be no police support, the local government does not give a toss and the community does not do anything. Imposing the ban in such a case is a waste of time. We are having success with these bans. The communities in which we have imposed liquor bans under section 175 are returning to much safer communities. For example, the children go to school. Last year there was a big program with the Wangkatjungka community growing its own vegetables and that type of thing.

Another point with section 175 is that it attracts people such as schoolteachers to these communities. I have a daughter who is a schoolteacher, and people with schoolteacher daughters would not want them going to communities in which violence and consumption of alcohol is rampant. Wangkatjungka has been a success story.

I congratulate not only the women in these communities but also community leaders and young people who have bitten the bullet. Members would be interested to know that when I consult a community, I bring the community together and talk to them about what section 175 means. I ask for their opinions. I notice the women—young mums with babies and older ladies—nodding their head in favour of it; they really want it. Those people in my age group and probably from 27 years of age upwards show only some encouragement for the ban, and that section of the community will just kick the ground because they are not sure about it. The most encouraging thing to me, and the reason that I think it is one of the better things that I am doing in this portfolio, is that young guys and young girls are supportive of it. They can see where their lives might go. These bans are very important and I will continue to consider them when communities come to me.

On a couple of occasions I have not granted a request for a ban. In fairness, I should let members know why I have not agreed to them. Some of the communities that have come to me are lacking in leadership. When I visit a community, I can tell whether the people there are convinced. In some cases, people want to do it because it sounds good, but they do not have the right leadership or they are not committed. I do not shut the door; I leave the door open, but the community must satisfy me and perhaps the local police and local government that it can adhere to the provisions of a ban. There is no good putting a ban in place if there is no chance of it working; it defeats the purpose. At the end of the day, we can talk about the detail of it, but this is about looking after women and children as well as giving these communities a chance. It will not be the be-all and end-all, but I think we are giving some of these communities and the next generation a chance to actually change their drinking culture and to recognise that there is a better life out there.

On the legal side of it, I will get the director general to quote from the Liquor Control Act so that the member will understand it.

Ms J.M. FREEMAN: That is not necessary. If the minister has assured himself, that is fine.

Mr T.K. WALDRON: It is really good stuff we are doing here and we need to keep doing it.

Ms J.M. FREEMAN: It is okay, if the minister has assured himself.

Ms A.R. MITCHELL: Minister, is there any difficulty in your role under section 175 and the director general's role in licensing in regional towns?

Mr T.K. WALDRON: The member raises a good point, and I will clarify it. Some members will know—but it is amazing that many people do not understand this—that the director general is responsible for all the liquor licensing issues for which licences are involved; for example, Halls Creek and Fitzroy Crossing. Where there are no liquor licences, such as in these remote communities, they come to me. As the member knows, the director general has put certain restrictions on areas in the Kimberley—Fitzroy Crossing and Halls Creek—the Goldfields and other areas. Detail is available on that if members want it at some stage.

Ms J.M. FREEMAN: Page 528 of the *Budget Statements* refers to significant issues impacting the agency. The minister has looked at advertising standards for gambling. I am interested to know whether the minister has looked at similar advertising standards for liquor advertising and pricing. What discussions has the minister had with the federal government about this issue, particularly given our priority to minimise harm? What discussions has the minister had with the federal government about taxing on volume of alcohol, given that it is a major issue? In the community that I represent, people buy cask wine, which is enormously cheap when compared with bottled wine. Given the minister's soliloquy on the importance of these bans in remote communities and how he is addressing that in communities in which liquor bans cannot be imposed, clearly alcohol is consumed to excess in those communities. We have an explosion of liquor outlets that compete by advertising and pricing. How is the minister looking at minimising harm, in particular, in discussions with the commonwealth?

Mr T.K. WALDRON: I will comment on something I spoke about recently in a speech I gave at a business breakfast. The member raises a good point. In relation to advertising for betting—I will not go into detail—there

was the famous Betfair case. Following that case, advertising was opened up to allow other jurisdictions to advertise in Western Australia. We put some limitations on that, such as offering incentives to bet and that type of thing. They can still advertise their own businesses. The TAB can advertise, and that still happens.

Regarding alcohol advertising, there is a push at the moment to ban not only a lot of alcohol advertising but also alcohol sponsorship in sport.

Ms J.M. FREEMAN: My question was about pricing advertising.

Mr T.K. WALDRON: I will come back to sports advertising. In everything there is a balance. We have to be very careful that in trying to achieve one aim, we do not defeat the other. I will come back to pricing advertising. On the sporting side, I am concerned about it. I have an opinion that possibly the pricing advertising needs something done about it. I will throw to the director general for more detail on that.

[12.40 pm]

Mr B.A. Sargeant: Firstly, in relation to national matters, there is no national minister of liquor licensing because it is state-based legislation, so there is no forum in which to raise that matter. If those matters are raised at a national level, it is during the Ministerial Council on Drugs Strategy, which comes under the Minister for Health. I attended a conference of liquor licensing authorities back in 2008. A senator was there to represent the federal government and I posed the question about the taxation of wine et cetera. The answer given was that it would be left up to the Henry committee report. I am afraid that the Henry committee has not addressed it. The pricing or taxation of alcohol content is not a matter on which the state has the power to intervene. This state has always supported the idea of a volumetric tax rather than a tax on pricing, which would address cheaper alcohol such as cask wine but would also mean that more expensive premium wine would become cheaper. There has not been an opportunity for that to be addressed. On the issue of advertising, there is the power under the regulations for a regulation to be made on advertising and notices. I have the power, as Director of Liquor Licensing, to impose conditions on the promotion of alcohol. It refers to drinks, but this was implied more for the on-site consumption of alcohol in hotels and other venues. There is also the power to impose conditions on the responsible promotion of the consumption of alcohol. It could be argued that advertising might encourage that. The problem with it, which goes back in some respects to the Betfair decision, is that we can impose conditions on licences within WA but how do we stop things such as national advertising, over which we have no control? We might be in a position, although it would not be easy to do, to impose conditions on licensees to not sell certain types of products, but it is then a matter of controlling the advertising that comes into the state. My view is, and my advice to the minister has been, that it would be much better for this to be addressed nationally. For instance, advertising comes in on the Sky channel. We cannot control that coming into the state—it comes under federal legislation. Much of our print media on betting, for instance, comes in from the eastern states. We can prosecute the newsagents, but they are not really the problem—they possess material that is printed in other venues. Whilst the power is there, it is not an easy thing to do. This issue is better suited to being tackled at a national level.

Ms J.M. FREEMAN: I have a further question. To clarify, the director is saying that there could be the power to address the sort of advertising involving large outlets that advertise very cheap, bulk-buy alcohol products versus another thing. We are talking not about the advertising of milk but about a serious social issue in our community. The cost pricing of advertising can give a competitive advantage, which is one of the issues with responsible consumption. Is that something the government would consider, because it can control what goes into our local and community newspapers?

Mr T.K. WALDRON: I tend to agree with some things the member is saying. We would like to do what is possible, within reason, but I think I am fairly limited because of the buying groups et cetera that buy on bulk. I will be brief, because I know time is an issue. We need to do it at a more local level. I actually think we need to deliver more at the local level. I am going back to sport and recreation a little here. The talk I gave the other morning was that there is a push to ban sports sponsorship and advertising of sporting groups. I think that is the wrong way to go, because I see a huge opportunity. Advertisements in papers are one thing, but on the ground where the alcohol is sold and where young people are involved in sporting clubs et cetera, I see a great opportunity to utilise the network of sporting clubs to target those young people, where I think the bulk of the problem is. Us older blokes and women can drink a fair bit, too, I guess, but it is in those early years that we need to form a pattern of responsible drinking and to try to change the attitude to drinking. We are doing that through football clubs in Western Australia with the Belt Up campaign, which has really been quite successful. If we say that no sports clubs will have alcohol sponsorship and throw it out the window, they will just do deals locally behind people's backs. The clubs then will not have any reason to manage the situation as they are doing now, other than under Barry's direction. Through alcohol involvement, we can make sure that these things are carried out and provide signage—all those types of things. It is not the be-all and end-all, but I think there is a real opportunity to use the network of sport and recreation to deliver those good messages. I thoroughly believe that, because I have seen it work with Belt Up.

Mr P.C. TINLEY: I refer to the item headed “Delivery of Services” on page 527 of the *Budget Statements*. Can the minister confirm whether the following entities, which I believe fall under the minister’s portfolio, are about to be or will be abolished—the Gaming Community Trust, the Gaming and Wagering Commission of Western Australia, Burswood Park Board, Racing and Wagering Western Australia and the Western Australian Greyhound Racing Authority?

Mr T.K. WALDRON: I do not know where the member has got that information from. The answer is no. All of those bodies are operating and all currently have a very important role to play. The member for South Perth, who is sitting in the chamber, is heading up an inquiry into RWWA which was required under legislation set by the previous government. No, there is no intention to get rid of those bodies at all. As minister, I get to work with those bodies, and I must say that there are some good people on those bodies who are doing great things. Members would have heard me speak in the house recently about the Gaming Community Trust, through which we have been able to keep the *Leeuwin II* sailing ship afloat and have been able to invest heavily in the Brightwater centre in the member for Victoria Park’s electorate, which looks after people with different disabilities et cetera and makes sure they can go on holiday. Burswood Park Board plays a critical role both with Burswood Park and the Swan River. I could go through all the bodies and let the member know what they are doing. They are certainly not going to be abolished. I do not know whether the director general wants to make a comment. No, he does not. I do not know where the member got that idea from, but it is not correct.

Mr J.E. McGRATH: I refer to the “Significant Issues Impacting the Agency” on page 528 of the *Budget Statements*. One very important issue is that of glassing assaults in bars, which has received a lot of media attention in recent times. Has the minister had any discussions with industry groups about glassing assaults on licensed premises, and has the minister discussed alternative glassware options? Can the minister see something being done so that people who have perpetrated such attacks will not be able to get their hands on glass but might have to use some other product?

Mr T.K. WALDRON: That is a good question. The community generally is concerned about the glassing incidents that happen across Western Australia. I am aware that there have been a number of assaults in recent years. There have been many calls for plastic drinking containers et cetera. We do see them at some venues. The Director of Liquor Licensing has the right to impose certain conditions under the licensing conditions, so we do have an opportunity to do that at the moment.

Mr M.P. MURRAY: How many have been ordered to have plastic glasses?

Mr T.K. WALDRON: I will come to that in a moment. I want to make a point here: we do not want blanket bans. There have also been serious assaults in hotels using high-heel shoes, bar stools, pool cues, dinner plates et cetera, so it is impractical to ban every weapon.

Mr M.P. MURRAY: I think the minister will try to ban drinking altogether, the way things are going on his side!

Mr T.K. WALDRON: To be sensible about this, we need to address it on a case-by-case basis. Members would have seen that the prohibition orders that have been awarded in a lot of glassing cases—I will get the director to comment in a minute—have actually meant that people who have perpetrated glassing attacks have been kept out of hotels et cetera, which I think is a really good thing. Plastic is not necessarily the answer. The member for Collie–Preston, during a grievance to me about eight or nine months ago, brought in different types of glass and asked whether I had met with groups. I recently met with different industry groups. One group in particular, the Australian Leisure and Hospitality Group—probably the largest single operator of hotels in Western Australia—is actually voluntarily in the process of introducing tempered glass drinking containers. I do not know whether members have seen tempered glass containers, but they are very hard to break, and I could not really tell the difference.

[12.50 pm]

Mr M.P. MURRAY: The Pope has a bit around him as well.

Mr T.K. WALDRON: So it is bulletproof!

I was really impressed with what I was shown. I also asked the Australian Hotels Association to show me all the glassware alternatives, which it did. It gave me a detailed briefing on the options. I think the tempered glass looks like a good option; pricing wise, it seems to be an opportunity. I do not think it would be good for us to impose a blanket ban because everyone likes to have wine out of a nice glass. However, in targeted venues, the Director of Liquor Licensing will implement that with licensing conditions. I want to congratulate the industry because I think it is recognising the problem. I also thank the member for Collie–Preston, because he brought this to my attention last year in a sensible way, which I thought was really good. I am now really impressed with this tempered glass. I am going to watch what happens with the introduction of this by ALH, and we will take it from there. I do not think that a blanket ban is the answer.

Mr J.E. McGRATH: Further to that question, some pubs will soon be getting late licences for the FIFA World Cup. That might be an example where, under the conditions of that licence, they might have to not use glass. That is only a suggestion.

Mr T.K. WALDRON: Correct. The member for Collie–Preston raised the issue of the FIFA World Cup in Parliament last week. I will ask the director general to comment again, but I have some particulars for the member for Collie–Preston in response to the matters he raised last week. On 3 February, the Director of Liquor Licensing issued a policy to give guidance to licensees on the application process and standard conditions that could be imposed for FIFA World Cup licences. As members know, they will be late at night and there will be different licensing arrangements. The total number of applications that had been lodged as at 28 May—last Friday—was 31. Of those, 12 had already been approved and none has been refused. Some are yet to be determined; four were lodged in April, but there have been objections and interventions. Processing of those applications started within two to three working days of lodgement. Ten applications were lodged in early May and comments were sought from police and local government within two to three working days of lodgement. I will get the director general to clarify this. We are going to cater for the FIFA World Cup, but it has to be done in a responsible way and the director general has to deal with issues that are raised by police and the Department of Health et cetera. Would the director general like to comment further on that? I think both the member for South Perth and the member for Collie–Preston would be interested.

Mr J.E. McGRATH: There are more questions and I think we are running out of time, so I am comfortable with the answer.

The CHAIRMAN: Thank you, member.

Mr M.P. MURRAY: These questions will be short, sharp ones for some; maybe less so for others!

Some time ago there was an article in *The West Australian* reporting on changes to two-up games at country racetracks. How far away is that? I am continually being asked questions, and nothing has happened. The other issue is cruise ships leaving Western Australia.

The CHAIRMAN: Member, we just need a reference point for those two questions.

Mr M.P. MURRAY: I refer to page 528, “Significant Issues Impacting the Agency”.

Mr T.K. WALDRON: I actually raised the issue of two-up when I was in opposition, and the member also brought it up. I agree with him about two-up and the cruise ships. The government has actually progressed that matter.

Mr M.P. MURRAY: The minister told me that a long time ago.

Mr T.K. WALDRON: No, we have come to an agreement with the casino, but I will let the director general talk about the details that can be revealed. It will happen. As the member knows, a casino agreement precluded this. It has outlived its time—I agree with the representations made to me from both sides of Parliament—and the government has done something about it. I will now hand over to the director general.

Mr B.A. Sargeant: The agreement with Burswood Casino prohibits the state from authorising in any manner whatsoever the playing of two-up or gaming machines within a 200-kilometre radius of the casino. The government has reached an agreement in principle with Burswood, but at this stage the actual amendment to the agreement is being negotiated between the State Solicitor’s Office and Burswood’s legal people.

Mr M.P. MURRAY: I have met with Burswood Casino and was told that it had very little problem with this, if any at all.

Mr B.A. Sargeant: In principle that is correct, but it is always in the details as to how this is defined. For instance, Burswood is very concerned about cruises to nowhere, so that people cannot get on a boat in Broome, go out and come back to Broome. It is a matter of defining what those terms mean, but in principle, the government and Burswood have come to an agreement, and it is now a matter for the lawyers settling the matter. I briefed the State Solicitor’s Office about a fortnight ago to actually progress those amendments. I met with Burswood, and there is an agreement in principle, but the lawyers on both sides have not yet signed off.

Mr T.K. WALDRON: It is going to happen, and Burswood has been very good with this. I think it is commonsense.

Mr M.P. MURRAY: I refer to the last dot point on page 528, which states —

The Department continues to participate in the working group considering amendments to the *Prostitution Act 2000*.

How many meetings have been held this year?

Mr T.K. WALDRON: I will have to take the question on notice, because, as I understand it, that comes under the Attorney General’s department. There has been a working group representing police, health, planning, local

government and the Department of Racing, Gaming and Liquor. We would be involved in licensing and compliance only on that issue, so I will not make any further comment, because it does not come under my portfolio.

The CHAIRMAN: Minister, are we talking about a question on notice or supplementary information?

Mr T.K. WALDRON: Did the member want to know the number of meetings that have taken place?

Mr M.P. MURRAY: Yes, I wish to have that supplementary information, please.

Mr T.K. WALDRON: We will provide supplementary information on the number of meetings that have taken place.

[Supplementary Information No A7.]

Ms J.M. FREEMAN: I refer to page 527 of budget paper No 2 of the *Budget Statements*, division 42, and the heading “Appropriations, Expenses and Cash Assets”. Item 74 in that table is “Amount Provided for Administered Grants, Subsidies and Other Transfer Payments”. I refer also to budget paper No 3, *Economic and Fiscal Outlook*, page 204. Item 80 under the Department of Racing, Gaming and Liquor refers to “Administered Grants, Subsidies and Other Transfer Payments”, and there is a \$7.1 million Treasurer’s advance excess. How does that \$7.1 million relate to item 74? Does it mean that the money has been spent but is included in the 2010–11 column, or is it part of the estimated actual for 2009–10?

Mr T.K. WALDRON: I will ask the director general to answer that question.

Mr B.A. Sargeant: That amount is to rebate back to Burswood Casino, the Lotteries Commission and Racing and Wagering Western Australia bookmakers the GST they pay to the commonwealth government, because part of the GST arrangement with the commonwealth was that the state would give up certain taxing rights so that that is rebated back. It also includes the amount we pay to wine producers under what is called “wet tax”, and it amounts to \$2 million. They are entitled to get back some of that. The Treasurer’s advance amount would be included in the estimated actual of \$81.9 million, and therefore we are expecting \$82.4 million in 2010–11, bearing in mind that some of those figures can still vary, particularly in the case of the casino, because the casino is very much in what is called the junket market, and that is a very volatile market. When we struck these figures in April, we had April, May and could have June, and that figure could go up or come down, depending on how active and how successful the casino has been. We try to estimate what it has earned and the GST it would be entitled to have as a rebate. That is what is included in the \$81.9 million.

Ms J.M. FREEMAN: Is that a regular Treasurer’s advance payment, or is it a one-off for this year? If it is a one-off, why?

The CHAIRMAN: That concludes time for this division.

The appropriation was recommended.

Meeting suspended from 1.00 to 2.00 pm

Division 3: Premier and Cabinet, \$107 764 000 —

Mr M.W. Sutherland, Chairman.

Mr C.J. Barnett, Premier.

Mr P.F. Conran, Director General.

Mr D.R.M. Smith, Deputy Director General, Coordination.

Mr G.J. Moore, Assistant Director General, State Administration and Corporate Support.

Mr R.L. Kennedy, Director, State Administration.

Mr G. Hay, Assistant Director General.

Mrs R.A. Brown, Executive Director, Strategic Issues.

Mr P. Pride, Chief Finance Officer.

Mr K.A. Jones, Principal Project Officer.

Mr Z.R.F. Kirkup, Adviser, Premier’s Office.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number,

item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the chairman's intention 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 Premier may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the Premier to clearly indicate to the committee which supplementary information he agrees to provide, and I will then allocate a reference number. If supplementary information is to be provided, I seek the Premier's cooperation in ensuring that it is delivered to the committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the Premier to cooperate with those requirements. I caution members that if the Premier 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. Only supplementary information that the Premier agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

I now ask the Premier to introduce his advisers to the committee.

[Witnesses introduced.]

The CHAIRMAN: The Leader of the Opposition.

Mr E.S. RIPPER: Premier, I refer to page 77 and the references to the department's services for the Premier and for ministerial offices. I understand that the Premier's resignation as Premier in order to be reappointed as Premier and Treasurer triggered the possibility of redundancy arrangements for his term-of-government employees. How many of his term-of-government employees took up the redundancy arrangements, and what was the total payout as a result of them taking advantage of this opportunity?

Mr C.J. BARNETT: I thank the member for the question. Can I just make an observation first? I find this quite a bizarre circumstance. Term-of-government employees would be understood to be employed for a term of government, and, within that term, if there is a change of Premier, it could also be anticipated that that would be an opportunity for term-of-government employees to leave. A new Premier might have a different view about staffing. I think it is an error, or a failing, in our system that when there is simply a change of portfolio, as happened with me when I took on the Treasury role, it provides an opportunity for term-of-government employees to exercise their contractual right to leave. I think that is inappropriate. I have indicated to the Department of the Premier and Cabinet and the Public Sector Commissioner that I would like that fixed. I think that term-of-government employees should have that option under their contract either at a change of government or, most likely, at a change of Premier, not simply at a change in title. As I have indicated publicly, if I step away from the Treasury role at the end of this year, that will mean that the situation will be repeated—I hope I am still Premier. The situation provided at law the opportunity for term-of-government employees to exercise a choice to leave if they wished to. Seven people left; two were on leave without pay at the time and were probably in the process of leaving in any case, so they have been included in that number. Seven people took up that opportunity to leave. The cost of that was \$187 000 in their payout of entitlements.

Mr E.S. RIPPER: As a follow-up question, will the Premier provide the names of the people who left; and what action will he take to prevent people taking advantage of this opportunity when, as he has foreshadowed, later this year he has to technically resign his portfolios again to reallocate the treasurership to someone else?

Mr C.J. BARNETT: Yes, I will provide by way of supplementary information the names of the seven people who took up that opportunity. I am happy to do that.

[*Supplementary Information No A8.*]

Mr C.J. BARNETT: I indicate now that if what I see as a loophole can be closed, I will do so. However, that may affect the existing contract of employees, so it may not be possible. But I hope that that option is not there for any future appointment of a term-of-government employee. I even have some doubt in my mind about whether simply a change of Premier is sufficient reason, but I would probably go along with that; I think it is probably fair and reasonable that if a different person came in as Premier, that person would have a view about who his staff should be. In my view, it should be only a change of government or a change of Premier that causes that opportunity to be exercised, and I think that the Leader of the Opposition would agree with me.

Mr E.S. RIPPER: I do agree with the Premier on that matter. If a new term-of-government employee is taken on by the government tomorrow, will that person have to sign a new contract without this opportunity, or will there still be a period in which employees will sign the old contracts?

Mr C.J. BARNETT: I do not think it would apply if someone was employed from tomorrow, but I hope we can make the alteration to the contract of employment so that that disappears. I want to be fair to people, but I think that is an anomaly in the system that needs to be corrected.

Mr T.R. BUSWELL: I refer to the major spending changes outlined on page 73. I note with interest the establishment of a community development investment fund, which, as I understand it, is a flow-on from some of the recommendations of the excellent economic audit that the government undertook. Can the Premier outline to the committee how that community investment fund will work and what its objectives are?

Mr C.J. BARNETT: Yes. I thank the member for Vasse for the question. As he well knows, this fund was a result of the recommendations of the Economic Audit Committee. It was something which the government committed to in the budget and which was announced at a gathering of the Western Australian Council of Social Service just prior to the release of the budget. This fund is a relatively modest amount of money; it is \$10 million initially. I hope it will grow. It will be in place to allow community-based organisations to make some capital improvements. They might be as simple as getting better equipment, such as computers and office furniture, better premises, a vehicle, a better data system, or whatever it might be, to allow them to reach a high level of business competency and professionalism. It is based on the low interest loan scheme that has been in place for many years in the education portfolio and is very successful. I hope that this can grow over time. Part of this new relationship with the community sector involves a non-government public sector forum. One of its roles will be to help develop this concept of low interest loans being made to not-for-profit non-government organisations, so it will work on the criteria and where it is most effective and we will follow that lead. Certainly, to a large extent now the community sector will have a closer relationship with government, deliver more publicly funded services and have a direct role in policy development. We will proceed cautiously, but I am very optimistic that this will become a significant source of public assistance to that sector.

[2.10 pm]

Mr T.R. BUSWELL: I have one follow-up question.

Mr C.J. BARNETT: The member for Vasse is meant to be on our side!

Mr T.R. BUSWELL: I think it is an excellent initiative and I want to applaud the Premier for it, of course! I wonder what feedback the Premier has had from the community sector about this announcement. Also, will the process of allocating the money be via some form of competitive process?

Mr C.J. BARNETT: The feedback, certainly at the Western Australian Council of Social Service, was very positive for this proposal and also for the social innovation grants and the community partnership forum. It will be a competitive process. I think it will proceed modestly for probably the first year, and I expect there will be great opportunities. One thing that we hope to encourage from this process is the emergence of leading not-for-profit non-government organisations that will be able to take some of the smaller groups under their wing and look after some of the accountability provisions and administrative costs because, as members are no doubt aware, sometimes when governments work through non-government organisations, 15, 20 or 30 per cent of the cost of funding can be used in administration and compliance. We want to get through that and these grants may allow organisations to set up management systems that will allow them to deal better with government for not only their own affairs but also organisations that work through them in some sort of affiliated arrangement.

Mr M. McGOWAN: I refer to Page 77 of the *Budget Statements* and the line item for the average cost per ministerial office including the Premier's office—it is about halfway down that page—that sets out the cost of staffing and so forth in various offices. My questions are a range of follow-up questions to questions that were asked in question time last week about the Premier's chief of staff, Mr Pontifex. The Premier indicated in the house that his appointment was handled independently through the appropriate department.

Mr C.J. BARNETT: Not his appointment; his salary.

Mr M. McGOWAN: The Premier's exact words were: his appointment was handled —

Mr C.J. BARNETT: His contractual appointment.

Mr M. McGOWAN: But it was handled independently through the appropriate department. Okay, so his salary was handled independently through the appropriate department. Therefore, my first question is: what is the appropriate department and who decided on the salary package for Mr Pontifex? Secondly, the Premier indicated that a company by the name of Mercer may have prepared a report on that. I am interested in whether the Premier is prepared to table a copy of that report and what that report actually indicated. Thirdly, the Premier indicated —

Mr C.J. BARNETT: Mr Chairman, I seek your guidance. I am happy to answer all the questions but it is not question time and I do not think there needs to be multiple questions.

Mr M. McGOWAN: It is just a quicker way of doing it, if I raise it with —

Mr C.J. BARNETT: But the member will rattle off half a dozen points—within reason, is what I am saying.

The CHAIRMAN: We are dealing with the average operating cost per ministerial office including the Premier's office. Can the Premier just answer those questions and then we will go from there.

Mr C.J. BARNETT: I am happy to continue the discussion; it is just, as I said, not question time. In terms of the selection of Mr Pontifex to be chief of staff, obviously, when my former chief of staff, Deidre Willmott, resigned, I had to replace her. Some names came to my attention in that process and Brian Pontifex was one of those names. I knew Brian but I did not know him all that well, to be honest. I rang his former minister, Chris Ellison. Chris gave a glowing recommendation about Mr Pontifex so I then spoke to Brian and indicated that I would like him to join as chief of staff. He was employed and had been employed for about two years by Woodside and he had a very senior position within that company. The details of the negotiation of his contract, including his salary, were then done through the Department of the Premier and Cabinet. The Public Sector Commissioner I think was also involved in some aspects of that. Initially, Mr Peter Conran, who I think went on leave, handled it and it was then handled by Mr Greg Moore in the department. Therefore, the negotiations about the terms of Mr Pontifex's contract, including his salary, were something that I was not directly involved in. I was conscious it would be a significant salary.

Mr M. McGOWAN: And the Premier did not discuss salary with Mr Pontifex?

Mr C.J. BARNETT: No, I did not.

Mr M. McGOWAN: The Premier indicated that a report was prepared by a company called Mercer. I am interested in whether the Premier is prepared to table that report, and also whether there was any ministerial merit panel report and whether the Premier is prepared to table that, perhaps by way of supplementary information.

Mr C.J. BARNETT: I indicated in Parliament last week that I am prepared to table the Mercer report, as long as it does not include any of what I would call confidential information. In my mind, confidential information would be whether it includes, for example, the salaries of chiefs of staff of other Premiers, because my understanding is that Mercer did some comparison across Australia of salaries paid to people as a chief of staff to a Premier or comparable positions. The member may not be aware of this, but my understanding is that Queensland and Victoria do not release details of salaries of their chiefs of staff. I think it is those two states. That is the only proviso: as long as it does not include any information relating to a third party, I am prepared to —

Mr E.S. RIPPER: It is a bit hard for us to make a judgement if it does not include that information.

Mr C.J. BARNETT: My understanding is that it does not actually include the salaries. However, I understand that as part of this process Mercer did get information on salaries, so I just want to check that there is nothing relating to a third party that would be unfair for me to release. I think the member would agree with that. I have not read the report and I have not seen it; the Public Sector Commissioner sought that advice. Therefore, as long as there is nothing strictly confidential about a third party in that sense, I will table the report when Parliament returns.

Mr M. McGOWAN: I also asked the Premier about the ministerial merit panel. Did it go through any ministerial merit panel process?

Mr P.F. Conran: I understand it did go to the ministerial merit panel.

Mr M. McGOWAN: Is there a report that can be tabled in that regard?

Mr P.F. Conran: There will be minutes that could be tabled at an appropriate time.

Mr C.J. BARNETT: I took no part in that. I was very clear that I wanted to appoint Mr Pontifex, but I took no part in the process of his appointment. Again, I am prepared to make public the minutes of the ministerial merit panel.

Mr M. McGOWAN: By supplementary information?

Mr C.J. BARNETT: I will make that available by supplementary information.

[Supplementary Information No A9.]

The CHAIRMAN: Can the Premier please clarify what will be made available in the supplementary information?

Mr C.J. BARNETT: I will make available a copy of the minutes of the ministerial merit panel relating to the appointment of Mr Pontifex.

Mr M. McGOWAN: I have one last question on that subject. When the question was asked in the upper house, the answer indicated that the total salary of Mr Pontifex is \$343 523. The answer said that comprised \$285 000 in salary, \$26 548 in superannuation and \$22 000 for a car, which totals \$333 548 or almost \$10 000 short. I wonder what that additional \$10 000 in salary comprises?

Mr C.J. BARNETT: To the best of my knowledge, the answer to the question was accurate. Possibly I made an error off the cuff as I answered the member's question —

Mr M. McGOWAN: No, this question was asked in the upper house. This was a written answer given to a question in the upper house. It said the total pay was \$343 523, which comprises a \$285 000 salary, plus superannuation of \$26 548 and a car of \$22 000. That is \$10 000 short of what Mr Pontifex's salary is, so what is that additional \$10 000 for?

Mr C.J. BARNETT: The explanation was that under a Salaries and Allowances Tribunal determination across the sector, his base salary was increased by 3.5 per cent as of 1 May.

Mr M. McGOWAN: So there was a \$10 000 increase?

Mr C.J. BARNETT: That explains the jump.

Mr M. McGOWAN: Since the first question was —

Mr C.J. BARNETT: There was an increase in, I guess, the senior executive service salary level that flowed across and therefore that applied to his contract. That explains the \$10 000.

Mr M. McGOWAN: So is that his once-yearly pay increase or a six-monthly pay increase?

[2.20 pm]

Mr C.J. BARNETT: That was the determination of the Salaries and Allowances Tribunal, which I think is the first increase in two years for senior people.

Mr M. McGOWAN: But he is not one of the levels —

Mr C.J. BARNETT: It flowed through under the contract.

Mr E.S. RIPPER: I have just one follow-up question on this topic. Is it the case that Mr Pontifex has been appointed to a particular public sector classification, or has he been appointed outside the classificatory system; and, if so, why?

Mr C.J. BARNETT: I would have to ask Mr Conran to answer that, if he can, or Mr Moore.

Mr G. Moore: The salary point, again in terms of the advice that was received, was a package deal put together with a range. In discussions, we looked at that, and we eventually placed his base salary at \$285 000, and that was tied to the special division of the Salary and Allowances Tribunal determination.

Mr E.S. RIPPER: Was that to a particular point?

Mr G. Moore: To any point within the salary range within the special division. Of course, on 1 May, the tribunal awarded a 3.5 per cent increase. So 3.5 per cent on the \$285 000 gets to a new base salary of \$294 875. Then, of course, in terms of the other elements of his package, what remains constant is his vehicle allowance of \$22 000, and his superannuation, which is nine per cent of \$294 000, which gives that adjusted figure. Hopefully, all that adds up to the \$343 000 figure that was mentioned in that parliamentary question in the upper house.

Mr E.S. RIPPER: Mr Chairman, after listening to that answer, it seems to me that Mr Pontifex has not been appointed to any particular public sector classification; he is in a world of his own, which is a base salary of \$285 000, but he is going to get all the increases that flow through to the special division of the public sector. Can the Premier confirm that my understanding is correct?

Mr C.J. BARNETT: As I said before, I do not know the details of his employment contract—nor should I. They have been handled quite properly by personnel within the Department of the Premier and Cabinet and the Public Sector Commissioner. I understand that the Leader of the Opposition may disagree with his appointment and may feel that his salary is too high —

Mr E.S. RIPPER: It sounds like a special deal. That is what I am pointing out.

Mr C.J. BARNETT: It is a special position. He is a term-of-government employee. He was attracted to the position of chief of staff because, firstly, he wanted to do the job; and, secondly, he was employed at a high level in a major Western Australian company. I can understand the point that the Leader of the Opposition makes, as he should, but Western Australia is going through some extraordinary challenges at the moment. I know that the

salaries may appear high to the general public, but I do not apologise for appointing top people; I really do not. We need some of the brightest, most competent people to deal with the issues that Western Australia is confronted with right now.

Mr M. McGOWAN: Is that why you sacked Kim Taylor?

Ms R. SAFFIOTI: My question relates to service 1, “Administration of Executive Government Services”, on page 77 of the *Budget Statements*, and to the point regarding the communication of government policies and activities. My question is about the Government Media Office. I understand that the Premier has abolished the GMO. Does the Premier want the question in parts or will I just do a follow-up, because there are three parts to the question? Does the Premier want me to —

Mr C.J. BARNETT: Try me, yes.

Ms R. SAFFIOTI: Okay. How many people were employed in the GMO before its abolition? How many of those staff still continue to work in government? For example, how many press secretaries are there across government; how many people are involved in media monitoring; and how many people are involved in the other normal communication of business as was the situation when they were working in the old GMO?

The CHAIRMAN: I think it is getting a bit too long.

Mr C.J. BARNETT: On 16 December, I announced the abolition of the Government Media Office, effective from 1 January 2010. Most of the people in the Government Media Office were media advisers to individual ministers, and the decision to abolish the GMO meant that they would be treated as is the case with all other employees within a ministerial office; that is, they would basically report to the chief of staff and the minister and would be accounted for as employed within the ministerial office rather than the GMO. The then director, Mr Paul Plowman, was transferred to my office, and he remained there for a couple of months or so. Then he left of his own choosing. The other support staff within the GMO who basically do media monitoring and the like are now assigned to work within the Department of the Premier and Cabinet, which is appropriate. As to the final net outcome, there are 27.5 people, I guess, who we can now say are within government in that media role, such as press secretaries and people within Premier and Cabinet who do media monitoring. That is 27.5 compared with 28.9 a year ago, so it is basically stable.

Ms R. SAFFIOTI: Just clarifying, after the abolition, the number of full-time equivalents dropped by one; is that right?

Mr C.J. BARNETT: Yes. From 2009–10 to 2010–11, they will drop by one. In 2008–09, there were 23. It went to 28.9, and now it is 27.5.

Ms R. SAFFIOTI: There is no director of the GMO as of today. In respect of the GMO website, for example, and the media statements, given that one of the roles of the previous head of the GMO was to basically tick-off on all the media statements and on all the government media strategies, who has that final tick-off now? For example, who controls the website and who has the final approval of government media statements that are issued?

Mr C.J. BARNETT: Government media statements are ultimately the responsibility of the minister, and that is overseen through my office.

Ms R. SAFFIOTI: Does someone in the Premier’s office have the final tick-off on all media statements?

Mr C.J. BARNETT: No. This government does not work that way. Ministers basically have responsibility for putting out their statements, but senior media people within my office obviously are aware of what is going out, and they may comment. But I do not run a very centrally controlled set of ministerial offices.

Ms R. SAFFIOTI: Two press secretaries in the Premier’s office undertake this function that was previously undertaken by the director of the GMO.

Mr C.J. BARNETT: No. The structure is quite different. We do not have a GMO, so ministerial offices are, in that sense, more self-contained and more independent, if one likes, than they were under the previous model during the Labor government and, indeed, during the government of Richard Court.

Ms R. SAFFIOTI: To clarify, the number of press secretaries in the GMO went from 23 to 29.

Mr C.J. BARNETT: I will ask Mr Conran to explain how the staff have been redeployed within Premier and Cabinet.

Mr P.F. Conran: Just to be clear about this issue, ministers’ offices have a press officer separate from these numbers that were previously in GMO. So the DPC media office consists of two in the government communications unit, 16 in the media and monitoring unit, and 4.5 in the subediting unit. There were another five media advisers previously in the GMO. They are now attached to ministers’ offices. I think we attach them to the Premier’s office for the purposes of FTE numbers. Ministers have a press secretary. We have five other

media advisers who are attached to the Premier's office but who are spread throughout. They fill vacancies wherever there is a vacancy and an issue. They fulfil other roles as well. But the media office itself now consists of two in the communications unit, 16 in the media monitoring unit, and 4.5 in the subediting unit.

Ms R. SAFFIOTI: Do you have the number of press secretaries? Is that equal to the number of ministers?

Mr P.F. Conran: The Premier has two.

Mr C.J. BARNETT: There is one per minister and I have two.

[2.30 pm]

Dr M.D. NAHAN: I refer to the first dot point on significant issues on page 75 of volume 1 of budget paper No 2 and ask: what is the Department of the Premier and Cabinet's approach to implementing the Economic Audit Committee's recommendations?

Mr C.J. BARNETT: I think the Economic Audit Committee has done an outstanding job. The government is progressively working through those recommendations and treating each of them individually and on merit. But the topics that we were talking about a short time ago, such as the partnership forum, the social integration grants and the investment fund, are all results of that. There is also some internal reorganisation taking place within the public service. I think the public service in Western Australia does need to be improved. There is no doubt that over recent years some of the more talented people, particularly younger people, have left the public service for a variety of reasons—perhaps employment outside has been a major factor. The Public Sector Commissioner and the head of the Department of the Premier and Cabinet are actively seeking out talented people through recruitment. Sometimes they are re-recruiting people who have left but who are now prepared to come back. They are finding talented people, and often bringing them into the central agencies of either Premier and Cabinet or Treasury with a view that, as they are developed, they will go out and become chief executive officers in agencies. They are also trying to get more mobility within the public service. For too long public servants in Western Australia have tended to stay in their agency in contrast to, on my understanding, the commonwealth model. In the commonwealth model, public servants have a variety of experience and tend to move around from agency to agency, including regularly spending a part of their career in ministerial offices, usually of both Labor and Liberal persuasion, which has been good for their professional development. As Mr Conran points out to me from time to time, often service in a ministerial office is regarded as a negative point in a public service career in Western Australia; in Canberra it is regarded as a positive in that the public servant will have some understanding of the roles of the minister, the parliamentary process and the media. The opposition might need to cooperate on that and stop haranguing people in ministerial offices and encourage that as part of professional development.

Mr E.S. RIPPER: I think it is a good thing to have public servants in ministerial offices for that very reason.

Mr C.J. BARNETT: Yes; good.

Mr E.S. RIPPER: Just on that question, I have a follow-up question and I have one of my own, if you will indulge me, Mr Chairman. On the question of the Economic Audit Committee, will the government say for each recommendation whether that recommendation has been endorsed; and, if it has been endorsed, when implementation will actually begin? The government said a lot about the Economic Audit Committee, but when we sought detailed answers on the status of each individual recommendation, we were fobbed off with a general answer for each recommendation. So, as supplementary information, I wonder whether the Premier could provide the status of each recommendation with regard to whether it received endorsement and whether it was implemented.

Mr C.J. BARNETT: I will make a distinction in answer to this question. The Economic Audit Committee was an exercise set up by the government—by the former Treasurer who oversaw it and did an excellent job—to look at a range of things in the operation of government, particularly in the delivery of human services to the public. It is not the same, for example, as a report to the Parliament, which demands a response from the executive government of the day. It is our report and, as I said before, we are working through the recommendations individually and on merit. I am happy to provide by way of supplementary information an account of which recommendations have been picked up and have or are being acted upon, but I am not able or willing to foresee which decisions government will make in the future. I am happy to tell the Leader of the Opposition what we have either accepted or rejected to this point. But this is a work in progress and we will continue to work on the recommendations portfolio by portfolio.

[*Supplementary Information No A10.*]

The CHAIRMAN: The Leader of the Opposition said he had another question that he wanted to ask.

Mr E.S. RIPPER: Yes. I refer the Premier to the expense growth of the department. There is an overall expense growth in the budget of 3.9 per cent, which I think will be —

The CHAIRMAN: Which page is the Leader of the Opposition on?

Mr E.S. RIPPER: If I ask a question about expense growth, Mr Chairman, it is surely relevant to the estimates process. But if we need to go to a page, it is page 73 and it is the total cost of services under the heading “Expenses”. Expense growth in the budget overall of 3.9 per cent will be difficult to achieve following expense growth of more than 12 per cent and 13 per cent in the past two financial years. Health expense growth is 6.7 per cent and education expense growth is 0.1 per cent. Given that average level of expense growth in the budget and the expense growth rates that I have quoted for health and education, does the Premier think it reasonable, whatever the merit of individual initiatives, that his department has expense growth of 11.8 per cent?

Mr C.J. BARNETT: The Leader of the Opposition is talking about 11.8 per cent going into 2010–11.

Mr E.S. RIPPER: Yes. The total cost of services in 2009–10 is \$101.6 million and in 2010–11 it will be \$113.6 million. There will be, therefore, a \$12 million increase, or 11.8 per cent. I understand that the Premier might think that individual initiatives have merit, but I am asking whether it is reasonable overall for the Premier’s own department to grow by 11.8 per cent when education is restricted to 0.1 per cent, health to 6.7 per cent and the overall budget to 3.9 per cent.

Mr C.J. BARNETT: When the education portfolio is dealt with in estimates, I think the Leader of the Opposition will find that the underlying growth is not what the Leader of the Opposition suggested.

Mr E.S. RIPPER: I would bet that it is not 11.8 per cent.

Mr C.J. BARNETT: No; but the Department of the Premier and Cabinet, as the Leader of the Opposition well knows, tends to often pick up ad hoc events. For example, over a year ago we made a donation of \$1 million to the Victorian bushfires. No-one obviously could budget for that; that was a decision made. Those types of expenditures come under Premier and Cabinet. Going into the coming year, there is an extra allowance for support to government; extra expenditure relating to electorate offices; donations; there is the Commonwealth Heads of Government Meeting, which starts to cut into the budget; and some of the recommendations we just talked about in terms of the social welfare sector. They are also being funded through Premier and Cabinet. Having said that, I am confident that we will keep within the underlying growth rate forecast. There will always be a volatility in Premier and Cabinet. For example, last year a \$5 million allocation was made for assistance to Ravensthorpe following the closure of the Ravensthorpe nickel project. Not all of that \$5 million has been expended, so in a sense there was a saving. What was necessary to be done was done, but the full \$5 million was not allocated.

Mr E.S. RIPPER: The point of my question is that the government is trying to impose fiscal discipline and to get the expense growth down from more than 12 per cent and more than 13 per cent in its first two financial years to 3.9 per cent. The Premier’s own department is allowed to grow at 11.8 per cent. Does the Premier think that is reasonable and a good example to the rest of the public service?

Mr C.J. BARNETT: I do not believe it is a relevant comparison. If the Leader of the Opposition looked at the underlying growth, he might have a point there. However, items such as CHOGM are the one-offs that come in, and I do not apologise for that. I am strengthening the Department of the Premier and Cabinet. We are doing that. We are very deliberately building up the capacity of the central agencies within government. I think Treasury built up during the Leader of the Opposition’s time in government. The Department of the Premier and Cabinet probably lagged a bit behind, and we are trying to add more quality into Premier and Cabinet, and we are using it as a place to recruit people who will probably spend most of their public sector career, not in Premier and Cabinet, but in a line agency.

Mr A. KRSTICEVIC: I refer to page 73 of volume 1 of budget paper No 2. With regard to that, I wanted to ask the Premier about comments made in the house last week regarding payments to former staff members who were employed by the previous government and have been since paid out. Can the Premier explain to the house how much is expected to be paid in redundancy payments this year; how much was paid last year; and can the Premier confirm that money was paid to five members of one minister’s family, a large number of Labor candidates and more than \$160 000 —

Mr M. McGOWAN: That is a typed question. Who wrote that question?

Mr E.S. RIPPER: I would like to check the font on that question and match it to the typewriter in the Premier’s office.

Mr C.J. BARNETT: No, no, no. Actually I do not have an answer for the question.

Ms R. SAFFIOTI: I thought you were not going to knock ministerial staffers.

Mr C.J. BARNETT: No, I am not going to. At the change of government, a very significant number of people—I think over 100—were basically paid out. I had this information last week in question time. Five members of one minister’s extended family were present within it.

[2.40 pm]

Mr T.R. BUSWELL: Is that Minister Marcos!

Mr C.J. BARNETT: This is not a set question because I do not have the answer; it proves it. It is substantial. I guess the issue here is that we have a system of term-of-government employees. Let me check this. It is a long list.

Mr E.S. RIPPER: What is the Premier arguing—that the system is wrong or that there were too many term-of-government employees?

Mr C.J. BARNETT: I am not arguing anything. I am answering the question.

Mr E.S. RIPPER: The Premier has term-of-government employees as well.

Mr C.J. BARNETT: I am answering the question. The total number, from memory, was 108 people. I am not quite sure about that. That is my memory from last week.

Mr P.F. Conran: It was around that.

Mr C.J. BARNETT: I think the term-of-government system is a good one. I would probably prefer that we had relatively fewer term-of-government employees within ministerial offices and more seconded public servants—that is in an ideal world.

Mr E.S. RIPPER: That was the model in my office.

Mr C.J. BARNETT: Yes. Different offices vary. I think the term-of-government system is good in that a government can bring in its people. A ministerial office needs to be recognised that it is basically a political office. It is there to serve a politician who happens to be a minister. I would like to see the balance changed. I am not saying this government necessarily does this, but I would hope over time that we get to a position in which more seconded public servants are within ministerial offices than is the case at present. It varies from minister to minister. I will not labour the point. A change of government is a very expensive exercise.

Mr E.S. RIPPER: That is the case even with a technical change of government.

Mr C.J. BARNETT: It is good reason not to have another change of government for many years!

Mr E.S. RIPPER: I think it will be worth the price!

Mr M. McGOWAN: The Premier raised a significant issue about family members. I refer to page 77 of the *Budget Statements* and the heading headed “Average Operating Cost per Ministerial Office”, which I talked about before. I raised an issue some months ago in relation to Mr Colin Edwardes, who works in the Premier’s office. On 10 March this year the Premier said —

... if the member for Rockingham genuinely believes that there has been a conflict of interest or there is a serious danger of a conflict of interest, I ask him to please bring that to my attention or to the attention of the house ...

I will bring it to the attention of the house. The Premier also answered a question on 14 April. The answer to the question extended from 9 September 2009 to 14 April 2010. I asked the Premier a question in relation to the number of contacts by Mrs Edwardes. Mrs Edwardes acts on behalf of various agencies; her husband works in the Premier’s office. The Premier indicated that yes, there had been some contacts. The Premier indicated the contacts had been with a number of staff but not with Mrs Edwardes’ husband. I then referred to a letter from Mr Conran dated 17 February 2010 that stated that there had been no official contact with Minter Ellison by Mr Edwardes. I ask: why is it that via a freedom of information request I have five emails of a non-personal nature from Mr Edwardes to Mrs Edwardes, or from Mrs Edwardes to Mr Edwardes, most of which are from Mrs Edwardes to Mr Edwardes in relation to issues within Mr Edwardes’ portfolio, and the emails are from Minter Ellison?

Mr C.J. BARNETT: I am not aware of those emails. Perhaps if the member gives me a copy of them, I will decide whether there is a conflict there.

Mr M. McGOWAN: Did the Premier not indicate to us that there was not any such contact? Did the Premier not also suggest that Mr Edwardes had been counselled not to have such contact, and that any contact between Minter Ellison and the Premier’s office would have to go through Mr Richard May? If that is the case, why is it that in January–February this year this contact took place?

Mr C.J. BARNETT: I cannot answer that. I do not know the nature of the correspondence or the emails that the member is talking about. To the best of my knowledge, there has been no dealings between the two. We are being very careful about that.

Mr M. McGOWAN: I can assure the Premier there has been. If there has, does that not say something about there being a conflict of interest in the Premier’s office?

Mr C.J. BARNETT: It depends on the content of it. We have been taking great lengths to try to ensure that there is no conflict of interest. Mr Colin Edwardes does a very good job, particularly with issues to do with commonwealth–state relations on environment.

Mr M. McGOWAN: They are exactly the issues that his spouse, who is a lawyer and who acts in a lot of the same ways that a lobbyist acts, brings to government —

Mr C.J. BARNETT: I do not know the content. I wonder whether it is issues or just simply information. For example, Cheryl Edwardes, a former environment minister, attended the Copenhagen greenhouse conference. She provided me with a summary of her observations of the conference. She did that as a gesture—seeking nothing from it. Information like that may be conveyed. I do not know what information the member is referring to. Perhaps the best thing is for the member for Rockingham to provide me with a copy of whatever he has. If it is inappropriate, so be it; we will deal with it.

Mr T.R. BUSWELL: I will ask a question on the same issue around the cost of support per ministerial office, including the offices of the Premier and the Leader of the Opposition. I wonder whether the Premier or the department have had any requests from the Leader of the Opposition's office for additional funding in this financial year, either for direct funding or funding to cover other operational costs like leave liabilities of staff and the like. I wonder whether that may have happened this year. Looking back at page 73 of the *Budget Statements*, there are increased funds for executive government. Of that \$1.4 million in the 2010–11 year for increased funding for executive government, would any money be flowing, for example, to the Leader of the Opposition's office? The Premier may be in a position to provide us with a breakdown of that allocation.

Mr C.J. BARNETT: This has been, in my view, a quite unsatisfactory state of affairs. The member for Vasse, and probably even the Leader of the Opposition, would agree. The whole issue of the funding of the office of the Leader of the Opposition and/or minor parties has, in my experience, never ever been satisfactorily dealt with by respective governments. The director general provided additional funding of around \$150 000 to the Leader of the Opposition to meet the cost of some unfunded liabilities, such as accrued leave. I know there has been an issue that as salary levels have gone up through determinations, it has effectively meant that the Leader of the Opposition has had to employ one fewer staff member, or could be in danger of facing that situation. That is not the intention. Historically, the office was funded, to my recollection, by numbers of positions—so many people at certain levels. When a dollar amount is put in place and it is not adjusted, obviously we get a bracket creep of people being promoted through years of experience or getting a higher salary, and eventually the money runs out. The discussion has been that maybe the Leader of the Opposition's office should have an establishment of 14 full-time equivalents. My opinion is that that is probably about right. The Leader of the Opposition's office should be equivalent to a senior minister's position. I think that is what it should be. There are other aspects that should be the same. For example, I believe—I will probably regret saying this—the Leader of the Opposition should have the same sort of security level provided to ministers —

Mr T.R. BUSWELL: More might be needed!

Mr C.J. BARNETT: More might be needed. From my experience during those dark days as the Leader of the Opposition, I found I was more in the public profile than probably ministers —

Mr T.R. BUSWELL: It is not to protect the Leader of the Opposition from the public; it is from his colleagues!

Mr E.S. RIPPER: I need to have plenty of security from the member for Murray–Wellington's constituents!

[2.50 pm]

Mr C.J. BARNETT: There was some urgency, because the Greens party had been campaigning hard for party status and for the funding that goes with that. The urgency seems to have gone out of that situation for the moment. But I do intend, in collaboration, hopefully, with the Leader of the Opposition, and minor parties, both within government and outside government, to get a bipartisan agreement on the funding of opposition and minor parties. If we can reach that agreement, I think both sides of politics will need to stand by it. It should not be a bargaining chip.

Mr T.R. BUSWELL: I want to ask a follow up question. The Premier mentioned a sum of \$150 000 for accrued leave. Was that paid in this financial year, or is that budgeted to be paid in the next financial year? If is accrued leave, I assume that that leave would not have accrued over the period when we were in opposition. Was some of that leave carried forward?

Mr C.J. BARNETT: My understanding is that it would have carried forward from the service of, presumably, staff members who worked in the Leader of the Opposition's office when he was a minister and who may well have come with him into the Leader of the Opposition role.

Mr T.R. BUSWELL: Like the chief of staff or someone like that?

Mr C.J. BARNETT: Yes. Therefore, they would have brought their entitlements with them. So, even though they are term-of-government employees, if they go from being in government to being in opposition, it is not as

though their entitlements start from day one again. They will carry with them some benefits such as accrued leave.

Mr P.F. Conran: Just to clarify one aspect of that, the arrangement is that for members of the Leader of the Opposition's staff who have more than four weeks accrued leave, if they were to take that leave at any particular time—that is, if they were to take 10 weeks' leave—we would cover the gap between four weeks and 10 weeks. So, any extra leave that they have taken, we would cover.

Mr E.S. RIPPER: Otherwise, the opposition budget would be covering liabilities that had been inherited from government.

Mr P.F. Conran: That is right.

Ms R. SAFFIOTI: I refer to page 77. The full-time equivalent count under service 1 shows that the number of FTEs increased from 581 in 2008–09 to 599 in 2010–11. Can the Premier explain the relationship between the increase in the number of FTEs in the Department of the Premier and Cabinet and the FTE cap that I understand is in place for the public sector?

Mr C.J. BARNETT: The growth in FTEs in the Department of the Premier and Cabinet is 10 additional FTEs for the Commonwealth Heads of Government Meeting and the anticipated royal visit as part of CHOGM; five additional FTEs for support to executive government; five FTEs for ministerial offices, which includes the Premier's office and the Leader of the Opposition's office; and four FTEs to work on the Economic Audit Committee recommendation for a community development and social development grants program.

Ms R. SAFFIOTI: What is the total number? I referred just to service 1. I think the Premier gave the total DPC figure.

Mr C.J. BARNETT: That explains the growth in FTEs in DPC from 2009–10 to 2010–11.

Ms R. SAFFIOTI: What is the total number?

Mr C.J. BARNETT: It is 10 for CHOGM; five for executive government; five for ministerial offices, including the opposition; and four for a community development and social development grants scheme.

Ms R. SAFFIOTI: So 24.

Mr C.J. BARNETT: Yes. As far as the FTE cap overall, I think the figure is about 103 000. That is, again, for the core public service, so we will get growth in police and teacher numbers that is outside of that. The next division that we will be dealing with is the Public Sector Commission. I am sure that the Public Sector Commissioner will be able to give the actual figure for the cap.

Ms R. SAFFIOTI: If the cap is for the public sector as a whole, as the Premier has outlined, and if the number of FTEs in DPC has increased by 24, does that mean that there has been a corresponding decrease in another agency?

Mr C.J. BARNETT: The cap is overall, so some agencies will go up and some will go down. As the member would be aware, we have run two voluntary redundancy programs, and nearly 700 public servants would have left under those programs. That does come under the Public Sector Commissioner, and he will be able to provide the answers in more detail. It is not in Department of the Premier and Cabinet. It is in the Public Sector Commission.

Ms R. SAFFIOTI: So the cap is administered and monitored by the Public Sector Commissioner?

Mr C.J. BARNETT: He monitors the cap, yes.

Ms R. SAFFIOTI: In respect of voluntary redundancies —

Mr C.J. BARNETT: Again, voluntary redundancies come under the Public Sector Commission.

Ms R. SAFFIOTI: In relation to the Premier's department, would it not be the director general who signs off on a recommendation as to who is going to receive a voluntary redundancy?

Mr C.J. BARNETT: Under that program, each chief executive officer is asked to identify surplus positions or surplus personnel, and those people are then given the option of taking up a voluntary redundancy. That is applied across the public service. So every CEO is charged with that responsibility.

Ms R. SAFFIOTI: In respect of the Department of the Premier and Cabinet, could we have by way of supplementary information a list—I do not need names—of the number of people who have received a voluntary redundancy, and their levels?

Mr C.J. BARNETT: Is the member talking across the public service or just DPC?

Ms R. SAFFIOTI: No, just DPC.

Mr C.J. BARNETT: Yes, we will provide details of those people who have taken a voluntary redundancy. Is that under the two programs?

Ms R. SAFFIOTI: Yes, for 2008–09 and 2009–10.

Mr C.J. BARNETT: There were two programs in DPC. In 2008–09 there might have been some duplication—well, not duplication, but bear in mind that the split of the DPC and the Public Sector Commission was underway at that time. The director general will just clarify that point.

Mr P.F. Conran: In relation to the most recent round of voluntary redundancies, we will have to wait a few more weeks until that is finalised. So, those numbers may vary in the next few weeks, because some people who are seeking it may withdraw.

Ms R. SAFFIOTI: It is only those who have been paid. I am not asking about people who have just put up their hand.

[Supplementary Information No A11]

Mr E.S. RIPPER: I refer to page 75, the second dot point, which states in part that the department will play a key role in implementing initiatives aimed at enhancing the community sector’s capacity to deliver service as efficiently and effectively as possible. Is the Premier aware that community sector staff may earn up to 57 per cent, or almost \$30 000, less than their counterparts in government? If the Premier is aware of that, why has he not committed in the budget to address this inequity? Does the Premier expect the non-government not-for-profit community sector to provide cheap labour; and, if he does not expect it to provide cheap labour and cheap services, when can the community sector expect funding so that it can start to address this lack of salary parity with the government sector?

Mr C.J. BARNETT: On Friday I spoke at the miscellaneous workers union annual conference —

Mr E.S. RIPPER: I had reports of that speech!

Mr C.J. BARNETT: That was generally fairly well received, I thought. That issue obviously came up. I referred to it, and a couple of the delegates raised that point. One of the first tasks of the community forum between the community sector and the government sector will be to examine that issue. The Leader of the Opposition has described it as cheap labour. I accept the point that the pay levels in the non-government sector are below those in the government sector. Why that is the case, I do not know. I do not think anyone is quite sure how that evolved. Bear in mind that these people are not employees of government. They are employees of non-government organisations. How that emerged over time—how that gap established itself—I think needs to be examined. I recognise that in awarding contracts, governments will, over time, need to allow for some growth in wage levels in that sector. But it is not going to be solved overnight. There is a significant gap. I do not know that it is as great as the Leader of the Opposition suggested in his question. Not only might there be an equity argument there, but if we are to build up the community sector, as we wish to do, it is going to need to retain staff, develop staff and attract some more highly qualified staff. So that will be a part of that.

[Mr J.M. Francis took the chair.]

Mr E.S. RIPPER: The advice that was given to me by the community employers is that the cost of dealing with this wages gap is \$198 million a year; that is, \$166 million for the gap in general, and \$32 million for regional issues. This is a rather large sum of money. The Premier has given some indications that he is aware of this issue. When does the Premier intend to address it with real dollars? Should these people expect real dollars in the next budget if the Premier is aware of the issue?

Mr C.J. BARNETT: What did the Leader of the Opposition say the figure is?

Mr E.S. RIPPER: It is \$198 million. I agree that that is a large figure.

Mr C.J. BARNETT: I do not know if that is an accurate figure, but let us for the sake of the argument accept it. If that is a measure of the total difference in aggregate of wages between the government sector and an equivalent group in the non-government organisation sector —

[3.00 pm]

Mr E.S. RIPPER: Yes; 36 000 of them.

Mr C.J. BARNETT: The member used the word “cost”; it is not as though government has an obligation to suddenly pay over \$198 million to bring their salaries up. They are not government employees. Whether it has been competition between non-government organisations, whether they have cut each other’s throats in bids for contracts or work, I do not know. But I accept the point that although it is not a cost to government as such, I recognise that salary levels are low, and in some cases they are not sustainable for maintaining employment. I am, therefore, anticipating, as we enter into contracts, that there will be some allowance for increasing salary levels. I would not want to see non-government organisations competing against each other to provide a service

on the basis of the salary they can pay to people. That would not be a very wholesome embracing of the relationship. We would be looking for the quality of the service they can provide, which would include maintaining quality staff.

Mr E.S. RIPPER: Can the government's agenda to contract out these services really work if it does not address this issue?

Mr C.J. BARNETT: I think it would fail eventually—I agree with the member about that. But, again, I am not suggesting that the government is going to walk in with a couple of hundred million dollars. We have to be conscious of salary levels and salary stability within the organisations that we would be asking and trusting to take on community work.

Dr M.D. NAHAN: I refer to page 88 of the *Budget Statements*, on the topic of leadership development. I would like to explore some of the ideas that the Public Sector Commission has —

The CHAIRMAN: Member for Riverton, I do not believe that is part of the division we are currently dealing with.

Mr T.R. BUSWELL: I refer the Premier to the final dot point on page 75, which refers to a very exciting meeting that will be held in Western Australia in 2011, one at which I am sure the Premier will shine on the world stage—the Commonwealth Heads of Government Meeting.

Mr E.S. RIPPER: I wonder if they will let the member for Vasse meet the Queen!

Mr T.R. BUSWELL: Well, who knows! The Queen was in Busselton in 1958. I am sure she has fond memories of her visit and she will probably want to come back.

What does the Premier see as being the benefits to Perth—indeed Western Australia—in hosting the CHOGM meeting in 2011?

Mr C.J. BARNETT: I thank the member for the question. CHOGM is a very significant event for Australia and Western Australia. It will be, I think, the third time Australia has hosted it. It came to us by chance to some extent in that Sri Lanka was due to host the event but pulled out simply because security could not be guaranteed because of some of the internal instability. There was a very strong view that it should remain within the Indian Ocean precinct. India was quite keen to host it, but it, as the member knows, is hosting the Commonwealth Games this year. Australia—indeed Western Australia—did not push hard and we did not lobby for the event, but there was a natural process whereby it was seen that Australia could certainly host it, and the Indian Ocean requirement basically brought it to Perth. I was very pleased about that. Hon Stephen Smith, MP, federal Minister for Foreign Affairs, discussed it with me prior to us putting Western Australia forward, and I thank him for the very professional way he handled that. It is estimated that about 4 000 people will come in total, including heads of government from 54 countries. The newly elected British Prime Minister, David Cameron, will no doubt be amongst them. That will be important.

The event will go over about three days and, apart from the heads of government meeting, there will be a business forum, a youth forum and a community forum of some sort. That last one is a bit less defined. We are also looking at having some sporting and cultural events to coincide with that, and there is a bit of discussion about that now. We are trying to keep very much to the commonwealth theme. I think we have to be careful, and we have allocated, in total, about \$10 million, as a state, towards CHOGM, and I think the commonwealth budget is about \$87 million, so it will be a significant event. A lot of that, obviously, will go on security measures, but it will be concentrated around that time. I think it will be very good for Western Australia and it will promote Western Australia and its links into Asia. The theme of CHOGM is likely to be something along the lines of Australia and the Asian link. I understand that invitations to participate will be going to non-commonwealth countries. The President of France, Nicolas Sarkozy, attended the last CHOGM in the Caribbean—I do not know whether he will come again, but I know there is a desire to have senior representation from Japan, China and other leading Asian nations.

Mr M. McGOWAN: Charles de Gaulle will be turning in his grave!

Mr C.J. BARNETT: Yes, he will be! This meeting will have a commonwealth–Australia–Asia theme about it, and hopefully more details will be finalised soon. I think it will be very exciting. All members of Parliament will be invited.

Mr M. McGOWAN: It is an exciting event, but now that Deirdre Willmott has left government, who will be running CHOGM?

Mr C.J. BARNETT: For the moment it is being handled through the Department of the Premier and Cabinet. Mr Richard May, from my office, is the contact in my office for the event. We anticipate that we will appoint someone to take the overall role. Mr Geoff Hay is looking after the security and those aspects, and he will continue in that role in dealing with the commonwealth. Someone will be appointed to handle some of the promotional events.

Mr M. McGOWAN: So there will not be an overall CHOGM tsar, if members like. I had the impression that Deirdre was the CHOGM tsar who was running everything, but will that not be the situation in the future?

Mr C.J. BARNETT: It will probably be different. We will probably break up the tasks a little. My office is directly involved, the Department of the Premier and Cabinet will oversee it, and it may well be that we will have someone who will organise some of the meetings, events and artistic side, and then Mr Hay will do most of the organisation of the actual security and transport issues and all of that. Someone will most likely be appointed either from within government or from without who will take a leadership role in the overall promotion of the event.

Mr M. McGOWAN: I have a question about, predominantly, the final paragraph on page 77 of the *Budget Statements*, although it is mentioned in the penultimate paragraph as well. It refers to the increase in funding for salaries and on-costs for the Agent General, and the earlier paragraph refers to European office salaries. Firstly, why has there been an increase in the salaries and what is it going to? Secondly, considering the Premier has the role of running the trade position of the state around the world, what offices have been closed while the British office is being beefed up? Thirdly, is this some sort of post-parliamentary preparation—PPP—on the Premier's behalf?

Mr C.J. BARNETT: The Office of the Agent General, Dubai and Japan fall under Department of the Premier and Cabinet; the other overseas postings—as I am sure the member is aware—fall under the Department of State Development; they are not all in the one area.

Mr M. McGOWAN: But the Premier is the minister.

Mr C.J. BARNETT: The Agent General, Kerry Sanderson, AO—a good appointment of the former government—is a former head of Fremantle ports, and she carried that senior salary with her to that position. That has added to the costs, I guess, of the Agent General's office in what might be seen as the more normal circumstance. A senior person in the Western Australian government was transferred, with her salary, to that position. I am not critical of that appointment; I think she is a very good appointment. That has meant that, as Agent General, her salary is above what the previous Agent General's was.

Mr M. McGOWAN: Is that the explanation for the totality of the costs?

Mr C.J. BARNETT: I think that is the explanation.

Mr P.F. Conran: Largely.

Mr C.J. BARNETT: If the Premier went there, would he take his salary there?

Mr C.J. BARNETT: If I was to be Agent General—in the member's dreams—the cost would drop!

Mr M. McGOWAN: Is it a performance-based thing then?

Mr C.J. BARNETT: It would drop a lot then!

[3.10 pm]

Mr A. KRSTICEVIC: I refer to the significant issues and the third and fourth dot points on page 75 of budget paper No 2. What is the expected total cost to government of implementing the Economic Audit Committee's recommendations? Secondly, what is the total savings to government expected from the Economic Audit Committee's recommendations?

Mr C.J. BARNETT: We do not have a total cost as such because, as I have said, we are doing it issue by issue. Some of the recommendations will save money; others will require the expenditure of money. I cannot answer that question; I cannot put a dollar figure on it. I have absolutely no doubt that the Economic Audit Committee's recommendations have already resulted in substantial improvements and, therefore, long-term savings to the operation of government. The member will recall that during the difficult financial circumstances of the past 18 months, the Economic Audit Committee identified literally hundreds of millions of dollars of savings across government that were implemented, and that is one of the reasons that we were able to make a budget surplus. It was controversial; there were a lot of reductions in grants and other things were abolished. I cannot put a figure on it, but I would think that those savings were in excess of \$100 million at least, and probably far more than that. Although it was immediate surgery, as it were, that was put in place, the long-term reform in the public service will be more important. It is significant to note that the total size of the public service has not been frozen, but there has been minimal growth, and that is important. The state is growing and the issues are more and more complex, yet it is being done within the existing establishment of the size of the public service. That is hundreds of millions of dollars. In previous years the number of people in the public service grew at 8, 10 or 12 per cent. That was unsustainable. We now have a stable public service in terms of its size, and internally it is becoming ever more efficient.

Mr E.S. RIPPER: I refer to page 79 and to the asset investment program. I note that in the asset investment program, no asset investment at all is forecast in the last two years of the forward estimates. Is the government

really proposing to freeze new asset investment in this department in those years, or is this an accounting device to minimise the projected net debt levels forecast in the overall budget? Is the Premier actually saying that there will be no replacement of computers in the department in 2012–13 or 2013–14? Usually, in a department such as this, there is an ongoing program of replacement of computer hardware and software. It really is not credible to think that that will not happen in 2012–13 or 2013–14, and therefore the Premier should have the figures in there and they should be part of his net debt calculations.

Mr C.J. BARNETT: I will ask the department to comment on that.

Mr P.F. Conran: I might get Mr Jones, who is one of our accounting experts, to answer that.

Mr E.S. RIPPER: I think the director general should probably get one of his IT experts to explain why there is going to be a two-year pause in replacing computers, which would not happen in any department that I am aware of.

Mr K.A. Jones: I was just speaking to our chief finance officer as well. Another election will be due to be held during that period. We have not yet put forward an asset investment program. As the member will see, the majority of the department's investment in assets relates to refits, refurbishing of offices et cetera. In that same time frame, the department will in fact have to seek new accommodation. Until such time as those things are known, we have not put up a new asset investment program.

Mr E.S. RIPPER: Premier, it sounds to me very much like there will be an asset program in those two years; it is just not specified yet and therefore it should be added to this net debt figure.

Mr C.J. BARNETT: Time will tell.

Mr T.R. BUSWELL: Following on from this interest in assets, the Premier may not have this information available, but perhaps he might be able to provide it to us. I am interested in asset purchases from the Leader of the Opposition's office. From my recollection, not that I have a fixation on this —

Mr E.S. RIPPER: The member for Vasse hankers for those old days. I have already been here twice as long as he has.

Mr T.R. BUSWELL: I nearly tied myself to the photocopier. From September 2008 to August 2009, the Leader of the Opposition bought one photocopier for \$5 600, maybe another photocopier for \$11 687 and maybe some lighting and audio equipment for \$10 780. I am wondering whether the Premier has available details of any other asset—"asset" is generally defined as something over \$5 000—purchased since August 2009. He may not but if he does, I am sure it would be of interest to members of the committee, especially the three sitting here. It is a well-equipped office.

Mr C.J. BARNETT: I do not have that information, but I am sure that I could provide it by way of supplementary information.

Mr T.R. BUSWELL: I thank the Premier. I really appreciate that. That would be fantastic.

Ms R. SAFFIOTI: Can I just follow on from that?

The CHAIRMAN: We will deal with this matter first.

Ms R. SAFFIOTI: I was going to ask whether the Premier could provide information for all assets purchased by all ministerial offices since September 2008.

Mr T.R. BUSWELL: The member can ask lots of questions on notice.

The CHAIRMAN: We will deal with the first matter first. The Premier has agreed to provide the supplementary information and is happy with the question that was asked.

Ms R. SAFFIOTI: Is he willing to provide the same information for all ministerial offices since September 2008?

Mr C.J. BARNETT: I think the member has to be more specific. I am not going to engage —

Ms R. SAFFIOTI: Okay; for the former Treasurer's office.

Mr E.S. RIPPER: The Premier has agreed to provide supplementary information about capital purchases in the Leader of the Opposition's office. Now he appears to be refusing to provide the same information for ministerial offices.

Mr C.J. BARNETT: The member was inquiring particularly about the cost of photocopiers. He gave specific examples.

Ms R. SAFFIOTI: Okay; for all new photocopiers, scanners and cameras bought by ministerial offices.

Mr C.J. BARNETT: I am not going to entertain a fishing expedition.

Mr M. McGOWAN: His was a fishing expedition.

Mr C.J. BARNETT: No; it was quite specific.

The CHAIRMAN: Members, I am dealing with a specific question asked by the member for Vasse.

[*Supplementary Information No A12.*]

Ms R. SAFFIOTI: Can the Premier provide information on all assets bought by the former Treasurer's office?

The CHAIRMAN: Is the member for West Swan seeking the call?

Ms R. SAFFIOTI: It is the same line of questioning. I am just asking a follow-up question.

The CHAIRMAN: The member was next on the list.

Ms R. SAFFIOTI: This is a follow-up question. Will the Premier provide information on all assets bought by the former Treasurer from September 2008 to April?

Mr C.J. BARNETT: I am prepared to provide information, if we can find it, on the assets purchased by the Leader of the Opposition's office and the former Treasurer's office over the same time period.

Mr M. McGOWAN: Can I ask for further information on that?

The CHAIRMAN: I need to allocate another number.

[*Supplementary Information No A13.*]

Mr E.S. RIPPER: Why is the Premier refusing to provide that information for all ministers? These offices are all in one category. Supplementary information is being provided for two offices, but not for anyone who is currently in executive government. Information on the opposition and a former minister will be provided, but not on any current incumbent minister. That seems a bit absurd to me. It is the reverse of normal accountability.

Mr C.J. BARNETT: The estimates committee process runs to a time line that is pretty tight, so if members want information of that nature, I invite them to put questions on notice so that there is time to collect the information. We can obviously deal with a couple of offices fairly quickly, but we cannot go right through the whole public sector.

Ms R. SAFFIOTI: You should not set up dorothy dixers.

Mr C.J. BARNETT: It was not a dorothy dixer at all.

Ms R. SAFFIOTI: Yes, it was.

Mr C.J. BARNETT: It was not.

Ms R. SAFFIOTI: I saw the note.

The CHAIRMAN: Let us move on to the member for Rockingham.

Mr M. McGOWAN: The Leader of the Opposition has basically said what I was going to say. Estimates is supposed to be fair; and if the Premier is going to answer questions only in relation to the opposition, that is hardly fair. I think it is reasonable for the public to have an expectation that the Premier will provide important information on what goes on in ministerial offices on the same basis.

Mr C.J. BARNETT: No; I have not refused to answer it. I said that there is a lot of detail in that and, in the context of an estimates process, it is in my view too much. If members require an answer to that, I invite them to put a question on notice so that there is time available to do so.

Mr M. McGOWAN: I will refine it down to all equipment above \$1 000.

Mr C.J. BARNETT: No. I am not going to do fishing expeditions. A question was asked about the Leader of the Opposition's office. The member for West Swan asked a question about the former Treasurer's office. I have agreed to answer those two. That is one each side, as it were. But I am not going to do, in the estimates context, a review and costing of all ministerial offices. Members have the parliamentary process available to them; I suggest they use it.

[3.20 pm]

Mr E.S. RIPPER: Most people would think it extraordinary that the estimates process would not allow us to investigate —

The CHAIRMAN: Leader of the Opposition and member for Rockingham, I am giving a fair bit of leeway here and I direct that you now ask your substantive questions.

Mr M. McGOWAN: I refer to note 1 on page 78 of the *Budget Statements*, which is about the projected 2010–11 budget target full-time equivalents. It is noted in the government policy management section on that page that

there has been an 18 per cent increase in the budget target and that equates to, since the former government was in office, nearly 30 additional staff. What will those 30 additional staff do? How can the Premier justify that in light of all the cut backs in other agencies? Why does the government need an additional 30 staff to coordinate strategic policy advice above and beyond what the former government had?

Mr C.J. BARNETT: There is an additional 11 full-time equivalents going into the policy division.

Mr M. McGOWAN: But that is not what it says.

Mr C.J. BARNETT: There are. Also, graduates have been included within Department of the Premier and Cabinet staff, whereas previously they were not. There has been a reorganisation. This government has closed down the social policy unit that the previous government had in place, so there has been a reorganisation of staff. If the member wants a further breakdown of those additional staff and the shifting of staff within the department as the director general has rearranged activities, I am happy to provide that.

Mr M. McGOWAN: I would appreciate that by way of supplementary information.

Mr C.J. BARNETT: Maybe the director general can answer the member's question directly; he has more information before him.

Mr P.F. Conran: The allocation for 2010–11 will be 91 full-time equivalents. That is made up of 30 in policy support, two in the Indian Ocean territories, 13 in intergovernment relations, 9.6 in cabinet and parliamentary services, and 8.5 in state security and emergency coordination. The actual number of FTEs in the policy unit is therefore 63.1. However, in addition to that to give a total cost of service, we now allocate certain corporate services positions into the policy unit as well as into the executive arm, service 1, so that allocation is 17. We now allocate all graduates into the policy area. They were previously spread across the agency and we have increased the number of graduates, so we now allocate 10.9 into the policy area. That gives us a total of 91 FTEs. If I back cast that to the operation in 2007–08, the actual number in the policy unit, as I am advised, was 70.8 as opposed to 63.1 in the current year. There were fewer corporate services allocations into that area and there was only one graduate allocation into that area. To reflect on that, while our figure is now 91, your figure was 81.

The policy area in 2010–11 includes an extra 10 FTEs, which is a result of four executive director positions being appointed, and we have a number of support staff to run with them, so that gives us a total of eight, and we have two additional staff to support the implementation of the Economic Audit Committee recommendations. The four executive director positions are, as mentioned by the Premier, designed to lift the policy capacity of the Department of the Premier and Cabinet. We now have two deputy director generals and four executive directors leading the arrangement.

Mr M. McGOWAN: Following on from that I have a couple of questions. I wonder whether the Premier could provide the total cost of the policy officers and provide a list of the names, job titles and levels of all the people in the policy office by way of supplementary information? The second question I have is in relation to something the director general said—namely, “our” numbers are different from “your” numbers. I wonder whether the Premier could clarify what it means when the independent head of the public sector says ours are this and yours were that.

Mr C.J. BARNETT: I think Mr Conran was referring to the numbers in this government compared with your government, which was the previous government. Mr Conran is the head of the Department of the Premier and Cabinet, he is not the head of the public sector; the head of the public sector is Mr Malcolm Wauchope, Public Sector Commissioner.

Ms R. SAFFIOTI: So he is allowed to be party political?

Mr M. McGOWAN: That is a partisan sort of statement, the Premier would have to admit that.

Mr C.J. BARNETT: Members opposite may interpret it that way. However, in terms of the member's question referring to the names and positions of people within the policy unit —

Mr M. McGOWAN: And the value.

Mr C.J. BARNETT: I have to say that in a sense I guess it is public information but I really question why the member would ask that question. I think ministers and maybe ministerial staff in a sense are fair game. Unlike the previous government, we do not have term-of-government employees within the public service. That is a sharp difference between —

Mr E.S. RIPPER: Is the Premier saying that the policy unit has no term-of-government employees?

Mr C.J. BARNETT: No, I think there is one term-of-government employee within the Department of the Premier and Cabinet, and that person has been there for a long time. I understand that it is just a peculiarity of her employment and she has served under successive governments. Therefore, the point I make to the Leader of the Opposition is: unlike the previous government, term-of-government employees are only in ministerial offices, with that one exception, which is a historic case of a person who is still under that contract and has

served successive governments. The previous government had a significant number of term-of-government employees put into the public service. One of the standards that I set as a Premier was that we would have term-of-government employees only in ministerial offices. We have basically done that and we did it very, very quickly. Therefore, there is a sharp difference.

Mr E.S. RIPPER: If the Premier takes a political consultant and makes him director general, then that is the mechanism that the government uses, is it not?

Mr M. McGOWAN: Premier, I am merely asking what the names of the people are and what the total cost of the unit is. I think the public should be able to have the answer to that.

Mr C.J. BARNETT: I will tell the member for Rockingham what I object to. I do not object to providing the numbers of people in any part of any department or indeed their level, but I ask: Does the member really want to know the names of public servants working in a section of a government department? Where is the member going with that? Ask me the names of people working in my office or any other office and I will not hesitate; they are political ministerial officers.

Mr M. McGOWAN: I am just asking the total cost.

Mr C.J. BARNETT: The member asked for names before. I am happy to provide details of the numbers of people and their salary classification. I would prefer not to name public servants in the Parliament. I think that is bad practice.

Mr M. McGOWAN: By way of supplementary information, can I have the levels of the 91 people working there and the total budget of the unit?

Mr C.J. BARNETT: The total budget is in the budget papers and it shows salary costs but we will give the member, if he likes, a breakdown by classification level of the employees within the Department of the Premier and Cabinet.

Mr M. McGOWAN: And the salary costs.

Mr C.J. BARNETT: And the total salary cost, yes.

The CHAIRMAN: The Premier agrees to provide the supplementary information as described.

[Supplementary Information No A14.]

Dr M.D. NAHAN: I refer to the third dot point under “Government Policy Management” on page 78, which refers to intergovernmental negotiations. The Premier has a lot on his plate with that, particularly health and the resource rent tax. I do not see too much allocation in the budget for growth in that. Can the Premier explain what the work program might be over the next year or so and how it impacts on this budgetary allocation?

[3.30 pm]

Mr C.J. BARNETT: I think one of the several things that surprised me when I took on this job was the amount of time spent—my time and the time of senior people in government—on intergovernmental relations. There are the high-profile issues, I guess, of the goods and services tax share to Western Australia and the attempt of the Rudd government to basically confiscate one-third of all GST, which translates to half of our GST, and now the attempt to basically take control of the mining and petroleum industry. I cannot really recall a situation in which three issues like that have coincided in the space of maybe two months. That takes a great deal of time. I will ask the director general to comment. However, I spend a lot of my time on these issues, the director general spends a huge amount of his time on these issues, and my chiefs of staff, both current and former, spent and spend a great proportion of their time on these issues. I cannot remember off the top of my head, but under the Rudd style of federalism, there was meant to be a reduction in the number of specific-purpose payments and the like. However, we have seen a plethora of intergovernmental agreements that have developed. Starting off, I believe the intent of simplifying it was good, but it has now suddenly gone through a U-tube type dip, and now we are finding incredible complexity in those relationships.

Mr E.S. RIPPER: The commonwealth bureaucracy is the commonwealth bureaucracy.

Mr C.J. BARNETT: Yes. I thought for a while we were getting good relations, but they have certainly soured. Maybe the director general can comment on who within his department works in that area particularly.

Mr P.F. Conran: In relation to the policy area, there is a significant number. We have an intergovernment relations unit, which will have, I think, 12.4 or 13 people in it next year. They are solely devoted to dealing with commonwealth–state issues, and some Council for the Australian Federation-related issues. In addition, both deputies are heavily involved in that process. David Smith is a coordinator of a large number of projects. We are obviously dealing with the commonwealth at a high level in relation to the health reform proposals. Obviously, we have a range of resources dedicated to dealing with resource rent tax issues, and that is in combination with Treasury and our Department of Mines and Petroleum and Department of State Development. I spend quite a

deal of time dealing with the commonwealth on a range of issues. I will be meeting with commonwealth officials tomorrow on issues. I would say that it is well over 50 per cent of the work. One of the objectives that we are trying to achieve through the Economic Audit Committee and others is to implement the state's own reform agenda. We have been seeking to prioritise state reform proposals ahead of the proposals that had previously driven the process, which were Council of Australian Governments reform proposals.

Dr M.D. NAHAN: I have a supplementary question. How many people, or full-time equivalents, across the state public sector do you think would be involved in intergovernmental negotiations on a full-time or predominant basis? Treasury would have a lot.

Mr C.J. BARNETT: There is a large number in Treasury and in the Department of Health at the moment, and probably to a lesser extent in the Department of Education. A high proportion of senior executives in Health are spending their time on intergovernmental relations and so-called proposals for health reform. As the member would well understand, we cannot be second rate at this. The stakes are very high for Western Australia. That is why we need high-quality people. The commonwealth turns up with battalions of very highly qualified, very bright people, and we have to be able to match that.

Mr P.F. Conran: I will make one point in that regard. We are trying to get some savings in the process. All states and the commonwealth are now establishing what is known as a tele-presence. We are about to establish a tele-presence in Dumas House, which will hopefully avoid the need for battalions of WA public servants to travel invariably to Melbourne or Canberra to attend various meetings. We will be able to do them via secure videoconferencing facilities, in part paid for by the commonwealth in recognition that the various COAG reforms result in significant time pressures, and those time pressures are greater in Western Australia than they are anywhere else. We lose people for three days; interstate, they lose them for an afternoon.

Mr E.S. RIPPER: And they leave early so they can catch their flight home.

Among the plethora of issues that the enlarged policy unit deals with, according to page 75 of the budget papers, is the question of independent public schools. I just want to get some clarification from the Premier on the nature of this initiative. I want to know how genuinely independent these schools are. I want to know whether a ministerial power of direction is still in the system and whether the minister will take responsibility for what happens in the schools. I have some other questions, but that might be a start. Is there, according to the report of the Burt Commission on Accountability, a residual ministerial direction, and does the minister accept responsibility, as the minister, for what happens in independent schools?

Mr C.J. BARNETT: The Minister for Education is responsible for all schools in the government sector, and also has a level of responsibility as a regulator for schools in the Catholic and independent sector. Ultimately, the Minister for Education is responsible for the education of every child in Western Australia. We are not shirking away from that broad ministerial responsibility. As the Leader of the Opposition would be aware, there are 34 in the first group of independent schools this year, and 130 schools have expressed interest in becoming independent public schools for the 2011 year. Therefore, I think schools, parents and teachers are voting with their feet. As to the degree of independence, the schools have been given a fair level of autonomy. I would expect, as the years go by, that that autonomy will increase. So this is not a case of there it is; that is what determines an independent school and that will never change. We are proceeding carefully and cautiously. I guess the pressure is that more schools than we anticipated are wanting to take this on quicker. I note that the federal education minister, Julia Gillard, is boasting in the media about the independent public schools program in Western Australia, and, indeed, trying to take some credit for it on reflection. The feedback that I have heard from the schools is nothing but enthusiastic. Probably many of them would like a greater degree of autonomy. That may happen over time.

Mr E.S. RIPPER: I have some follow-up questions. The Premier did not answer whether the minister has the power to direct, which is essential for parliamentary accountability. Is there an answer to that question?

Mr C.J. BARNETT: My answer is that, yes, that has not changed under the School Education Act. The School Education Act has not been amended to allow for independent public schools. It is largely an administrative arrangement, so the powers of the minister would remain as they were.

Mr E.S. RIPPER: I have some follow-up questions. Can an independent public school deviate from the national curriculum that has been agreed to by the state government? Can an independent school hire and fire teachers, and what happens to the employees that an independent school no longer wishes to employ? Can an independent school in any way contravene enterprise bargaining agreements or other industrial conditions that have been agreed to at a departmental level?

Mr C.J. BARNETT: I am happy to answer the question, but I think we are delving very clearly into the education portfolio.

Mr E.S. RIPPER: Independent schools are described on page 75.

Mr C.J. BARNETT: Yes. I am happy to answer the question, but I think the Leader of the Opposition is better off raising these issues in detail with the education minister. The employment is according to the industrial agreement between the department—the government, if one likes—and teachers, so they have to work within that. They have the capacity to employ teachers; they do not have the capacity to fire teachers as such. But I guess if they are dissatisfied with a teacher's performance, like any other school they can draw that to the attention of the department. They are not totally independent; they still work within the confines of the education system and they work according to industrial agreements and according to the School Education Act, but they are getting increasing amounts of autonomy. On the curriculum issue, yes, they do have a greater degree of flexibility, but, again, they work within the confines of the agreement on curriculum.

[3.40 pm]

Mr E.S. RIPPER: So they cannot contravene the national curriculum.

Mr C.J. BARNETT: They have to work within the agreement that we have with the commonwealth government over curriculum. I have not looked at the national curriculum documents, but I would be very surprised if they do not have a degree of flexibility within each subject area; most curriculums do. So they will have the ability to choose within it and choose the mix of subjects that they provide to their students.

Mr E.S. RIPPER: The Department of Education would have department-wide policies—for example, regarding the proportion of people employed on permanent status compared with the proportion of people employed on fixed-term contracts. I am speaking, for example, of education assistants. Do independent schools have to abide by those department-wide employment policies, which may not be part of enterprise bargaining arrangements, or do they have the independence to, for example, hire all their education assistants on fixed-term contracts rather than on permanent status?

Mr C.J. BARNETT: I cannot answer the specifics of that question, but they certainly do have greater flexibility on employment, and some of the schools that I have visited have chosen to have a different mix of staff for various reasons—generally because of the nature of the composition of students they have within their school. They do have greater flexibility in employment.

Mr E.S. RIPPER: Can they vary class-size rules, for example?

Mr C.J. BARNETT: They can configure classes in different ways, yes. I know that class size is the Holy Grail to the State School Teachers' Union of WA, but the educational research on class size is pretty ambivalent. Indeed, one initiative when I was education minister that I and the department introduced into high schools for years 11 and 12 was small lecture theatres. So the class size in there—Shenton College is an example—could be up to 50 or 60. Why? It is because it was preparation for university study. Small, quite intimate lecture theatres are a great way to learn and a great way to teach. I think the member for Riverton would agree with me. They are properly designed and in a tiered format, and are great learning environments. Class size is an industrial issue; I am not sure that it is a particularly good education issue.

Mr E.S. RIPPER: I have one further question. How will the government measure the performance of independent public schools, and what are the accountability mechanisms? If the government decides that an independent public school is not performing according to the measures that the Premier outlined, what will be the government's response?

Mr C.J. BARNETT: If an independent public school did not perform, it would be brought back under the control of the department.

Mr E.S. RIPPER: So, the sanction would be to lose its independence.

Mr C.J. BARNETT: Yes. How do we measure performance? There will be a constant review of the performance of schools. Anecdotally—we are only a few months into it—schools are reporting high levels of morale among teachers. They feel empowered: they have a say about the educational program and about the management of the school. Enrolments are strong, parents are strongly supportive that they feel they have a greater say, and I think it has been all positive. I know that when we first announced this policy, there was a view that the independent schools would be in high socioeconomic areas that tend to get a higher achievement level and fewer problems of antisocial behaviour or absenteeism, whatever it might be. A deliberate decision was made that such schools not be confined to such areas and that they be across the spectrum of city, country, different income levels and a different mix of students. Indeed, some of the greatest achievements are being made in some schools that would be regarded in a sense to be more difficult schools. That flexibility to adjust to kids who do not fit into a nice, neat mould is probably where the achievements are greatest. I think the Leader of the Opposition will find that schools that have perhaps underperformed will be the biggest gainers when they take on independent status. That was not the view that people took when this was introduced. They thought this was going to be almost like an elite set of schools within the government school system. It is not working out that way at all. Some of the schools at the lower end of achievement are making the greatest gains, which is a great thing.

Ms R. SAFFIOTI: My question relates to the income statement on page 80 of the *Budget Statements* under accommodation. The question more broadly relates to the lease currently at Governor Stirling Tower that, I understand, will expire in 2012. What negotiations have taken place in respect of the location of ministerial offices and the Department of the Premier and Cabinet post that time?

Mr C.J. BARNETT: Yes, the member is right. As she well knows, the lease in Governor Stirling Tower is expiring mid-2012. This government was quite keen to try to extend that lease; the previous government probably was, too. The building owners are not entertaining that, so it looks like we will be out on the street. That question is better directed under the Treasury portfolio, as Treasury is taking the lead role in government accommodation. We as a government have made a decision to increase the leased area in 140 William Street, so that the whole building now will be government. Work started by the former Treasurer to consolidate government leases is being continued. I can speculate, but in terms of actual detail, that can be provided under the Treasury portfolio. We are looking as a government at Dumas House and probably in the future most ministerial offices will be located there. We have also asked the state architect to look at the parliamentary precinct—I think it has been reported in the media—to see whether there is scope for an additional government building to be put in there. My view, for what it is worth, is that we should have government largely located within the parliamentary precinct in—if members like—a government precinct area. In that I would include ministerial offices—probably senior ministerial offices—and the central agencies of Premier and Cabinet, the Public Sector Commission and Treasury. Most states have gone down a similar path.

Ms R. SAFFIOTI: In respect of ministerial offices and DPC, I understand that some parts of agencies will go to 140 William Street, but the core of government, in a sense—ministerial offices, DPC and the Treasury part of the Department of Treasury and Finance—are all likely to go to Dumas House.

Mr C.J. BARNETT: They will not all fit in Dumas House. Ultimately, it is likely that a new building will be built somewhere over near Dumas House. The Government Architect is looking at that and obviously the Presiding Officers will have a say. We will all have a say, but that is where I think it will end up. However, in the meantime, there will have to be some temporary arrangements put in place.

Ms R. SAFFIOTI: Will refurbishing of Dumas House be required?

Mr C.J. BARNETT: There will be some refurbishing of Dumas House, yes.

Ms R. SAFFIOTI: Has any estimate of the cost of that been undertaken?

Mr C.J. BARNETT: I am not aware of the costings of that yet. It will be a progressive floor-by-floor exercise.

Ms R. SAFFIOTI: Have any costings been undertaken and has that information —

Mr C.J. BARNETT: I will be happy to answer that when we get to the Treasury portfolio.

Ms R. SAFFIOTI: Pardon?

Mr C.J. BARNETT: I will answer that when we get to Treasury matters, where that is handled, as Treasury has responsibility for this, and I can then provide the detail.

Dr M.D. NAHAN: The sixth dot point on page 75 states —

... the Immigration Detention Centre on Christmas Island require the Department to support Government in its negotiations ...

Is that a big impost on the state in terms of providing all those services; and does the Premier expect substantial growth in the expenditure requirements in providing for the, I guess, unauthorised boat arrivals?

Mr C.J. BARNETT: Western Australia, as the member probably knows, does provide services to Christmas Island and Cocos (Keeling) Islands, neither of which I have visited; I do not know whether the member has. The state runs education and health services there; Western Australian law applies in those areas; and at one stage I understand the commonwealth was contemplating basically handing over responsibility for them to Western Australia. That is something that Western Australia should seriously consider. Obviously Christmas Island has a particular issue at the moment with the detention centre, or asylum centre—whatever it is called—overflowing; so that is a complication. My own view is that we could take a greater administrative role on those islands. They will always be Australian territories. Various agencies within government basically run the islands and provide the services. We provide teachers, hospital staff, police officers and the like. As to the cost of it, I ask the director general, if he can, to add anything to that.

[3.50 pm]

Mr P.F. Conran: I do not have the specific cost, but I can provide that by way of supplementary information. I can say that we have got about 45 service delivery arrangements between the state and commonwealth. We recoup about 109 per cent of the cost of that. I want to have a review of that. I am not sure that that reflects sufficiently the amount of time that some agencies take to deal with the issues. There are increasing burdens in

relation to requests because there are increasing numbers of people at Christmas Island. We have a dedicated area that looks at that matter; it comprises two people. They spend the whole time negotiating with the commonwealth and dealing with our agencies to ensure that the service delivery arrangements are working well.

Mr C.J. BARNETT: My observation is that Western Australia does a very good job, and has for a long time, on those three islands.

The CHAIRMAN: Member for Riverton, do you want to take up the offer of supplementary information?

Dr M.D. NAHAN: Yes, thanks.

The CHAIRMAN: Through the Premier, the director general agrees to provide the supplementary information required by the member for Riverton.

[*Supplementary Information No A15.*]

Mr E.S. RIPPER: I refer again to page 75 of the *Budget Statements* and the references to health services and the Council of Australian Government agreement in April 2010 that Western Australia did not sign. Although the proposed federal deal includes a GST clawback element that I regard as negative—and I am sure the state government regards it as negative—is the federal deal not essentially budget neutral for the state, less GST revenue but equivalent less spending responsibilities in health, and therefore delivering a bottom line? I am not asking for a debate on the overall merits of the deal, but is not the point I make essentially true—that the outcome is budget neutral for the state?

Mr C.J. BARNETT: Can I preface my answer by saying that we have essentially agreed over the health component, including the management of the health system, with the commonwealth. Western Australia has given ground on that. We have agreed to a different structure of local health networks, and we have agreed about how the fund for activity-based funding would work and how it will be administered. There is only one point of difference—it is not a health issue; it is a revenue GST issue. I know the Leader of the Opposition is aware that I have said, on behalf of Western Australians, that we would be willing to pay an equivalent amount of money into a fund. As I understand it, the latest version would be a commonwealth–state fund for each state. We would pay into that. The only point of difference is that the commonwealth wants to take the GST rather than us pay the GST. In a sense, if that is the only point of difference, the Leader of the Opposition is right—it is revenue neutral. If we had a static state situation, I would suggest it would not be revenue neutral into the future. If I were to agree to that, we would be giving away our financial autonomy to make our decisions. I have said to the Prime Minister that I am happy for Western Australia to sign, for example, a five-year agreement that is renewable, whatever the time might be; therefore there would be absolute security. I think the commonwealth is concerned. In the commonwealth's view some other states, not Western Australia, have apparently used health funds for other purposes. That has caused a fair bit of tension between the commonwealth and those states —

Mr E.S. RIPPER: I do not think the state of Western Australia has done that.

Mr C.J. BARNETT: No, it has not; and it is not suggested. I think it has primarily been New South Wales that has done so over the years. That has caused mistrust. Some of the other state Premiers might now be wishing they had kept the same line that Western Australia has kept.

Mr E.S. RIPPER: Listening to the Premier's answer, I wonder whether he has agreed in effect to turn a proportion of our GST grant into a tied grant. Under the agreement signed by the government in 1999, of which the Premier was a member, GST came to us without conditions. Has the Premier in effect agreed that a substantial part of it is now to be a tied grant by agreeing that it will be paid into a health pool?

Mr C.J. BARNETT: It is a fund that we would have a say over, so, yes; but I think the total Western Australian government expenditure on health, principally public hospitals, is about \$5.5 billion. This payment into a joint fund from Western Australia would be about \$1.5 billion. It is between a quarter and a third of the health budget. It is not a tied grant. It would be a commonwealth–state agreement to jointly fund activity-based funding of public hospitals in Western Australia. We are willing to be cooperative on that.

Mr E.S. RIPPER: It seems like we lose our freedom to spend that money. It seems like a tied grant to me.

Mr C.J. BARNETT: No; because, Leader of the Opposition, should the system fail—and there are those in the state bureaucracies and maybe even in the commonwealth bureaucracies who think it may fail—at least we preserve the right of Western Australia to leave the system.

Ms R. SAFFIOTI: My question relates to the financial statements on pages 80 and 81 of the *Budget Statements*. I have two questions relating to the statements. In respect of “Income Statement (Controlled)”, there is a significant increase in the figure at “Sale of goods and services” from the amount budgeted for in 2009–10 to 2010–11. What is the source of that additional revenue through the sale of goods and services? The other, more technical issue, relates to the rundown of cash assets as shown on the balance sheet on page 81 under “Cash assets”.

Mr C.J. BARNETT: If we can deal with the first one first: the increased revenue from the sale, I understand, relates to printing.

Mr P.F. Conran: It is usually printing. I just want to check. Premier, my advice is sales of goods and services is made up of departmental revenue to revenue resources received free of charge, determined on the basis of annual estimates by these agencies—Department of Treasury and Finance, Building Management and Works; Department of the Attorney General, legal services; and Department of Treasury and Finance, information systems. I am not sure whether that answers the question.

Ms R. SAFFIOTI: The income was not actually received; it is just a book entry on both sets of books.

The CHAIRMAN: Member for West Swan, could you direct your question through the Chair to the Premier.

Ms R. SAFFIOTI: In relation to the sale of goods and services, they are not services being sold; it is basically a book entry that is put into DPC, plus the other agency, in respect of services provided free of charge but with some notional cost. Is that right?

Mr C.J. BARNETT: I ask the director general to answer that, if he can.

Mr P.F. Conran: I believe that is the case, but I would rather clarify this issue by way of supplementary answer if I may, unless our chief financial officer is in a position to answer that immediately. I suggest we take it on notice.

Mr C.J. BARNETT: We will provide supplementary information on the detail of that matter.

The CHAIRMAN: Could the member for West Swan clarify exactly what she is asking for?

Ms R. SAFFIOTI: My question relates to “Sale of goods and services” on page 80 under the heading “Income Statement”. I seek an explanation of the significant increase between the 2009–10 budget and the 2010–11 budget estimate from \$2.063 million to \$2.735 million.

[*Supplementary Information No A16.*]

Ms R. SAFFIOTI: The second part of the question may need to be provided through supplementary information, too. It relates to the cash assets; that is, the significant rundown between the 2008–09 actual to the 2010–11 budget. Is that basically a reduction in the appropriation, creating a greater need to call on the cash assets of the department?

[4.00 pm]

Mr C.J. BARNETT: I can provide some information on this. I am advised that the normal cash balance for most agencies is about five per cent of their appropriation. The Department of the Premier and Cabinet has generally carried a slightly higher cash balance for the reason that it is often called upon to meet unbudgeted expenses, such as a donation or a special grant for a natural disaster. The cash at bank increases from \$6.2 million in 2010–11. The increase in out years is due to \$8 million cash received from the Office of Native Title, for which Department of Treasury and Finance has not increased the expenditure limit, so it sounds to me like some money that was in the Office of Native Title is basically parked in the Department of the Premier and Cabinet at present. The department aims to keep its cash generally in the range of \$5 million to \$9 million.

Ms R. SAFFIOTI: Does that represent about five per cent of the total budget?

Mr C.J. BARNETT: It would be pretty close to it; it would be at the lower end, but it is a little higher than most departments.

Mr E.S. RIPPER: I refer the Premier to an article that appeared in *The West Australian* online on 24 May, headed “We’ll match Rudd’s health funding: Barnett”. It includes the following statement —

The CHAIRMAN: I am unaware that the Leader of the Opposition can reference a newspaper article in his question, and I ask him to reference a page number.

Mr E.S. RIPPER: I am actually referring to page 75 and the references to health that appear there.

The CHAIRMAN: Thank you very much; far more appropriate than a newspaper article. Perhaps you could start with the page reference.

Mr E.S. RIPPER: I will accept your guidance, Mr Chairman. I refer to the fifth dot point on page 75, which refers to the Council of Australian Governments agreement of April 2010, which Western Australia did not support, and to the article from *The West Australian* online of 24 May, headed “We’ll match Rudd’s health funding: Barnett”. In the article, the Premier is quoted as saying —

“I expect any health funding will flow from Canberra into Western Australia,” he said today.

“But if there is some gamesmanship where they try and hold back some funding, I guess we’ll fill the gap if that’s what is necessary.”

What is the current status of negotiations, as these payments are flowing to patients in other states from 1 July? Will there be, at the very least, some delay in Western Australian patients receiving the benefits of these payments? Is the Premier really saying that if the negotiations break down, the state government will make up the difference? What is the extent of that hit on the budget over four years?

Mr C.J. BARNETT: The discussions continue between the various health agencies. While the other states have signed and we have not, all states are in negotiations with the Rudd government about every aspect of their health proposals. I can assure the Leader of the Opposition that they are far from settled. If ever the expression “policy on the run” had merit, it is what happened at COAG. There were little meetings taking place between the Prime Minister, the Treasurer, the health minister and the various Premiers. There were drawings on maps to illustrate what they thought the flow of money and the lines of management would be. It was all over the place. If anyone has the view that somehow the federal government brought a thought-out, detailed proposal, they are wrong. I was dismayed, if not amazed, on the second day of COAG, to watch the amateurish attempts to draft a national health policy. It was embarrassing; I thought it was embarrassing for Australia. This is not even a work in progress, and there is significant doubt around the state bureaucracies as to whether it can work; I think there is probably also some significant doubt in the federal health bureaucracy, but we are, in good faith, taking part in all those discussions and the commonwealth government is including us in all those discussions. If the federal government is still there at the end of the year, will it penalise sick and elderly people in Western Australia? I do not think so. Even if we end up going our own way—it may be that we go our own way—the people of Western Australia will make decisions on health care here. We will not slavishly mirror every single measure the federal government takes. For example, the cost of its bureaucracy will be massive, and we will be free of that. We have to take part in or contribute to a new super-agency for health funding in Canberra. At the end of the day, I think the commonwealth government will agree to what we are saying about the GST payment. While that is the issue that gains the most attention, the real issue, ultimately, is whether the system will work. I have to say that I have some serious doubts about that.

Mr E.S. RIPPER: Is the Premier really saying that, come what may, Western Australian patients will get the benefit of these additional expenditures, even if the state has to fund those expenditures? Is that what the Premier is saying?

Mr C.J. BARNETT: Not necessarily for every particular expenditure, because some of the commonwealth programs might be, in our view, not of the highest priority. The commonwealth government will have to mount a pretty strong argument to say that it will discriminate against people from one state to another. It would be pretty hard for a Labor member of Parliament or candidate to say he or she will support fewer services for people in Western Australia.

Mr E.S. RIPPER: Does the Premier think there is a chance that extra moneys will flow to other states from 1 July and not to Western Australia for some period after that?

Mr C.J. BARNETT: I suppose there is a chance of that; we will see.

Meeting suspended from 4.06 to 4.16 pm

[4.16 pm]

Mr M. McGOWAN: We have a quorum. Premier, page 78 of the *Budget Statements* refers to support for the functions of the cabinet and Parliament.

Mr C.J. BARNETT: Page 88?

Mr M. McGOWAN: It is the fourth dot point on page 78. This will probably be the last question about this area. The Liberal–National government committed to, within 100 days of coming to office, having lobbyist legislation drafted and in front of Parliament. It has now been 500 or 600 days since the Liberal–National government came to office but there is no lobbyist legislation in view. When will the government introduce such legislation into Parliament?

Mr C.J. BARNETT: Yes, we did not do that. I think it was an ill-thought out proposal during an election campaign to suggest that that could be drafted. Work is progressing on it.

Mr M. McGOWAN: Was it not gospel?

Mr C.J. BARNETT: No; it was not.

Mr M. McGOWAN: It was written down, though.

Mr C.J. BARNETT: It was written down, so it is a broken promise—I concede that—but not a realistic promise. Work is progressing on that. Mr Robert Cock, who is acting as special counsel, is dealing with that and also dealing with some proposed changes to the Corruption and Crime Commission legislation and some other matters.

I will not commit to it, but I hope that we can introduce some legislation towards the end of this year. The lobbyist issue has provoked quite a debate; my own view is that we should be getting more down the path of accreditation as a way of approaching that issue. I do not like the term “lobbyist” either; I think it is a demeaning term for people who make representation to government.

Mr E.S. RIPPER: What about government representation facilitator?

Mr C.J. BARNETT: I do not know. The word “lobbyist”, I think, is tainted and is unreasonably applied to people who legitimately and quite properly help groups prepare presentations and put points of view to government.

Mr M. McGOWAN: Is the legislation being currently drafted? Has a submission seeking drafting gone to cabinet?

Mr C.J. BARNETT: Some of that work has been done under the Public Sector Commissioner rather than in the Department of the Premier and Cabinet. That is where Robert Cock is working and he is working on it. Obviously, the Department of the Premier and Cabinet will be involved and obviously I will be involved, as will the Attorney General.

Mr M. McGOWAN: Has a submission gone to cabinet seeking the provision of drafting instructions for the legislation?

Mr C.J. BARNETT: No. I would not normally comment on cabinet, but, no, it has not got to that stage.

The appropriation was recommended.

Division 4: Public Sector Commission, \$19 220 000 —

Mr M.W. Sutherland, Chairman.

Mr C.J. Barnett, Premier.

Mr M.C. Wauchope, Public Sector Commissioner.

Mr D. Volaric, Deputy Commissioner, Agency Support.

Mr M. Davey, Chief Finance Officer.

Dr K. Schofield, Deputy Commissioner, Capability and Development.

Mrs P.A. Judge, Acting Deputy Commissioner, Strategic Policy and Planning.

Mr Z.R.F Kirkup, Adviser, Premier’s Office

[Witnesses introduced.]

[4.20 pm]

The CHAIRMAN: The member for Rockingham.

Mr M. McGOWAN: I refer to page 86, which states that the commission provides to ministers advice and support on the regulatory regime, including the Public Sector Management Act. I refer to the appointment of Mr Pontifex to his position, on which the Premier indicated that the Public Sector Commissioner provided some advice. I ask about the ethics associated with offering salaries outside public sector scales in a non-competitive process. Are there any other precedents for the payment of a term-of-government employee above and beyond the normal scale for these appointments, in particular above and beyond the pay scale of virtually everyone else in the entire public sector, having regard to the fact that Mr Pontifex’s level of pay, as far as I can tell, is approximately a level 4, which is the equivalent of the Auditor General and the Commissioner of Police? As the Premier has with him the Public Sector Commissioner, who provided him with some advice on this matter, are there any other precedents and what is the propriety of offering salaries outside of the ordinary in a non-competitive process?

Mr C.J. BARNETT: I am sure that there are some precedents, whether or not it is in that particular position. An obvious example that comes to mind is the appointment of Dr Neale Fong to head up the Department of Health in Western Australia a few years back. The appointment of the head of the former State Energy Commission of Western Australia is another example that comes to mind. I have no doubt that there are others. I ask the Public Sector Commissioner to comment on his involvement and the role he played in the appointment of Mr Pontifex.

Mr M.C. Wauchope: Under section 70 of the Public Sector Management Act, I am required to make a recommendation to the minister on terms and conditions for employees employed under section 68 of the Public Sector Management Act. I did that in the case of Mr Pontifex. I am not aware of any previous examples in the ministerial office area, but I am aware that from time to time governments have sought to move outside the established arrangements. The Lotteries Commission is one example in recent years. The Western Australian Tourism Commission was a case some time ago. There may well be others that I cannot recall right at the

moment. In essence, there have been times when governments respond to market conditions of the day and make alternate remuneration arrangements that are consistent with the act.

Mr M. McGOWAN: Is it consistent with the act or is it consistent with ordinary standards of propriety in government to offer a salary of that scale in a non-competitive process?

Mr M.C. Wauchope: I do not think it is improper. If that is what the member is asking, it is not improper.

Mr E.S. RIPPER: I want to ask about the independence of the Public Sector Commissioner and the removal of Kim Taylor as Director General of the Department of Water. I understood the Premier's advice to the Parliament to be that this was a decision independently made by the Public Sector Commissioner. If a minister says that he or she cannot work with the director general, is the Public Sector Commissioner going to make any other decision but to move on the director general? Is it conceivable at all that the independent Public Sector Commissioner might say, "Bad luck, minister; that DG is staying. You have to work with him"?

Mr C.J. BARNETT: Again, I will ask the Public Sector Commissioner to go through the sequence of events. I also have a copy of what he has. I was not pleased about that whole episode, and I am not being defensive. I do not think it was a good example of how government should relate to the public service; however, it happened. There was a breakdown in communication and confidence between the minister and the head of the Department of Water. Mr Kim Taylor is an experienced and very competent and respected public servant. Despite the accusations that were made, he was not sacked. To the best of my knowledge, he is certainly continuing within the public sector and I hope he continues his career. It was a situation that was somewhat messy, but I will allow the Public Sector Commissioner to respond, because I think he was probably aware of it before I was in reality.

Mr M.C. Wauchope: I thank the Premier. Yes, I think I probably was aware of it before the Premier. Just by way of the sequence of events, the chief of staff of the minister's office met with me in mid-April, I think, seeking some advice on how a minister might raise performance issues with his chief executive officer. I indicated that they should have a discussion around those issues. I strongly advised that they do so and keep me informed. Subsequently, I was away interstate and the minister met with Mr Volaric, in his role as deputy commissioner. Again, I think they went through the same issues in relation to performance. The next communication I had was a phone call from the minister indicating that he had had a conversation and that, following that discussion, I could expect a phone call from Mr Taylor who would be seeking a conversation with me on his future options, and that they had agreed that he would not continue in the role of DG of the Department of Water. From that, we then undertook the normal processes in relation to transferring Mr Taylor out of that position.

Mr E.S. RIPPER: Premier, I am trying to ascertain whether the independent Public Sector Commissioner is in fact the employer who can hire and fire CEOs, or whether, de facto, a minister can say, "I don't want that CEO" and the independent Public Sector Commissioner really has no choice but to follow along, which means that, from the point of view of the CEO, he or she had better get on with the minister because he is the real hirer and firer.

[4.30 pm]

Mr C.J. BARNETT: I think it is very clear that the Public Sector Commissioner is in charge of public servants, their security of employment, their appointment and their termination, if it comes to that. However, in an organisation where there are ministers and 161 agencies there will from time to time be situations whereby a working relationship breaks down. It happens to every government. I am disappointed that it happened. I think it was somewhat messy but I think the Public Sector Commissioner handled it very properly, and hopefully for Mr Taylor it is an okay outcome, and he moves on to another senior position within government and continues his career. However, any dislocation or any event like this in the public service is less than ideal. Part of the reason that this government set up the Public Sector Commission and commissioner was to handle issues relating to the employment of public servants, which means sometimes that person, Mr Wauchope in this case, has to deal with situations in which there is a breakdown in the relationship. Someone has to deal with it; it is a reality and we cannot ignore it.

Ms R. SAFFIOTI: I have a follow-up question to that issue—namely, the time frame that Mr Wauchope outlined. Did the conversation between the chief of staff and the then director general occur in mid-April?

Mr M.C. Wauchope: No, sorry, it was between the chief of staff and me.

Ms R. SAFFIOTI: Did the conversation between the chief of staff and the commissioner occur on 22 April?

Mr M.C. Wauchope: No, mid-April.

Ms R. SAFFIOTI: Then the commissioner went away and there was one conversation between the minister and Mr Kim Taylor, and basically after that was when —

Mr M.C. Wauchope: No, Mr Volaric had a meeting with the minister in between.

Ms R. SAFFIOTI: Sorry, I am just clarifying the time frame. In respect to the whole issue of the minister talking to the director general about managing his performance, there was one meeting and after that meeting it was resolved that Mr Kim Taylor should seek another job.

Mr M.C. Wauchope: I cannot say what other discussions had taken place prior to the lead-up to that meeting I had with the chief of staff on 14 or 15 April. My understanding from discussions Mr Volaric had with the minister was that performance issues had been raised at different times prior to that. I do not know whether Mr Volaric has any further —

Mr D. Volaric: That is correct. In the meeting with the minister he indicated to me that the concerns that he had with Mr Taylor were known to Mr Taylor. We explored some potential options that were open to Mr Taylor.

Mr E.S. RIPPER: What is Mr Taylor doing now?

Mr C.J. BARNETT: My understanding is that he is within the Public Sector Commission, and I think that is a temporary situation until he gets another appointment within the public service. Again, I will ask the commissioner if he can verify that.

Mr M.C. Wauchope: Yes, Mr Taylor is, as of Monday, an employee with us at the Public Sector Commission. He was on leave yesterday and is on leave today. I expect him tomorrow, and we will talk about some future roles for him.

Mr E.S. RIPPER: Can the Premier say what those roles might be?

Mr C.J. BARNETT: There are some positions either vacant or coming up in the public service. It is up to Mr Taylor whether he wishes to be an applicant for those. If he is, he will be treated like any other person in the selection process.

Mr E.S. RIPPER: I want to ask one more question to explore this issue of the independence of the Public Sector Commissioner. Is it at all conceivable that the government, including the Premier, could decide that it does not want a chief executive officer to continue on in his or her current role because, perhaps, there is some public issue or political damage being done to the government? Is it at all conceivable that the government could make a decision like that and could be stood up by the independent Public Sector Commissioner who says, “No, I have confidence in that CEO; he’s staying”? Is that possible in this new arrangement for independence of the Public Sector Commissioner?

Mr C.J. BARNETT: I suppose it is possible. I think the Public Sector Commissioner has to just deal with situations as they arise. One of the virtues of having a Public Sector Commission is that although there might be a breakdown between a minister and a chief executive officer, the minister really cannot progress beyond that point, and that protects the security of employment and all the entitlements of the CEO and, indeed, his or her professional reputation and standing. I do not ever like to see any sort of public disagreement between a minister and a CEO, but if a relationship fails for whatever reason or the minister loses confidence in the CEO, the proper course is to bring that to the attention of the Public Sector Commissioner. There is no point having people working together if they cannot get on and cannot collectively do the job.

Mr A. KRSTICEVIC: I refer to page 85 of the *Budget Statements* and to the allocation of \$7.5 million for advice and assistance. How does the Public Sector Commission assess whether services provided in this area are of value to agencies?

Mr C.J. BARNETT: I will get the Public Sector Commissioner to comment again on how this works in practice, but he meets regularly with the chief executive officers and provides advice to them in running their agencies. There needs to be someone who is a sounding board for CEOs, and obviously Mr Wauchope is very experienced in all aspects to do with government and particularly this role. Bear in mind that probably in a more mobile labour market we will get more occurrences of people from outside the public sector or from other jurisdictions who will come in and take on senior positions. Particularly if they have come from the private sector background, they will not necessarily understand how the public sector works. They need, in my view, a person who is the head of the public service—in this case Mr Wauchope—to be able to seek advice from and guidance. That is important. Lots of issues come up, such as relationships with ministers, which we have just been talking about, and relationships with the Parliament, a recent example of which was guidelines for reporting and answering questions in committees, which I think has been somewhat unsatisfactory. I ask Mr Wauchope to explain in detail how this works.

Mr M.C. Wauchope: I have a lot of contact with senior people in the public sector, chief executive officers in particular. Every time we appoint new CEOs, I go through an induction process with them and obviously we run sessions with them in a formal training sense—CEO forums. In terms of assessing value, I am going through a process right at the moment in meeting something like 60 clients, mostly CEOs, but also trying to get to the 17 ministers as well, to get their feedback on how we are assisting them with the services we provide. That will be reflected in both our key performance indicators in the annual reporting and will inform us about how we

might finetune some of the services we provide in future years. That is a fairly direct and important way of getting feedback on our services. In previous years we tried to do that by way of online surveys. Quite frankly, we do not get much response; we are lucky if we get 30 per cent. We find that when we go out and talk to the CEOs, they will raise other issues in the course of those discussions, which are actually quite important because we may not have that information through other means.

Ms R. SAFFIOTI: I refer to page 86 of the *Budget Statements* and to the Public Sector Commission's role in giving advice and assistance. My question relates to an issue that was raised at the time of the last election about the potential use of "Building WA", which was a government logo, in the context of the Labor Party. I wonder whether the same concerns expressed by the Premier when he was the Leader of the Opposition are raised about the interchange of the royalties for regions logo, which is used alongside the government logo on publications and signs, as a National Party brand and logo during the election campaign. The Premier raised a serious question when he was the Leader of the Opposition about using "Building WA" both as a government and a party logo. I wonder whether those same concerns are held and whether we could ask Mr Wauchope to provide advice on that, given some advice was given last time.

Mr C.J. BARNETT: My objection to the logo that was used under the Labor government, the globe with —

Ms R. SAFFIOTI: Sorry, it was not the globe. I am talking about "Building WA" as a brand. It was not the globe, which I understand the Premier's objection to. It was more about "Building WA" —

Mr C.J. BARNETT: The slogan?

Ms R. SAFFIOTI: Yes.

[4.40 pm]

Mr C.J. BARNETT: My objection was not to the use of a slogan on government advertising or signposts or whatever else. My objection was to representing Western Australia with that global depiction, because that is not the crest of the state. I personally did not like it. I thought it was a very arrogant symbol, and it is not the way Western Australia should be seen in Asia as completely swamping out the four billion people to our north. However, my major objection was that the formal crest emblem of Western Australia is —

Ms R. SAFFIOTI: Sorry, Premier. I am not talking about the —

Mr C.J. BARNETT: I know. That was my concern. I did not object to the "Building WA".

Ms R. SAFFIOTI: So the Premier never raised the issue that "Building WA" was going to be used —

Mr C.J. BARNETT: No, I do not recall ever raising that. My objection was to the emblem in itself—the globe, and depicting that as the state emblem when it is not.

Ms R. SAFFIOTI: Can I ask Mr Wauchope, through the Premier, whether he recalls that objection being raised regarding "Building WA"?

Mr C.J. BARNETT: No, the member cannot, because that is just a matter of opinion. I honestly cannot remember ever objecting to the use of the term "Building WA". I objected to the global emblem being used.

Mr M. McGOWAN: Further to that, what happened was that, as opposition leader, the Premier wrote to Mr Wauchope, who was the head of Premier and Cabinet, and the Premier suggested that the phrase "Building WA" should not be able to be used by the Labor Party as a slogan during an election campaign because it was an official government title.

Mr C.J. BARNETT: I see.

Mr M. McGOWAN: So it could not be used in a political sense. The objection that we now have is that "royalties for regions" appears everywhere on National Party literature, on National Party electorate offices, on National Party political material and on government logos. I wonder whether the Premier has the same objection to that issue now that it is a different party that is currently undertaking that arrangement.

Mr C.J. BARNETT: No, I do not. Obviously, the member has a copy of that letter. I do not recall that particular letter, but I am not doubting what the member says. However, I assure the member that, on coming to government, what I acted upon was the emblem, and that is what I took exception to. If the member thinks that "royalties for regions" should not be used by the National Party, he should raise the point. The Liberal Party refers to royalties for regions, too. It is a government policy. Maybe I was incorrect in that, but my objection at the time was to the use of the emblem. I just generally do not like government using public moneys to promote its party standing in the community; I generally do not like it.

Ms R. SAFFIOTI: The Premier does not have a problem with "royalties for regions" being the National Party emblem when he goes to the National Party website, and then having it next to the government crest—I am talking about the government crest —

Mr C.J. BARNETT: I have insisted that where it appears, the government crest be there, because the government crest takes precedence.

Ms R. SAFFIOTI: But the Premier does not have any objection to that logo being used interchangeably by the National Party on government-funded signs and on pamphlets.

Mr C.J. BARNETT: It is perhaps not ideal, but I am not making a big deal of it, and I did not make a big deal of Labor using those words. However, what I did make a big deal of was the use of the emblem.

Mr M. McGOWAN: But the Premier did write, and I think advice was received from Mr Wauchope, that we are not permitted to use the phrase “Building WA”. I am just wondering whether the same rules apply to the National and Liberal Parties.

Mr C.J. BARNETT: The member will have to make the case; if he thinks that is wrong, he has to make the case.

Dr M.D. NAHAN: I refer to page 88 of the *Budget Statements*, and in particular to leadership development. What is the Public Sector Commission doing to attract, develop and retain talent in the public sector, particularly if it is considering a graduate trainee program across the public sector, recognising that the state Department of Treasury and Finance has one and that the commonwealth has one, but it is specific to departments rather than across the public sector? I wonder whether the Public Sector Commission is considering developing a graduate program across the public sector.

Mr C.J. BARNETT: The member is right; Treasury has a graduate program. In the previous session, Premier and Cabinet referred to the graduates that it employs, and I imagine the Public Sector Commission also oversees that. Mr Wauchope has been quite strident, I must say, in issues to do with recruitment and professional development of public servants, as he should, because that has suffered some cutbacks during the past year. I think it did; is that correct?

Mr M.C. Wauchope: Yes.

Mr C.J. BARNETT: However, with slightly improved financial circumstances, funding has been improved. Again, I will ask Mr Wauchope to comment, but I am strongly of the view, as I know the member would be, that the public sector should have a well-organised graduate recruitment program, which is not just recruiting, but also giving those recruits a program of development over a couple of years under which they can work in central agencies and line agencies and be developed. I know that happens, and I know that Mr Wauchope would probably like to take it further.

Mr M.C. Wauchope: Yes. The graduate programs have been in place in government on and off since probably the late 1960s. In fact, if I remember rightly, it was an initiative of Les McCarrey. It died in the 1990s for some reason—government stopped going through the graduate programs—and got reinvigorated in the early 2000s. Most agencies now look after their own programs. They recruit graduates specific to their own requirements. However, in recent years the Department of the Premier and Cabinet, and now the Public Sector Commission, has taken an overriding coordinating role and it has organised programs to run across all graduates. It is not compulsory. We encourage agencies to have their graduates take part in the programs. There are about six or seven sessions during the course of a 12-month period, and they get exposure to central agency views and other matters relating to government that they would not necessarily get from within their own agency. That also gives them a very important network, so that they have contacts in agencies to whom they can go when they are working, and it gives them a bit of an idea about just how wide the public sector opportunities are. It is an important program, and our involvement in it has been running for several years now and we continue to regard it as a high priority. We see the graduates as the important recruiting source for the future of the public sector.

Dr M.D. NAHAN: Further to that, what is the size of the intake?

Mr M.C. Wauchope: It is a little down this year. I think it is about 99 this year. Last year it was up around the 150 mark, so I think there has been some pulling back by agencies, which I am not particularly happy about, but that is their decision. However, we are encouraging agencies to obviously put resources into that area, because they are the people to whom we will be looking to assume leadership positions later on.

Mr C.J. BARNETT: The comment is often made, I know, by some agencies, and I am referring perhaps to the electricity utilities, that they take on and train people—perhaps they are talking about trade skills—and then the private sector pinches them. That happens, but, in a sense, I do not think that is necessarily a bad thing. I think that one of the roles of the public sector is to recruit people and give them experience, and if they do move on to other parts of the community, the public, in a sense, bears that cost. It is not a bad outcome.

Mr E.S. RIPPER: On page 86, I refer to service 1, “Advice and Assistance”, which includes the recruitment and appointment of chief executive officers and principal statutory office holders. I want to ask about the appointment of the new Director General of the Department of Regional Development and Lands. Is it the case that that new director general was not the recommended applicant, as determined by the Public Sector

Commissioner's procedures; and is it the case that another person was the recommended applicant, and that the government went ahead and appointed the new director general, Mr Paul Rosair, who had most recently been working in the minister's office?

Mr C.J. BARNETT: I will ask the commissioner to comment, but as the Leader of the Opposition would be aware, when a selection process is held, often two, maybe three, names are presented to the minister or to government. It must be borne in mind that the Public Sector Commissioner oversees the selection process and makes a recommendation. Ultimately, that recommendation will go to cabinet and then to Executive Council. Therefore, under the process, the government of the day—the executive—does have a say in the selection of a person. Under the process, it is rare that only one name is put forward; generally more than one name is put forward. Therefore, there is an element of discretion and choice within government, and I think that is appropriate. But the important thing is that the application and the selection and the interview process is done independent of government. Mr Wauchope?

[4.50 pm]

Mr M.C. Wauchope: Mr Rosair was definitely a nomination of the Commissioner for Public Sector Standards as a suitable person in the final process, and ultimately cabinet recommended him and he was endorsed by the Governor.

Mr C.J. BARNETT: And it was a good appointment.

Mr E.S. RIPPER: Can I just follow up on that, Mr Chairman? Was Mr Rosair the recommended applicant, or was someone else the recommended applicant but he was nevertheless chosen by cabinet?

Mr C.J. BARNETT: I do not know whether it is appropriate to go into details of the way in which people may have been ranked or nominated. I think the Leader of the Opposition would have an issue if cabinet selected someone who was clearly not regarded as capable or competent to do the job. Then the Leader of the Opposition would have a valid point. But if the selection process puts up one or more names of people able to do it, I think it is appropriate that the government has some discretion.

Mr E.S. RIPPER: But what I am asking is: did cabinet get a recommendation —

Mr C.J. BARNETT: I am not going to answer a question about cabinet.

Mr E.S. RIPPER: — that any of these three people are suitable, or did cabinet get a recommendation that this is the recommended applicant and nevertheless chose someone else? That is what I am driving at.

Mr C.J. BARNETT: The Leader of the Opposition knows that I am not going to comment on the cabinet process.

Mr E.S. RIPPER: The public service thinks that someone else was the recommended applicant and that cabinet came in over the top and appointed Mr Rosair.

Mr C.J. BARNETT: More than one name is generally put forward.

Mr T.R. BUSWELL: I have been reading with interest the second dot point on page 87 of the *Budget Statements* under public sector reform.

Mr C.J. BARNETT: I am sure the member has!

Mr T.R. BUSWELL: I refer to the fourth dot point on the strategic policy development in relation to modernising the public sector. The Premier made some comments earlier about the public sector, but I am wondering whether the Premier and perhaps by extension, if we are lucky enough, the Public Sector Commissioner could provide us with an overview of the Premier's plans to modernise the public service.

Mr C.J. BARNETT: Yes, I am sure the Public Sector Commissioner can, and he will. The government has done a lot to improve the public sector, and there is more to be done. The setting up of the Public Sector Commission itself was one of the first decisions this government made. It separated out the running of the public service from the policy agenda of an elected government, which is now basically in Premier and Cabinet. We have also made a number of changes to the structure of government so that government is better understood both from within government and from outside. We have done away with some of the mega and confused departments, and we continue. Even a more recent change was to set up an Office of the Environmental Protection Authority, so that the EPA now has a dedicated manager and office working to it, rather than it having to go through the Department of Environment and Conservation for any work to be done. We have therefore tried to get some logic into the structure of the public service, and I think most of those changes have worked well. However, again, I will ask the Public Sector Commissioner to add to that.

Mr M.C. Wauchope: A considerable amount of activity is currently being undertaken in relation to public sector reform. Some of that came out of the Economic Audit Committee, as the member would be aware, and also some came from the government's election commitments. First and foremost of that is the Public Sector

Reform Bill 2009, which is currently in the Legislative Assembly. That will create an independent Public Sector Commissioner. It will most importantly streamline the disciplinary provisions in the act and will also remove a number of administrative anomalies that we have had to manage around for 15 or 16 years. A lot of work is being undertaken underneath that in relation to the subsidiary instruments, such as the regulations and the approved procedures, and the Public Sector Standards Commission is doing some work around the standards and looking at how they operate. We are also looking at how we might take the act a bit further in a second tranche, but that is yet to occur. Around public administration, we have done some work on how we might upgrade the chief executive officer performance agreements so that they are actually a bit more meaningful. In particular, we are trying to get an emphasis on the relationship between the minister and the CEO; and a secondary instrument that would have the requirements of the Public Sector Commission also addressed by the CEO. Much of what we are looking at is around devolution of responsibilities to agencies, but with that will go a need to have the necessary skills to take on that devolution. Again we will be doing a lot of training that goes to those issues.

The third area of particular interest is around workforce planning and workforce development. As the Premier indicated, I have some very strong views about the need to undertake professional development and particularly invest in our resources for the future. We have upgraded a lot of our programs and are running a lot of those now in-house. Dr Schofield has specific responsibility for those programs, and we expect that there will be a lot of important changes coming out of that in the future.

Mr T.R. BUSWELL: Mr Chairman, can I ask one follow-up question in relation to that? Through the Premier: the Public Sector Commissioner mentioned streamlining disciplinary procedures, and I wonder whether there is an opportunity to elaborate on that.

Mr M.C. Wauchope: Certainly. Currently the disciplinary procedures are embedded in the act itself and they are very prescriptive. They usually involve a three-stage process to get to a final outcome. Invariably the outcome will take a long time in coming. Sometimes it can be over a year, which means that both the person who has been the subject of a disciplinary process and the department are on hold for a long time. The processes that we are looking at putting in place will streamline that without diminishing natural justice in any way, but will have a test of materiality; and in particular will give CEOs alternative options to simply proceeding on a disciplinary investigation on every occasion. They will have options to look at, as I said, regarding the materiality or seriousness of the breach and decide whether other options such as counselling or training might be more appropriate. The intent, therefore, is to have a much more streamlined and efficient system.

Mr M. McGOWAN: The Premier suggested earlier that my question should be asked in this division. I therefore refer to the second dot point on page 86 of the *Budget Statements* on the application of the public sector employment framework, including public sector and human resource management. What is the cap on the public sector now? A cap was announced 18 months ago, and, as I recall, it was breached by 2 500 or so employees. I am asking—the Premier might want to provide the answer by way of supplementary information—what is the current cap?

Mr C.J. BARNETT: As I said before, my recollection is that it is about 103 000 or thereabouts—no; more. Sorry.

Mr E.S. RIPPER: It has grown again.

Mr C.J. BARNETT: The total public sector is 113 000 or close to 114 000. That is attributed mainly to growth in Health and Education Services, which are not included. As defined, the full-time equivalent ceiling as at the end of December 2009 was 102 911; so, very close to 103 000.

Mr M. McGOWAN: I have some questions for the Premier following from that. The Premier said that the public sector total was 113 000; so that incorporates all part-timers and so forth.

Mr C.J. BARNETT: No, that includes the growth in teacher numbers, which, for example, are driven by student growth.

Mr E.S. RIPPER: The Premier has a public sector cap that excludes teachers and health department people. That is a funny sort of cap.

Mr C.J. BARNETT: No; there are some parts that are driven regardless. No-one would suggest that we freeze teacher numbers.

Mr M. McGOWAN: No.

Mr C.J. BARNETT: But we have a growing student population.

Mr M. McGOWAN: But if you have a cap, you have a cap.

Mr C.J. BARNETT: No, the cap as defined within the core administration areas of government, and it is capped; it is capped at about 103 000.

Mr E.S. RIPPER: That is not the way the previous opposition used to approach it with our numbers.

Mr M. McGOWAN: What is the exact number for the public sector?

Mr E.S. RIPPER: The Premier did not apply that rule when he criticised us.

Mr C.J. BARNETT: The Western Australian public sector as of December 2009 was 113 857 FTEs.

Mr M. McGOWAN: That is FTEs in the public sector. What is the cap—102 911?

Mr C.J. BARNETT: The FTE ceiling as of the same date, December 2009, was 102 911. If the member would like an explanation of the difference between the ceiling and the total number of public servants, I assume Mr Wauchope can define it for him.

Mr M.C. Wauchope: Yes. My understanding is that some departments have been excluded by Treasury or the Economic and Expenditure Reform Committee from the ceiling, and 102 911 reflects the departments that have been included by Treasury and the EERC. I should point out that the methodology that —

[5.00 pm]

Mr C.J. BARNETT: If I can interrupt—teacher numbers and police numbers are the two principal exclusions.

Ms R. SAFFIOTI: They cannot be excluded in total.

Mr C.J. BARNETT: They are excluded because it was a policy decision that that would not apply to them. One is driven by student numbers; the other is a government policy decision to increase police numbers.

Mr E.S. RIPPER: So if we can cut to the chase, the Premier must be excluding only the increases in teacher and police numbers, otherwise he would have a cap below 102 000. Surely the Premier has some of the 20 000 to 30 000 teachers within that 102 000 figure. The gap between 102 000 and 114 000 is not enough to accommodate all the teachers.

Mr C.J. BARNETT: It is not defined exclusive of the whole education department or the whole police service but it is the total number of public servants; and then holding all parts of the public sector at a level, allowing, however, for the fact that teacher numbers and police numbers will grow.

Ms R. SAFFIOTI: There has been an increase of 11 000. If the cap is —

Mr C.J. BARNETT: No.

Ms R. SAFFIOTI: Sorry; can I just ask the question?

Mr C.J. BARNETT: The cap has crept up a little bit; not much.

Ms R. SAFFIOTI: The cap is at 102 911 and the current public sector FTE number is 113 000. That is about 11 000 over the cap.

Mr C.J. BARNETT: No. That total public service number includes extra teachers and extra police officers —

Ms R. SAFFIOTI: That is what I want to ask about. Have 11 000 extra teachers and police officers been recruited in the past two years?

Mr T.R. BUSWELL: Can I ask a question in relation to that?

Mr M. McGOWAN: The member does not have to protect him. He is the Premier.

Mr C.J. BARNETT: It is all right.

The CHAIRMAN: Further question, member for Vasse.

Mr M. McGOWAN: She has not finished her question.

Mr T.R. BUSWELL: I seek clarification of a point that the Public Sector Commissioner raised before. I think I heard him say that when he does his reporting, a range of agencies are included in that larger number that were not included by Treasury in the cap when it was originally set. Is my recollection of what was said accurate?

Mr M.C. Wauchope: That is my understanding.

Ms R. SAFFIOTI: Can we have the information—what is the cap?

Mr C.J. BARNETT: I will provide, by way of supplementary information, a definition of the ceiling level and I will give an explanation of why the public service numbers are above the ceiling. Obviously, that will be teachers and police, and there may be some other explanations. The important thing is that the core public service is being constrained.

Mr M. McGOWAN: Can the Premier include in that all of the others, apart from police, teachers, nurses, whatever?

Mr C.J. BARNETT: I will account for the difference between the ceiling that has been enforced and the total size of the public sector, which, amongst other things, will include increases in numbers of teachers and police officers.

[*Supplementary Information No A17.*]

Ms R. SAFFIOTI: The Premier is saying 11 000 extra police and teachers.

Mr C.J. BARNETT: No, I am not.

Mr M. McGOWAN: Further to that, I ask: what is the Premier's projected cap? Does the Premier have a projected cap? Is a cap a moving thing? I always assumed a cap was concrete; that it was fixed and the government would stay below it.

Mr C.J. BARNETT: I will include in that supplementary information a description of how the cap is defined. It has been effective. We have slowed the growth in public sector numbers, which were out of control. They were out of control two years ago.

Mr M. McGOWAN: Hold on. The number of public servants, as I recall, when this government came to office was in the 90 000s. It looks like it is now approaching 114 000. How is that slowing growth?

Mr C.J. BARNETT: The evidence will show that the size of the public sector has slowed substantially over this government.

Mr M. McGOWAN: Is that the Premier's definition—like committees?

Mr C.J. BARNETT: It is. It is a fact.

The CHAIRMAN: Members, this is not an opportunity for general discussion. Members need to base their questions on line items in the budget before us.

Mr E.S. RIPPER: On that particular issue, could the Premier provide us with the numbers in the public sector as at the Premier's assumption of office and the numbers now, using exactly the same rules for each category?

Mr C.J. BARNETT: I am not going to go back and redefine or do a count, but —

Mr E.S. RIPPER: The Premier has asserted he has controlled growth and he will not give us the comparative figures to demonstrate that.

Mr C.J. BARNETT: No; the Leader of the Opposition did not listen to the answer. What I will provide is a historic record of the numbers in the public sector over recent years. I am not going to go back and pick another start point like 6 September; I will take it to the nearest point at which data is available. That is all that can be done.

Mr M. McGOWAN: The Premier redefined over 500 committees; he is now just redefining this target.

Mr C.J. BARNETT: No, I am not. Give me the numbers.

Mr A. KRSTICEVIC: I refer to page 88 of the *Budget Statements* under service 3 and note that the Public Sector Commission has a role to build the capacity of the public sector to assist in meeting current and future delivery requirements. Can the Premier tell us whether the Public Sector Commission is doing anything to promote Indigenous employment across the public sector, given that Indigenous employment is an issue of national concern at the moment? In recent times the private sector, specifically the mining sector, has been pushing to employ 50 000 Indigenous people in that sector. What impact will the federal government's proposed super profits tax have on Indigenous employment in terms of destroying that particular initiative and putting pressure back on the public sector?

Mr C.J. BARNETT: It is an important public policy objective not only to increase the total number of Indigenous people employed, but also to ensure that Indigenous people have positions of responsibility and seniority right across our community. Some agencies and some private sector organisations have done it better than others. I know from my experience as an education minister—the member for Rockingham will be aware of this—that a lot of success has been achieved in employing and training people in education careers. The police and justice areas are good examples. The target within the public sector is 3.2 per cent by the year 2015. The Aboriginal population of Western Australia is somewhere in the range of four to five per cent. Even that would seem to be a little below it. It is easy to set a target. It is easy to say that we will set out to employ X percentage Indigenous people. It is hard to achieve and harder to maintain, particularly when there is a high turnover. People come, stay for a while and move on. This is not an implied criticism—this government, and indeed successive governments, need to do better. Everyone in this house would agree with that. We need Indigenous people in very visible positions not only for their own benefit, but also so they are role models for the younger Aboriginal kids. I will ask the commissioner to comment on the policy of employing Indigenous people and how we are going.

Mr M.C. Wauchope: As members are probably aware, the state government is a signatory to the Council of Australian Governments' National Indigenous Reform Agreement. That has set targets for each of the states. The target for WA is 3.2 per cent in the public sector. We have been working closely with the Department of Indigenous Affairs on strategies to get more Indigenous people employed in the public sector and to try to get them into more senior management positions. We had a round table discussion back in March, hosted jointly by me and Pat Walker, the head of the Department of Indigenous Affairs. All the key agencies that may have a direct interest in Indigenous employment matters were there. It was a good session in terms of some ideas. As the Premier indicated, it is not always an easy thing to make happen. Some agencies are doing much better than others and continue to do much better than others, the reason being the nature of their work. However, it is an important priority. We have a governance structure in place to support the COAG agreement. We expect to get to that 3.2 per cent.

Mr C.J. BARNETT: I would encourage the voters of Hasluck to make sure Ken Wyatt is elected. I am not sure whether he would be the first Aboriginal member of the House of Representatives.

Mr M. McGOWAN: No doubt the Premier will also encourage the people of Kimberley and Victoria Park to reelect their local members.

Mr C.J. BARNETT: Yes; they are very good members of Parliament. Surely there has been an Aboriginal member of the House of Representatives before.

Mr M. McGOWAN: The Senate has.

Mr A. KRSTICEVIC: I think the federal government is doing a good job to make sure that happens.

The CHAIRMAN: Member for Belmont, I have you listed next for a question. However, I remind members that we have five divisions to go. We have 50 minutes to complete the examination of those five divisions.

Mr E.S. RIPPER: I refer to service 1 on page 86 of the *Budget Statements*, headed "Advice and Assistance", and to the dot point relating to the public sector redeployment framework. Within that framework the government has been offering a voluntary severance package. What steps has the government taken to ensure that voluntary severances are not offered to people who would be leaving anyway; are not offered to people whose positions are in effect refilled; and are not offered to people who return to public sector work through consultancies either in their own name or through employment with a company that consults to the public service?

[5.10 pm]

Mr C.J. BARNETT: Unfortunately, the latter happens, and I guess when a person leaves and that period of separation is concluded, they can reappear in often different forms. I agree with the sentiment of the Leader of the Opposition's question: it is very important that a redundancy be voluntary and that people are identified who are clearly surplus, for whatever reason, to the operation of that department or, indeed, to the public sector. In terms of numbers, the target for the first program that was put in place was 500 employees at a cost of \$48 million. The outcome as at May 2010 was that 467 people had, on a voluntary basis, left the public service. The second program is currently underway with a target of 300 employees and an indicative cost of \$30 million, and the information I have is that the number of people putting their hands up as at May was 363, so more people have sought voluntary redundancy in the second round than there is funding for, and the government is currently giving consideration to increasing the budget so that people who have been identified and who genuinely seek voluntary redundancy can have that option available. Having put it out there, I do not think we should not make it available to all those who have been basically offered it. In respect of checks and balances, I will ask the commissioner to answer.

Mr M.C. Wauchope: I acknowledge the issues raised by the Leader of the Opposition. It is always an issue whether people are going to retire or disappear in any event, and it is a matter of judgement that we leave with the relevant chief executive officer whether he or she will support the application for redundancy. We will then make our own assessments to make sure they meet the test, which is that the position is no longer required or the office is no longer required. In terms of consulting back, they certainly cannot consult back in their own capacity, but in a company arrangement they can. We can get into difficult issues of restraint of trade if we prevent people from going on to other employment. That is always a bit difficult, but, as the Premier indicated, both schemes have been very successful and very popular. We expect that the agencies are managing that properly in terms of their own requirements.

Mr E.S. RIPPER: One of the redundancies was for the director of the Schools of Isolated and Distance Education. It was a redundancy payment of \$272 000. Is it really the case that we now do not have a director of the Schools of Isolated and Distance Education? Surely someone must be running that institution. Is that therefore a genuine saving, or is there some other reason that the director of the Schools of Isolated and Distance Education has received a \$272 000 redundancy? I am not picking on this particular person, which is why I have not mentioned the name. I am really going to whether there is a genuine saving here, because surely someone

must be running the Schools of Isolated and Distance Education, and therefore the assertion that the position has been abolished seems to lack credibility.

Mr C.J. BARNETT: The Leader of the Opposition did not mention the name, and I appreciate that. I nevertheless do not think we should be talking about a particular job, but I think the point the Leader of the Opposition is raising is, if the job still exists, how can the incumbent be deemed to be redundant.

Mr E.S. RIPPER: That is the point I am making, yes, and I think whatever the title, the role must surely still exist.

Mr C.J. BARNETT: I can think of a circumstance, and I am sure that the commissioner also probably knows of circumstances, but I will pass the question to him.

Mr M.C. Wauchope: With redundancies it can sometimes be that the nature of the job has changed sufficiently for the department to require some different types of skills set to fulfil it, and it might be under a different title, but it is the same sort of function maybe being performed in a different way. As I indicated before, that is a judgement we would expect a CEO to make, and at the end of the day that CEO is responsible for delivering functions for the department, and he or she makes decisions around structures and roles et cetera, including ultimately whether particular functions or roles are redundant. If they meet those tests, of course they are subject to the normal regulations.

Mr E.S. RIPPER: Does the Premier think that either he or the Public Sector Commissioner should apply a stricter set of checks and balances to what CEOs do to avoid any mates' culture of people who are about to go in a year or so going with a lot of extra taxpayers' money?

Mr C.J. BARNETT: I would hope that that is not the case. I have confidence in the way this program has been administered. The Leader of the Opposition may be talking about a particular case. To the best of my knowledge, there have been no complaints to my office about the way in which the redundancy program is being managed. The only complaints, if there have been any, have been from people who missed out; they wanted a redundancy but were deemed to be required.

The CHAIRMAN: Is this a new question, member for Rockingham?

Mr M. McGOWAN: Yes, it is. We wanted to move on to the Department of State Development shortly, and the Premier has already agreed to do that. We had one more question and we wanted to wind this one up.

The CHAIRMAN: I have a list of other members who have put their hands up for questions also. If the member for Rockingham would like to ask his question.

Mr M. McGOWAN: I refer to page 86 and to the application of the administrative and regulatory regime, including the Public Sector Management Act. I refer to the Premier's bid to curb the public sector's voice.

Mr C.J. BARNETT: To curb what, sorry?

Mr M. McGOWAN: To put restrictions and guidelines around public servants who appear before parliamentary committees as to what they can and cannot say.

Mr C.J. BARNETT: I would call it clarity.

Mr M. McGOWAN: What is the progress of those guidelines and when will the government release them?

Mr C.J. BARNETT: The Public Sector Commissioner drafted guidelines and he has distributed them around the public service. I would have thought the member would have seen them; they are publicly available.

Mr M. McGOWAN: I would appreciate a copy being made available to me.

Mr C.J. BARNETT: They are throughout the public service; I am sure the commissioner will send a copy to the Leader of the Opposition's office. It does not need to be supplementary information; it is publicly available.

The appropriation was recommended.

Divisions 5, 6 and 8: Governor's Establishment, \$4 610 000; Office of the Public Sector Standards Commissioner, \$4 984 000; Salaries and Allowances Tribunal, \$599 000 —

The appropriations were recommended.

Division 12: State Development, \$107 594 000 —

Mrs L.M. Harvey, Chairman.

Mr C.J. Barnett, Minister for State Development.

Ms A. Nolan, Director General.

Ms G.D. McGowan, Deputy Director General, State Initiatives.

Mr G. Nunis, Deputy Director General, Resources and Industry Development.

Mrs S. Black, Director, Corporate Services.

[Witnesses introduced.]

The CHAIRMAN: Member for Riverton.

Dr M.D. NAHAN: I refer to the first dot point on page 168 and Oakajee port common-user infrastructure. Can the Premier outline the progress being made in the state's investment in these facilities?

[5.20 pm]

Mr C.J. BARNETT: We have received a draft bankable feasibility study for Oakajee. That will hopefully turn into a final bankable document before the end of this calendar year. I am optimistic that all of that will fall into place. Oakajee, in its greater concept of the deepwater port, the industrial estate, the railways and the mine development, is the most complex project I have ever dealt with in my time around resource development. It is complex because these are not fabulous iron ore resources; they are mainly magnetite, and they are certainly on a smaller scale than in the Pilbara. Interests from Australia, Japan and China have an involvement, and both large corporations and very small, emerging companies each have their own interests. Progress is being made and we are keeping broadly to the timetable. The Department of State Development is obviously the lead agency in coordinating a number of agencies and a number of different players.

Oakajee has been made that bit more difficult by the federal government's proposed mining tax. That will significantly reduce the net present value of a number of proponents—there is no doubt about it—but, nevertheless, everyone is pushing ahead. The work on the port design is progressing and all that technical and engineering side is falling into shape. A bit of an issue has been raised about which rail line will be developed first. Given that Murchison Metals is both a miner and a participant in Oakajee Port and Rail, it is obviously keen to see the northern line come on-stream; my observation is that the proponents on the southern line are more advanced. There is an issue of maybe, if members like, a conflict of interest—there are conflicting interests, I guess.

The commonwealth, as members know, has agreed to contribute \$339 million, as will the state. That is still the cost estimate for the common-user infrastructure. It will probably be above that in the end, because those figures are now a couple of years old. It is hard work, but the project is progressing, and I believe, and I hope the department believes, that we will get there. This is just an incredibly complicated project. We are throwing a lot of resources at it from a government point of view—a bit similar to what happened with Gorgon 12 months ago. If this project can get underway, it will underpin, in my humble opinion, a great deal of future investment in the southern half of the state.

Dr M.D. NAHAN: I have a further question —

The CHAIRMAN: Members, I have sought some advice—I am sorry, member for Riverton, that was your question. You may ask a further question.

Dr M.D. NAHAN: Thank you. Firstly, the resource rent tax will affect this project, and some of the proponents in the southern area are dependent upon retained earnings to fund capital works, if I remember correctly. This tax will eliminate some of those retained earnings. Secondly, will the tax affect the deductibility of the railway and port? I am not sure if it will or not. The question is: given the structure of these things and the uncertainty, could the tax could have a significant impact on the viability of the whole project?

Mr C.J. BARNETT: It threatens components of it. I still believe the project will happen simply because the customers—principally Chinese steel mills—desperately want the source of supply. That desire for iron ore security of supply probably will outweigh some of the realities of the profitability of the project. One of the great ironies of the Rudd government's proposal is that it will tend, over time, to shift the profitable parts of the mining chain offshore. The other great irony of it is that it will increase foreign investment in these projects, because particularly Australian participants in a project such as Oakajee will find it more difficult to get bank finance. The alternative is equity finance, and that will probably be Chinese equity. It will just make this government try harder to get Oakajee over the line. We will get it over the line; we will get it there, but it becomes harder.

Mr M. McGOWAN: The fourth dot point from the bottom on page 168 of the *Budget Statements* refers to miners, BHP, Rio Tinto and so forth. My question is about the Premier's statements earlier this year in which he indicated that, by 30 June, there would be a concessional stamp duty removal from the BHP and Rio projects in the Pilbara.

Mr C.J. BARNETT: Mining royalty.

Mr M. McGOWAN: Sorry, royalties on concessional iron ore projects in the Pilbara. The Premier indicated that that would happen on 30 June, and they would be paying full royalties from that day forward. I note there is nothing in the budget and I note that the Premier has not made any statements about an agreement being reached

with the companies. Firstly, where is that additional money that would have taken the royalty rate from 3.25 per cent to 5.65 per cent or thereabouts?

Secondly, the Premier also indicated that over time he expected to lift the royalty rate on iron ore fines from the 5.65 per cent rate up to the higher rate of 7.5 per cent. Where is the second part of that plan up to?

Mr C.J. BARNETT: Negotiations continue with BHP and Rio, the two major iron ore producers, and there are two potential components. One is, as the member said, increasing their royalty rate to the rate that applies today under the Mining Act. That means that for BHP and Rio the royalty on the fine would go from 3.75 per cent to 5.625 per cent. I expect that to be in place as of 30 June. I am confident we will reach an agreement on that. From BHP and Rio's point of view, what they are seeking is a relaxation of a lot of provisions in the state agreement act. That is what we are arguing about. That will continue, no doubt, for a little while, but I think—without putting words into the mouth of either BHP or Rio—they basically concede that they should be paying the same Mining Act royalties as any other iron ore miner. That is really not the point in dispute; the dispute is what trade-off they will get as goodwill, if the member likes, for that agreement.

Mr M. McGOWAN: What trade-offs are they seeking, Premier?

Mr C.J. BARNETT: The member knows that they intend to merge their iron ore operations. They can only do that if the state agrees to make a number of changes to the agreement acts basically to integrate their infrastructure—their rail and port operations. There is a point of view as to how far we go on that. That is where the discussions are at. No-one is particularly arguing the money side; we are arguing the detail side of it.

The CHAIRMAN: Do you have a further question?

Mr M. McGOWAN: Yes. If this agreement is reached between the government and them in the next —

Mr C.J. BARNETT: Month?

Mr M. McGOWAN: —30 days or fewer, I assume that they will start paying the rate immediately, on the agreement that the law will be changed consequently, because obviously we cannot change the law in the intervening period. Is that the arrangement that the government is looking at putting in place?

Mr C.J. BARNETT: Yes, it is.

Mr M. McGOWAN: What do you expect the boost to the budget will be from doing this?

Mr C.J. BARNETT: On the last estimate I saw, if BHP and Rio go to the existing Mining Act royalties, it will be of the order of \$300 million a year. It may be a little bit more, given the rise in the price of iron ore.

The second question, which I did not refer to, related to the increase in the fines rate from 5.625 per cent to the 7.5 per cent lump rate. That issue is not being looked at, at present. That might be a longer term issue, and if that was to change, it would be looking at the whole iron ore industry. The argument there is that fines were seen as an inferior product in the original agreements, and they therefore had a lower royalty rate. Fines are now becoming the dominant part of iron ore production and most steel mills are largely indifferent to lump or fine. Technology, production and demand have changed, and the argument for discounting fines below lump is just not really there any more. That would be an issue that would affect the whole industry; there would be whole set of different discussions.

[5.30 pm]

Mr T.R. BUSWELL: I refer to the fourth dot point on page 168, which refers to the Gorgon project. Can the Premier provide us with any information in relation to the domestic gas aspects of Gorgon, as well as the overall project?

Mr C.J. BARNETT: I met this morning with the recently appointed chairman of Chevron Corporation. He is very enthusiastic about not only Gorgon, but also Wheatstone and, ultimately, Browse. Gorgon has a commitment for natural gas supply, and that will be important. It has the right to jointly market that for five years. Thereafter, it is required to market it independently. The most important thing for the domestic gas market is to see more gas come into the market. We can finesse the argument about whether we have joint or separate marketing, but, ultimately, it is about the gas supply coming in. That is still a few years away, but it will come on and then, hopefully, we will get gas out of Pluto and some gas out of Macedon and some of the smaller projects. We still have a problem of shortage and high price, but I can see that resolving itself over the next three to seven years. Gorgon is negotiating and, as I understand it, is basically starting to sign agreements now for gas delivery into the local market.

Mr M. McGOWAN: While we are on the subject of domestic gas, the third dot point on page 168 refers to the planning for a liquefied natural gas precinct to service the offshore Browse basin. What is the story with ensuring that there is a domestic gas component to that? The Premier is on the record as supporting the 15 per cent gas reservation policy put in place in 2006 by the former government. Will he apply the domestic gas reservation policy to that project or not?

Mr C.J. BARNETT: Yes, the intention is that it will apply to that project. There are a couple of practical considerations. Where is the domestic market for gas in the Kimberley? It is probably not there. There is a very small market in Broome, but that would be about it. For practical purposes, a pipeline would be needed connecting from the Browse precinct down into at least Port Hedland to connect into the main trunk line. There are some practical considerations, but, in principle, yes, the domestic reservation policy will apply. Whether there will be a real market initially is problematic at this stage. The member must bear in mind that Browse is not due to make a final investment decision until mid-2012, so we have a little way to go.

Mr M. McGOWAN: The Premier has just said that a pipeline will be a component of it. My recollection is that the pipeline issue is extraordinarily expensive, which is one of the reasons the government wants to create a gas precinct in the vicinity of Broome. If it is going to provide a gas precinct in the vicinity of Broome and a pipeline as well, would there not be a significant cost issue in providing domestic gas?

Mr C.J. BARNETT: There would be, but I think we need to draw a distinction. If, as has been suggested in some quarters, the Browse gas was piped to the Burrup Peninsula to be turned into liquefied natural gas, we would be talking about a major trunk-line pipe. If we were talking about the delivery of domestic gas to connect into the main pipe, we would be talking maybe about a pipe that big. The scales are totally different. Although it would be the same length, the size of the pipe would be much smaller.

Mr M. McGOWAN: Would only a pipe that big be needed to provide 15 per cent of the entire production of that facility?

Mr C.J. BARNETT: I am no engineer but —

Mr M. McGOWAN: For the record, that is about a foot across.

Mr C.J. BARNETT: The pipe that delivers gas through Kalgoorlie to multiple customers is about that big.

Mr M. McGOWAN: For the record, that is about a foot across.

Mr C.J. BARNETT: I think, from memory, the goldfields gas pipeline is an eight-inch pipe. It is not that big, because under pressure a lot of gas can be moved through it.

Mr A. KRSTICEVIC: I refer to the second dot point on page 168 of the *Budget Statements*. What progress has the state government made on implementing the East Kimberley development package?

Mr C.J. BARNETT: I might get some assistance on some of the detail, but the East Kimberley project is going ahead beautifully. As members will be aware, the Minister for Regional Development gave details in Parliament a week ago on the start of construction of the irrigation channels and the road. Associated with that, the commonwealth is putting in, I think, \$195 million towards social and community infrastructure that the state is funding. That includes a host of projects that are also progressing. I ask the director general to detail those for us.

Ms A. Nolan: In terms of the development package, 17 project implementation plans have been agreed with the commonwealth government, and construction on a number of projects has already commenced. The package includes the Wyndham residential rehabilitation facility at a cost of about \$3.2 million. It is due to achieve a 50 per cent construction milestone in May this year, so that is halfway through. It includes the delivery and installation of staff accommodation and two transitional housing units. A further important aspect has been the Wyndham health upgrade of its facilities, at a cost of \$3.4 million. That is a redevelopment of the hospital, and it is now complete. The construction of staff housing has commenced. Again, that is a 50 per cent construction milestone payment. The Wyndham port project is a \$10 million project, and a local Kununurra business, Cambridge Gulf Ltd, has been awarded the tender for works for the jetty. Construction is expected to commence shortly. The social and transitional housing project, which is one of the major aspects of the project in the Kimberley, is worth \$50 million. Stage 1, which has 23 dwellings, has commenced, and stage 2 for 40 homes will be advertised for tender in June. All projects are on track.

Ms R. SAFFIOTI: I refer to the table under service 1 on page 169 and the line item “Average Cost per Project Facilitated”. There seems to be a significant jump in the average cost between what was budgeted and the estimated actual. What is the cause of that? Is that because the number of projects facilitated was not as high as expected?

Mr C.J. BARNETT: On the actual cost calculation, we are dealing with a large number of bigger projects. That may be the explanation. I ask the director general whether she can add any information to that.

Ms A. Nolan: I turn to the director of corporate services.

Mrs S. Black: The number of projects dropped from 338 to 68 because of the redefinition. The cost per project changed due to that.

Ms R. SAFFIOTI: Can I get an explanation of “redefinition”? What is a project’s redefinition?

Mr S. Black: The definition of “project” was refined after the implementation of the lead agency framework, so that projects were defined around their inclusion in lead agency framework countings. Previously, we had used every project—small, large or indifferent—in the countings and when the lead agency framework came in, we used a specific definition in relation to that.

Ms A. Nolan: As the department has evolved to become the Department of State Development, we are focusing on the larger projects. That is not to say that we are not looking after some of the smaller projects, but our focus has been on some of the larger projects. We have more than 70 or 80 projects on the go.

Mr C.J. BARNETT: I imagine that if we went back to 2008–09 before the department was split, there would have been a wider range of technology and enterprise projects of all sorts, rather than the department now concentrating on the very big resource projects.

Ms R. SAFFIOTI: Is it possible to get a list of those projects by way of supplementary information?

Mr C.J. BARNETT: I do not know that that is particularly reasonable.

Ms R. SAFFIOTI: The Premier does not know whether it is reasonable?

Mr C.J. BARNETT: I will have a look at it, but I will not demand that people go back historically —

Ms R. SAFFIOTI: No, sorry; I just want the projects currently on the table.

Mr C.J. BARNETT: I am happy to provide a list of the current projects that the department is involved with. I add that in some cases the department will be the lead agency; in other cases it might just be providing support on something that is happening in another area. We will try to categorise that so it makes sense.

[*Supplementary Information No A18.*]

[5.40 pm]

Dr M.D. NAHAN: I refer to page 168 of the *Budget Statements*. What progress has been made in establishing Shotts industrial park near Collie? How will the establishment of this park be of benefit to people in the south west and Western Australia in general?

Mr C.J. BARNETT: The Shotts industrial park near Collie is being developed initially to accommodate the Perdaman urea fertiliser project. There are some complications with that in terms of haulage roads and I think a pipeline or an easement goes across it, so the state government has recently committed \$5.7 million to reroute the coal haulage road and to move some other infrastructure—I think a Telstra line goes through it—and that will clear the site for the industrial park. It is an interesting issue. In consolidating various parcels of land and getting rid of some old infrastructure, we will need to upgrade some infrastructure to service the site. However, there is no doubt that Shotts will be, in my view, a very successful industrial site, hopefully not only for Perdaman but also other potential investors. There is a lot of basically good infrastructure through power station development and coalmines that service the Collie area. I think it is good. The Perdaman project probably has not had the public profile it deserves. I give due credit to the previous government; the origins of the project can be traced back to the Labor government.

Mr E.S. RIPPER: I want to ask a couple of questions about the interaction of royalties and the federal government’s proposed resource super profits tax. Firstly, is the minister aware of any projects that cannot proceed because they are not profitable enough to pay royalties? Secondly, is the state government negotiating with the federal government to have its proposed royalty increases for the iron ore industry offset in the resource super profits regime? Thirdly, does the state government think it should be negotiating for an offset at the maximum rate charged by any other state so that there is scope for the state to undertake its own arrangements with regard to royalties? Fourthly —

The CHAIRMAN: Leader of the Opposition, this is not a broad policy debate. You need to confine your question to the document in front of us. We are on division 12.

Mr E.S. RIPPER: Yes, we are on division 12 and the minister has been talking about the royalty regime. It is a follow-up question to that.

The CHAIRMAN: I have been advised by the Deputy Clerk that the follow-up question needs to be asked by the person who posed the original question.

Mr E.S. RIPPER: It relates to the fifth dot point on page 168 of the *Budget Statements*.

Mr C.J. BARNETT: From my experiences I am not aware of a project that has not proceeded or has failed because of the payment of state royalties. I am not saying that it has not happened, but I am not aware of it. I am aware that projects in the mineral sands industry and the nickel industry from time to time when the price of the commodity has lowered have sought some temporary relief from royalties. I do not think anyone would invest in a mining project if it was such a fine margin that royalties was a real factor as to whether to go ahead; royalties simply do not impact to that extent.

The Leader of the Opposition's question about the proposed resource super profits tax is a good question, obviously, and important to industry. However, I will start with a slightly different view. To me it is simply an untenable situation that under this proposal the federal government would refund mining companies the royalties they have paid, because the effect of that would make the effective price of the natural resource zero. That is what it does.

Mr E.S. RIPPER: The effect is to substitute the federal government's charging regime for the state government's regime.

Mr C.J. BARNETT: No, only if the companies become liable for the resource super profits tax. What would happen if their profit rate is four per cent? They will not pay a resource super profits tax and they will get a refund. Those companies would not pay anything. Therefore, I think that is a major flaw but the federal government promotes it as getting a fair price for natural resources although we will have companies paying nothing for the natural resource. I think that is a serious flaw in the whole proposal.

As to the Leader of the Opposition's question relating to particular royalties—I assume he was talking about iron ore principally —

Mr E.S. RIPPER: I am concerned, for example, that Queensland has a higher royalty rate. I think it is 10 per cent on coal.

Mr C.J. BARNETT: It put the royalty up on coal, yes.

Mr E.S. RIPPER: Therefore, that is an existing royalty rate that may be rebated under the resource super profits tax but our lower royalty rates would only be rebated giving us no scope, if we wanted, to ever move to Queensland's rate.

Mr C.J. BARNETT: That is a measure of the extent to which the federal government wishes to intrude on our administration of mining in this state. My best guess is that if the federal government brings this law in, it would agree, for example, if the iron ore industry went to the existing mining rate that would be permissible, but if we raised the fine rate to the lump rate I think there would be an argument about that. However, in any case, I do not think the royalties should be rebated. I think the royalty, which is the purchase price of the mineral, should be treated as any mining expense and should be a deduction under federal taxation.

Mr E.S. RIPPER: Does the minister think he would have the support of the mining industry on that position?

Mr C.J. BARNETT: No, I do not but I think I would have the support of the Australian people and the Western Australian public. I have said publicly on a number of occasions that we should not be giving our resources away for nothing and that is what this proposal does. Many companies will mine at zero cost for the natural resource. We will be the only country in the world giving away our natural resources.

Mr E.S. RIPPER: I have one follow-up question. If the resource super profits tax is introduced as a way of sharing the mineral wealth across the country, does the minister think that would create a case for state royalties to be excluded from the goods and services tax sharing process?

Mr C.J. BARNETT: That is an interesting argument and we could argue that, yes. I know the Leader of the Opposition is not suggesting it, but I cannot and I am not about to defend this proposal. I think it is so fundamentally flawed and does not do what its proponents purport it does at all. In the past week I have had the chairman of a major Japanese trading corporation, the chairman of a major international petroleum company and the chairman of a major Chinese investor and participant in this state all in my office express strong concern and use the term, or its equivalent, "sovereign risk". That is three of our major investors and trading partners, and I am talking about at the most senior level. One of them commented, "We go around the world and hold Australia and Western Australia up as an example of where there isn't sovereign risk and as a great environment to do business in. We can no longer do that." That is how serious it is.

Mr E.S. RIPPER: They did that when Labor was in power as well, no doubt.

Mr C.J. BARNETT: I do not think the mining industry has ever faced an issue like this outside of the Organisation of Petroleum Exporting Countries oil crisis.

Mr M. McGOWAN: I refer to the third to last dot point on page 168, which is about the Perdaman project in Collie. The minister spoke about it before. I am unaware of exactly where progress is at but I am interested in whether the minister is aware of any difficulties around land title, water allocations, approvals being on time and those sorts of issues and whether the minister has had to intervene to resolve some of those issues with the company.

Mr C.J. BARNETT: It is a complicated process. A lot of agencies are involved and we are using an old location in the middle of existing infrastructure. Perdaman has been frustrated. It has had to deal with not only state development but also issues of water, land aggregation, transport, strengths of bridges and the rail system. There are issues about wanting two dedicated berths at Bunbury Harbour. I am a little frustrated and I think everyone

who has worked on this is frustrated, but these issues are getting resolved. It is pretty well in place. Probably the big issue for Perdaman will be the emissions issue and whether it gets status as basically a show project in geosequestration. Carbon dioxide emissions are its big issue and that obviously gets drawn up into federal approvals. If Perdaman can get that through, given that its market for fertiliser is basically through an Indian government organisation and given the Indian government's policy of improving self-sufficiency in food production in the villages of India, it has no market risk. I do not think it faces any serious risk in financing the project, but issues are the greenhouse emissions and whether it can get that credit nationally on geosequestration. That, I think, is its one remaining big obstacle. The others we will deal with bit by bit.

[5.50 pm]

Mr M. McGOWAN: Has the Premier had to intervene on these issues with the department to try to resolve them?

Mr C.J. BARNETT: No, but I meet regularly with the chairman of the company, Vikas Rambal, on about a six-weekly basis, and the department meets with him all the time. This is the role of State Development, and it is one of the difficult roles, because to make this project work, to some extent it could be easy on an entirely greenfields isolated site where we start with nothing. Here, we are not starting —

Mr E.S. RIPPER: Like the west Kimberly.

Mr C.J. BARNETT: Yes, but here you are starting with an existing situation, of course. The director general has just passed me a note about the Griffin Coal situation. That is another big issue. The project is relying on coal supply from Griffin. Griffin is currently in administration, so that is an uncertainty for the project. But, again, coal is there, and the company will secure the coal supply. There are lots of smallish problems in this project that are getting resolved bit by bit, but geosequestration will be the big one for it.

Mr E.S. RIPPER: I refer the Premier to the proposals to process Browse Basin gas in the west Kimberly. There seems to be some dispute between various native title parties. Does the Premier accept that the majority of the claimants of the relevant claim group have agreed to the liquefied natural gas project proposal?

Mr C.J. BARNETT: When the heads of agreement was signed last year, in April 2009, the reports to me were that something like 85 per cent of Aboriginal people voted in support of it—that is of those who were in that particular gathering.

Mr E.S. RIPPER: Yes.

Mr C.J. BARNETT: Since then, there has been some sort of a splintering and there are competing native title claims, and some people seem to have changed their position. Native title has not been established over this site; it is vacant crown land. The government recognises the position of traditional owners, and basically concedes that native title will apply to that area. The question is which group would hold native title if that were the case. If that ever went to a court, I have no idea whether the court would grant native title or, indeed, whom it would grant it to. I do not think anyone knows the answer to that question. We would rather basically concede that native title in all probability applies and negotiate collectively with all the Aboriginal people in the area and share the benefits across all the people. That is where we are at.

Mr M. McGOWAN: I refer to page 170 and to the Ord East Kimberley project, for which the total cost is \$210 million. The Commonwealth Scientific and Industrial Research Organisation has put out a report that indicates that there could be significant salinity problems with some of the land that is being allocated for the Ord East Kimberley agriculture project. Can the Premier perhaps provide us with advice on whether he is aware of that? Is the Premier aware of any land being unable to be irrigated or proceeded with because of salinity issues, and what will be the estimated impact of salinity on this project?

Mr C.J. BARNETT: I am aware of the so-called salinity issue, having visited the site a couple of weeks ago and talked to a rice grower from the Murray–Darling who is a very senior person in the rice industry in Australia, and having chatted to a few other people there. Yes, the watertable has risen, but not much. I think, from memory, it was said that it is four to five metres below the surface. It is interesting that this sort of work would be done, suggesting that a rising watertable could bring salt to the surface and create a problem. When talking to the farmers, they pointed out that in the past five years it has been wetter up there. They have had a lot more rain than the long-term trend, and they have had unseasonal rain, as they had a couple of weeks ago, outside the wet season. If there is any further or significant rise in the watertable, again the advice I am getting is that that is easily managed; it is nothing unusual and the watertable can be kept well below the surface. I think the Ord River has been studied to death. Any irrigation scheme is likely to have issues about water levels, surface water, below-ground water and the like, and that is part of the science of managing it.

I am very concerned that the federal environment minister, Peter Garrett, shows a propensity to latch on to anything that could be interpreted as bad news for the project. Indeed, he wrote to the state government

suggesting we do not proceed. We wrote back saying, “Sorry, we are proceeding, because this is the Western Australian government and we believe we fully understand that project and we are proceeding.”

Mr M. McGOWAN: On what basis did he write saying, “Don’t proceed”?

Mr C.J. BARNETT: On the same basis as the member’s question.

Mr M. McGOWAN: Salinity?

Mr C.J. BARNETT: Prospective salinity on the basis that salt might come to the surface—might; it is highly unlikely—and a migratory bird might land on that salt and not like it. That is about the length of it.

Mr M. McGOWAN: I suspect the Premier has somewhat truncated what he said. Will the Premier table the letter?

Mr C.J. BARNETT: I do not think the member would be doing the Labor Party any good at all if I were to table that correspondence from one Peter Garrett.

Mr M. McGOWAN: Why is that?

Mr C.J. BARNETT: Because it is basically antidevelopment, anti the project.

The CHAIRMAN: Members, this is not an opportunity for debate.

Mr E.S. RIPPER: With regard to the Ord East Kimberley development, will the water charging, water trading and water entitlements regime be consistent with the state’s obligations under the National Water Initiative?

Mr C.J. BARNETT: It will fit with those agreements, yes. Whether it fits exactly, I am not sure, because it is already partly in place, but it will be consistent with national —

Mr E.S. RIPPER: Is it necessary to change state legislation for the project to be administered consistent with the obligations of the National Water Initiative?

Mr C.J. BARNETT: I am not sure of that. I do not know whether the department can help me.

Ms A. Nolan: It has not been drawn to our attention.

Mr C.J. BARNETT: I am correct in saying that it will be consistent with the National Water Initiative.

Ms A. Nolan: Yes.

The appropriation was recommended.

Division 17: Western Australian Electoral Commission, \$6 188 000 —

The appropriation was recommended.

Meeting suspended from 5.57 to 7.00 pm

Division 57: Child Protection, \$417 908 000 —

Mr P.B. Watson, Chairman.

Mr A.J. Simpson, Parliamentary Secretary.

Mr T.M. Murphy, Director General.

Ms F.J. Lander, Executive Director, Policy and Learning.

Ms J. Waylen, Director, Non-government Policy and Funding.

Mr J. Peckitt, Manager, Management Accounting.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the chairman’s intention 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 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. For the purpose of following up the provision of this information, I ask the parliamentary secretary to clearly indicate to the committee which 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 committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the parliamentary secretary to cooperate with those requirements. 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. Only supplementary information that the minister agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

I now ask parliamentary secretary to introduce his advisers to the committee.

[Witnesses introduced.]

The CHAIRMAN: Members, are there any questions? Member for Wanneroo.

Mr P.T. MILES: My question is to the parliamentary secretary. I refer to the second table on page 705 of the *Budget Statements* regarding the implementation and expansion of the responsible parenting service. Has there been an evaluation of the outcomes of these services, and what are the plans to expand these services to country Western Australia?

Mr A.J. SIMPSON: I thank the member for the question. Responsible parenting services covers Parent Support, which commenced in 2005, and Best Beginnings, which commenced in 2000. These services are currently provided in metropolitan Perth but in only limited areas in country Western Australia. Through the royalties for regions funding, an allocation of \$27.9 million over four years will enable the substantial expansion of these services over this and the next few years to ensure that all country regions receive these valuable services. Parent Support is delivered to parents whose children are under 15 years of age and are not attending schools and who are involved in antisocial behaviour at school, at home or in the community, or are involved in other offensive behaviour. An evaluation of the program found that 85 per cent of parents considered that Parent Support helped them develop useful parenting skills and confidence as a parent. Importantly, 70 per cent saw an improvement in their child's behaviour, including in communication, cooperation and school attendance. Best Beginnings is provided for families with babies and toddlers and is a joint initiative between the Department for Child Protection and the Department of Health. Best Beginnings evaluates and resolves short-term issues, ensuring a positive effect on families. Four out of five families believe that the program has had a positive impact on how their children grew and developed and that it improved aspects of life for them and their babies. The royalties for regions funding will provide \$2.8 million in 2010–11 and expand these services to the Great Southern and Murchison regions. In 2011–12, an additional \$3.7 million will be available for the Pilbara and Goldfields regions. The scheme will further expand to the Wheatbelt in the south west of Western Australia with expenditure of \$2.9 million in 2012–13. It is a credit to the Barnett and Grylls government that the royalties for regions fund is being used to support this initiative.

Mr A.P. O'GORMAN: Why does the parliamentary secretary not make a ministerial statement?

Mr A.J. SIMPSON: Because I am not a minister!

Ms L.L. BAKER: I refer to the major spending changes on page 705 of the *Budget Statements*. I have a question about the three per cent efficiency dividend that was demanded of agencies this year in the 2009–10 budget. These figures do not show a target for the efficiency dividends. Has that ceased, or is it not being shown for some other reason?

Mr A.J. SIMPSON: I thank the member for the question. I will pass over to the director general.

Mr T.M. Murphy: Those cuts, which they were, are not reflected in this year's budget because they were met sufficiently in 2009–10. Therefore, there are no new targets for 2010–11.

Ms L.L. BAKER: Is the director general telling me that the three per cent cuts are no longer being applied to the department for this year and the out years and that the department has met them all in one year, or is that amount continued each year?

Mr T.M. Murphy: It is built into the out years, as is reflected in last year's budget.

Ms L.L. BAKER: According to last year's budget papers, the target that was set in 2009–10 was \$6.832 million. The \$725 000 for the funeral fund that was originally included in the three per cent efficiency dividend was refunded. I understand that the department was not required to make that cut and that the money was reinstated. What is the total dollar figure for the three per cent efficiency dividend that will continue this year? Am I right in assuming that the \$725 000 is no longer part of the three per cent efficiency dividend for this year and the out years?

Mr A.J. SIMPSON: I ask the director general to answer the question.

Mr T.M. Murphy: That is correct. The total dividend that is built into the 2010–11 budget is \$6 092 000.

Mr M.P. WHITELY: I refer to major spending changes on page 705 of the *Budget Statements*. The third item identified is the hardship utility grant scheme and financial counselling services. That has a budget of just under \$6 million for 2010–11, yet there is no funding in the out years. I find that extraordinary, given that there is a 22 per cent increase in electricity prices elsewhere in the budget. Why is there no allocation for that in the out years?

Mr A.J. SIMPSON: I thank the member for the question. Through the hardship utility grant scheme, we have allocated quite a substantial amount of money. We also have done a process of consultancy services at a cost of \$3.6 million to help recognise that the cost of services has gone up. I will pass over to the director general the member's question about the out years.

[7.10 pm]

Mr T.M. Murphy: There is a figure of \$1.5 million. That is in the out years. That is based on the original allocation for some grants, but predominantly financial. That is reflected in the income statement further on in the budget papers.

Mr M.P. WHITELY: Through the parliamentary secretary, can we be directed to where in the budget papers that can be found?

Mr T.M. Murphy: It does get a tad complex, I will admit. It is found at page 713, under “Details of Controlled Grants and Subsidies”, and the category “Other”. Most of the funds are reflected there; the ongoing \$1.5 million is. There are also some funds reflected in purchase of non-government services, where financial counselling was purchased. However, to go to the thrust of the member's question, apart from that money, the additional allocation for this year has been made only on a one-year basis, because it is reviewed, and we would expect it to be reviewed as necessary, each year to reflect whatever changes may or may not occur in electricity and other utility costs.

Mr M.P. WHITELY: If I can follow up on that, because I am trying to get my head around it. The figure that Mr Murphy has identified on page 713 under “Other” actually decreases in 2010–11 from \$6.8 million to \$2.3 million. Is that money completely separate from the \$5.9 million? Is that 2010–11 figure of \$5.9 million contained in that \$6.8 million?

Mr T.M. Murphy: It is contained —

The CHAIRMAN: Through the parliamentary secretary, please.

Mr T.M. Murphy: I do apologise for the protocol effort here. It is contained in the \$6.8 million, and then a proportion of it is contained thereafter.

Mr M.P. WHITELY: Through the parliamentary secretary again, the \$1.5 million that Mr Murphy has identified—I am trying to clarify what was said before—is that for counselling services or for HUGS?

Mr A.J. SIMPSON: Mr Murphy.

Mr T.M. Murphy: I did mention both before, but, sorry, it is for grants. It is the original allocation made for the program; that continues.

Mr M.P. WHITELY: Through the parliamentary secretary again, despite the fact that we are going to see a 22 per cent increase in electricity prices, we see a massive decline in the HUGS money in the out years. In fact, it is not there. There is no budget item at all for that.

Mr A.J. SIMPSON: Basically, it is reviewed each year, and the funds are allocated each year as they are needed.

Mr M.P. WHITELY: How can the government plan for a decrease in hardship when there will be a 22 per cent increase in electricity prices? Why does the government think there will not be any hardship next year—we need \$6 million this year, but next year we need nothing!

Mr A.J. SIMPSON: It is reviewed on a yearly basis.

Mr M.P. WHITELY: So there is a hole in the budget in the out years?

Mr A.J. SIMPSON: It is reviewed on a yearly basis.

Mr A.P. O'GORMAN: Is the parliamentary secretary saying that there is no point in having the out years in the budget anymore—because basically that is what he is saying?

Mr A.J. SIMPSON: It is reviewed on a yearly basis. We have identified this year that because the cost of some services has gone up —

Mr M.P. WHITELY: Why can the government not put in a figure and then review that on a yearly basis?

The CHAIRMAN: Members, through the Chair, please!

Mr M.P. WHITELY: Every budget is a fresh review. Why not put in an estimate for the out years and then review that estimate?

The CHAIRMAN: Members!

Mr A.J. SIMPSON: I understand members' concern about the out years. We review it on a yearly basis and allocate the money where the need is. Currently, under the hardship utility grant scheme, if we were to go through the past couple of years, the number of people applying has been reasonably low. We have identified that there will be an increase in the price of utility services, so we have increased that grant, because we anticipate that a lot more need will be coming into the process. However, it will be reviewed on a yearly basis.

The CHAIRMAN: One last question, member for Bassendean.

Mr M.P. WHITELY: The budget is reviewed on a yearly basis, and every year the government makes an estimate of what something is going to cost next year. How can the government honestly make an estimate that says we will go from \$6 million to nothing, even though there will be an increase in the price of electricity by nearly one quarter?

Mr A.J. SIMPSON: It is not quite nothing. There is \$1.5 million in there.

Mr M.P. WHITELY: There has been a 70 per cent decrease. That may be arguable. How can the government justify that? Why did the government not just put in a figure of \$7 million, inflate that figure by 22 per cent, and adjust that the next year if it has to? Is that not the way budgets are done?

Ms L.L. BAKER: It does seem like a particularly outrageous way of budgeting!

The CHAIRMAN: Excuse me, members! If members want to be in the chair, they should sit here. If not, they should sit down and await their turn.

Mr A.P. O'GORMAN: I refer to page 705, the heading "Major Spending Changes", and the line item "Reform and Expansion of Residential Care Services — Secure Care". Is this money for the individual care services provided by non-government organisations to children at risk of harm to themselves or to others, or is this money for the redevelopment of the Kath French Centre and for the secure care centre?

Mr A.J. SIMPSON: I thank the member for the question. This secure care funding will go a long way towards helping young people aged between 12 and 18 deemed to be at substantial risk of harm to themselves or to others. The Department for Child Protection, through its secure care services program, will be consistent with the international conventions on human rights and the international recognition of therapeutic models of interventions. This program is very important to child protection, and the minister is very keen to make sure that we keep moving along. I will pass to the director general for an update on that particular service.

Mr T.M. Murphy: These are the operational costs for the secure care centre in the first instance and into the out years. We anticipate that the centre will open in early January 2011, subject to the legislation being passed by Parliament.

Mr A.P. O'GORMAN: I have a couple of further questions. Mr Murphy has referred to the out years. There is a stack of figures showing where the government has made estimates for the out years. I will refer back to the previous question about the hardship utility grant scheme, that has been funded only for this year. If members look at some stuff the government has included here and then consider some of the stuff it has tried to hide, they will find it is nonsensical. Mr Murphy has also mentioned the legislation. What is the time line for the legislation and for the locked secure facility if the government expects it to be open in January 2011?

Mr A.J. SIMPSON: The legislation will actually come into Parliament straight after the estimates. Probably before the winter break I will bring the second reading into Parliament. That bill will make a legislative change to the Children and Community Services Act 2004. Until we get the changes to the legislation through, it will make it harder to put in the figures for the out years. That will be part of the process, and it will be reviewed yearly.

Mr A.P. O'GORMAN: So the parliamentary secretary is expecting to push that through both houses by the end of this session?

Mr A.J. SIMPSON: No. I do not know that it will get through both houses, member, but I would like to get it through the Legislative Assembly at some time.

Mr A.P. O'GORMAN: How is the government going to get the facility up and running in January 2011 if the legislation is not in place yet?

Mr A.J. SIMPSON: January 2011 is still more than seven months away.

Mr A.P. O’GORMAN: That is why I asked! The parliamentary secretary hopes to get it through both houses between now and when we rise at Christmastime?

Mr A.J. SIMPSON: Yes. I would have to be optimistic. I would have to say that we will be very close to it, considering that we have a number of sitting weeks left before the winter recess.

Mr A.P. O’GORMAN: The parliamentary secretary is optimistic, and he has been here just as long as I have!

The CHAIRMAN: Do you have a further question, member for Joondalup?

Mr A.P. O’GORMAN: Can the parliamentary secretary tell us the time line for the commencement and completion of the redevelopment?

Mr A.J. SIMPSON: I would have to refer to the director general for that.

Mr T.M. Murphy: The redevelopment is underway now. We would anticipate that being completed in around November, and then working towards a January start date. That takes into account the time to recruit and train staff and get all the policies and procedures right.

[7.20 pm]

Mr A.P. O’GORMAN: I have a further question.

The CHAIRMAN: It will be the member’s last further question.

Mr A.P. O’GORMAN: Can the parliamentary secretary tell us what concerns the council has about the Lockridge community and the change to the role of the proposed secure care facility, given the community outrage we have seen about other community care facilities that we have tried to put in place and the bad handling of that consultation?

Mr A.J. SIMPSON: I will have to pass over to the director general.

Mr T.M. Murphy: We have discussed the change in function with the local council, and over time we will discuss it with the neighbours. I point out to the member that this facility, formerly called Hillston, has to the best of my knowledge been in operation as a welfare centre with the same sort of people who we will have in more secure care since around 1947.

Ms L.L. BAKER: It has not been used for a long time.

Mr A.P. O’GORMAN: There must be consultation with the community if the purpose of this facility is being changed to a secure facility. It is not being discussed with the local community. That gets the community offside. I want this facility to go ahead, but I want it done properly. We do not want to get the community offside. Believe me, I have had problems with Balga Works, as the parliamentary secretary well knows, and that was all about community consultation; it was not done properly by the organisation that did it, and now we are doing exactly the same thing here: we are not consulting with the community prior to its coming in. Regardless of the fact that it has been used since 1947 as a facility for kids in care, we are changing the perception of it, because it will now be a secure facility. That causes great concern within the community. What process of consultation is in place and why is there not a properly laid out process that we can be told about?

Mr A.J. SIMPSON: I will ask the director general to answer that.

Mr T.M. Murphy: It is not that complex. We have been using that facility until very recently. We have only moved children out of that facility in the past couple of months. The children who were already housed at the Kath French Centre, which was built for this purpose 10 years ago, are not dissimilar to the children who will be housed in the secure care centre. The difference is that the proposed facility will be more secure. Essentially there will be no opportunity for children to abscond from the facility. I agree that there will be a change in perception and it will be important that we carefully explain that to our neighbours. We have discussed it with the council. We have a very good relationship with the neighbours in that area. We will, as it comes closer, explain and discuss the issue with the neighbours. Seven months before commencement, we will not do so. Prior to legislation going through Parliament, we will not do so. I anticipate that around October will be the appropriate time to start that process with our neighbours.

Mr A.P. O’GORMAN: I disagree with the director general. Will the same type of clients as the clients who were there previously be moved there?

Mr A.J. SIMPSON: I will ask the director general to answer that question.

Mr T.M. Murphy: It will be.

Mr A.P. O’GORMAN: Why is it a secure centre instead of a non-secure centre?

Mr T.M. Murphy: There has been a gap in our residential care capacity for some time. The idea was first mooted over 10 years ago. The review of the former Department of Community Development, undertaken by

Prudence Ford, recommended that we have a three-tier residential care system, going from family group homes with live-in carers in tier 1 through to intensive therapeutic houses in tier 2, in which there are staff supporting the children, and then the secure care facility. The secure care facility is not about locking up difficult children and young people forever, but providing a short, sharp opportunity to stop them in their behaviour and get the necessary services around them to allow for a transition back to either intensive therapeutic care—tier 2—or other placement services.

Mr A.P. O’GORMAN: Will there be therapeutic care at this facility?

Mr T.M. Murphy: There will be and it will be very intense. We will have a higher staff ratio there than we have at our normal houses, as well as a higher level of psychologists, an in-house school and mental health staff, including a part-time psychiatrist. These will all be involved in the care team operating in the secure care centre.

Mr A.P. O’GORMAN: Is that what this allocation is in the budget for—\$2.6 million, \$6.1 million and \$6.4 million?

Mr A.J. SIMPSON: Yes, that is correct.

Mr A.P. O’GORMAN: So that is —

The CHAIRMAN: I think the member for Joondalup has had a fair crack at this question. The member for Carine.

Mr A. KRSTICEVIC: I refer the parliamentary secretary to the first dot point under “Significant Issues Impacting the Agency” on page 706 of budget paper No 3. How will the department keep up with the demand for front-line staffing?

Mr A.J. SIMPSON: I thank the member for the question. The Department for Child Protection received a significant boost in this year’s budget to keep up with the demand for critical child protection and family support services. An additional 67 positions will be created, comprising 43 caseworkers; three child-first positions in forensic investigation in partnership with WA Police; three learning and development centre staff; one remote community protection worker in Looma; 13 part-time Aboriginal workers in remote areas; and four child protection staff for new family support hubs. There are additional funds supporting the cost of looking after children in care, comprising \$1.2 million in case support costs; \$1.3 million in subsidy for carers; and \$305 000 to support young people needing care, which will be combined with the first allocation last year for this purpose of \$500 000. Additional foster care subsidies will increase by \$20 per fortnight and the department will provide an increase in the subsidy rate for carers located in very high cost and regional remote areas. I am confident that the department can accurately respond to the needs of children. It is a great initiative of this government.

Ms L.L. BAKER: The second dot point on the same page, 706, talks about individuals and families at risk in crisis. I would like to follow up on the at-risk notion. The minister funded a program this year to work with unsupervised children in Northbridge who were clearly kids at risk. I think Mission Australia was given funding of \$100 000 to work with the kids by picking them up and taking them home or keeping them safe until they are picked up, and then they follow up on those cases. I cannot see any funding in the budget to continue this program. Am I to assume that the monitoring of and care for children in Northbridge that was put in place by the government this year will be discontinued from now on and there will be no-one to pick up those children under this program?

Mr A.J. SIMPSON: I thank the member for the question. The Department for Child Protection provides significant funding for a range of services. I will ask the director general to answer the member’s specific question.

[7.30 pm]

Mr T.M. Murphy: The Northbridge project, that was put in place in response to the Northbridge curfew some years ago, comprises services provided by four agencies. The Department for Child Protection provides an outreach service with youth workers on the streets on Thursday, Friday and Saturday nights. Kallara, provided by the Department of Corrective Services, provides a return-to-home and follow-up service. It also operates around the same time as the Department for Child Protection’s services. The Nyoongah Patrol operates patrols for Aboriginal people specifically, linking with the other services to get them home. Mission Australia provides a commonwealth-funded program that provides a safe place for youngsters and a follow-up service. All those services probably cost \$1 million or more combined. The member is talking about a specific one-off grant provided by the minister from the WA Family Foundation fund last year to assist Mission Australia to meet a backlog of clients and provide some additional follow-up. It is a part, but only a part, of that combined and integrated Northbridge project. My understanding is that Mission Australia and the minister are currently discussing their needs, and they are also discussing those with me. We would have no intention of the Northbridge project and the follow-up for young people who break curfew being compromised in the coming months and year.

Ms L.L. BAKER: Will that money be continuing, then?

Mr T.M. Murphy: As I explained, it is a relatively small part of a substantial and integrated program.

Ms L.L. BAKER: No, that is not the question. Will that money, equivalent to \$100 000, be continued to do this good work?

Mr T.M. Murphy: I can only advise the member that Mission Australia, the minister and I are further discussing the matter, but I have to emphasise that the program, of which that is a relatively small part, will not be compromised.

Ms L.L. BAKER: Are there any other plans in those discussions or any other policy discussions to extend the Northbridge curfew to other areas?

Mr A.J. SIMPSON: I am not aware of any extension of the curfew.

Ms L.L. BAKER: It is part of what the director general was just describing.

Mr T.M. Murphy: As the parliamentary secretary has just said, we are not aware of any plans to extend the curfew. I note, though, that the government —

Ms L.L. BAKER: Even though the Premier and the minister have both referred to extending the curfew in Northbridge?

Mr T.M. Murphy: In Northbridge? Sorry, I think we misheard the question.

Ms L.L. BAKER: From Northbridge to other areas—I am sorry.

Mr A.J. SIMPSON: We have no plans to extend the curfew at the moment. It is on a needs basis.

Mr A.P. O’GORMAN: Blowing it in the air again.

Mr A.J. SIMPSON: It is one of those things; curfews work well in certain areas. It has helped to try to keep kids off the streets. It is all about protecting them.

Ms L.L. BAKER: So the Premier got it wrong when he went out and said that he would like to extend it?

Mr A.J. SIMPSON: No. He would like to extend it. I think we would all agree that before we start placing those sorts of regulations on areas, we need to see whether there is a need for them and we have to address the need and make sure that we are doing other things than just bringing in curfews.

Mr M.P. WHITELY: You might want to counsel the Premier on that, then.

Mr A.J. SIMPSON: I understand. We are keen to do our best to safeguard children on the streets and to try to get them off the streets. If a curfew works, we will look at that process. It certainly is a good process.

Mr A.P. JACOB: I refer the parliamentary secretary to the ninth dot point on page 707 of the *Budget Statements*. Can the parliamentary secretary outline for me what the Barnett government is doing about homelessness?

Mr A.J. SIMPSON: I thank the member. The state government provides funding for a range of programs for the homeless, which are funded jointly with the commonwealth. The Department for Child Protection is a lead agency for homeless programs. Through the National Affordable Housing Agreement, the department provides annual funding of nearly \$40 million for 122 services for people who are homeless or at risk of becoming homeless. These include crisis transit accommodation for young people, adults and families; services for women and children experiencing family and domestic violence; meals; and a day support centre. The services support more than 11 000 clients and over 8 000 unaccompanied children each year. In addition, the state government has invested nearly \$68 million across four years to tackle homelessness in Western Australia under the National Partnership Agreement on Homelessness. Western Australia implemented a plan that will largely take place by July 2010 and will see the employment of 110 new workers in non-government agencies around the state. Those workers will support people who would otherwise sleep rough and people who need assistance in finding and maintaining accommodation. In the metropolitan area, 23 non-government community service organisations will receive \$6.85 million per annum to employ an additional 62 workers. In country areas, 18 non-government community service organisations will receive \$4.79 million per annum to employ an additional 40 workers. In addition, child support worker roles are being developed in domestic violence refuges to ensure that the needs of accompanied children are met. The housing developments specified for young people, based on the United Kingdom’s Foyer model, will also commence in mid-2011 and will provide secure and stable support housing for up to 100 young people, 35 of whom would otherwise be homeless. It will focus on developing life skills, education and training, and will lead younger people towards employment. Importantly, it will also provide support accommodation for young people who extend through child protection services.

Mr M.P. WHITELY: I refer the parliamentary secretary to the last line under major spending changes on page 705 of the *Budget Statements*, which states “Royalties for Regions — Responsible Parenting Services”. Are there

any differences between the funding models—that is, staffing components and the way in which the programs are delivered—for the responsible parenting services using the royalties for regions funding and those that just use normal DCP funding?

Mr A.J. SIMPSON: I will pass over to the director general, Mr Murphy.

Mr T.M. Murphy: The allocation of royalties for regions funding was based on submissions made locally and supported by local agencies. They were originally submitted through regional development authorities and later consolidated and provided as a central submission to the royalties for regions fund. As the parliamentary secretary pointed out earlier, responsible parenting services have for some years been available in the metropolitan area and latterly have been established in the Kimberley. The model for the submission for royalties for regions funding reflects the model of service provided in the Kimberley and similar levels of resourcing, depending on the need of each individual region.

Mr M.P. WHITELY: I am a little confused. Is it the same basic funding model? Will they use the same staffing components and will the program delivery be similar in the regions to that provided in the metropolitan area? I am a little confused about what the director general said.

Mr A.J. SIMPSON: Is the member referring to the royalties for regions funding of parenting support in the regions?

Mr M.P. WHITELY: The responsible parenting services funded under royalties for regions—I want to know whether it is the same program as the one funded by DCP. I was a little confused by the answer.

Mr T.M. Murphy: It is based on the model provided in the Kimberley, which is a variation of the model provided in the metropolitan area. It has the same conceptual basis but it varies significantly given the population of the region.

Mr M.P. WHITELY: Are responsible parenting services core DCP business? If so, why would regional areas need these services to be funded through a special program? Is this not a core program? Is this not an artificial badging as royalties for regions?

Mr A.J. SIMPSON: Royalties for regions is state-funded; it is the same pocket of money.

Mr M.P. WHITELY: That is my point. The parliamentary secretary is basically saying that it is a sham; it has been rebadged as royalties for regions but it is really just what they would get in any case.

Mr A.J. SIMPSON: I am saying that the state government is going to deliver parent support in the regions.

Mr M.P. WHITELY: Is that regardless of royalties for regions status?

Mr A.J. SIMPSON: The member can call it what he wants; the state government is providing services.

Mr M.P. WHITELY: That is what I am asking. It has been badged as royalties for regions. Is this something that has been put into the regions only because of royalties for regions funding or is it something that the department would do in any case? Clearly, it is something the department would do in any case.

Mr A.J. SIMPSON: I have answered the question.

Mr A.P. O’GORMAN: I refer to the fourth dot point on page 707 of the *Budget Statements*, which states —

Children in the care of the CEO are generally at a health and education disadvantage. Education assessments and plans for all children are being implemented in partnership with all State, Catholic and independent schools.

Can the parliamentary secretary tell us what criteria are used to assess children? Is every child who comes into care, no matter for how long, assessed, and do they all have a plan?

[7.40 pm]

Mr A.J. SIMPSON: I will pass this over to the director general.

Mr T.M. Murphy: This is an issue of some detail. I remind the member that in the review of the former Department for Community Development by Prudence Ford a number of recommendations were made that children in care should have an education plan worked out for them with the education provider. This is a fulfilment of those recommendations and it means that every child in the care of the CEO has what is called a documented education plan. I am very pleased that not only state government public schools, but also Catholic and non-government schools have all agreed to this process. The former is managed by the Department of Education and the latter through the Department of Education Services. It means that each child is assessed on the categories outlined in those plans. That is an already established process applied formally to all children considered to be at risk in Department of Education schools.

Mr A.P. O’GORMAN: The department has more than 3 000 children now in care. Can the parliamentary secretary tell us, out of the 3 000-odd children in care, how many education assessments have been done and placed and how many have been completed?

Mr A.J. SIMPSON: I will ask the director general to answer.

Mr T.M. Murphy: We would have to take that on notice. I must exercise some caution in that we would be asking non-government and Catholic schools to count something that they do not usually count and that is not readily available.

Mr A.P. O’GORMAN: There are more than 3 000 kids in care. We need to know that the 3 300 kids in care are getting their education and health assessments done. We also need to know that once they are done, the plans are enacted. It does not really matter whether they go to a Catholic or a state school. I am not asking about that. I am asking how many have been done and whether the department can guarantee that the plans are being followed.

Mr A.J. SIMPSON: Thank you, member, I will ask the director to respond.

Mr T.M. Murphy: Education plans began implementation in July 2009. We do not expect all children to be done immediately so there must be some reasonableness about this. I point out that of the close to 3 300 kids in care, not all are of school age. A very large number are under school age and some have left school. Two further points are critical. Firstly, we will review the program at 12 months. That is coming up and will involve looking at the depth of take up. Moreover, this is not monitored on a numerical basis; it is monitored by each caseworker looking after their children. One of the domains of planning for the care of children who are in care is education. Our caseworkers have to work directly with the schools that the children go to in order to ensure that they are getting the best opportunities they can. This includes working with the school to make sure a documented education plan is done.

Mr A.P. O’GORMAN: And the health plan?

Mr T.M. Murphy: The health plan has had a different process of implementation. We piloted in four of our districts over the past year or so and we have a roll-out plan for the rest of the state to come into place over the next 18 months.

Mr A.P. O’GORMAN: Do you expect that to come in over the next 18 months?

Mr A.J. SIMPSON: Correct.

Mr A.P. O’GORMAN: In there was an offer to provide some supplementary information in terms of the assessment plans.

Mr A.J. SIMPSON: It involves the assessment of children in care who have had an education and a health assessment.

Mr A.P. O’GORMAN: The director mentioned there were four districts. I assume they are child protection rather than school districts. Can we have those also for the health plan and for the education assessments and plans?

Mr T.M. Murphy: We will do our best to provide the supplementary information. I issue the caution that this data for the education plans is not collected electronically by our department, nor is the matter of health planning quite as simple, because health planning involves the health department, through community health nurses, providing a conduit to us for multiple health providers. It is not a simple electronic matter to report the data. We will do our best to provide a quantitative estimate of the extent to which those programs have been implemented.

The CHAIRMAN: Is the parliamentary secretary accepting the supplementary question?

Mr A.J. SIMPSON: Yes.

The CHAIRMAN: Will the parliamentary secretary tell us please, for the benefit of Hansard, what information he will provide?

Mr A.J. SIMPSON: We will provide information on children in care who have had an education assessment and a health assessment in each of the regions.

[Supplementary Information No A19.]

Mr A.P. O’GORMAN: Can the parliamentary secretary tell us the response to the health deficits identified in the plan; who is responsible for checking that the deficit has been addressed satisfactorily, for example whether a tutor or speech therapist has been engaged and that appointments have been made; and how that response is funded? Other departments are involved, particularly with speech therapy and occupational therapy. How are they funded?

Mr T.M. Murphy: Care planning for children in the care of the state, in the care of the CEO, involves the department working with a range of service providers. We have not just discovered that they need education. We

have not just discovered that they need health services. We have been engaging these children in education and health services forever. With documented education plans, we are applying an existing Department of Education process to our children in care, elevating their assessment and the services they receive, to be recognised for the risks they carry—to be classed as children at risk. Similarly with health services, we have worked with the health department to provide a conduit to what is a very diffuse system of health services in the state. While we expect our 3 300 out of the state's hundreds of thousands of children to certainly in some cases get an additional level of service, they will not in all cases get an additional level of service because they have been serviced over time. We expect, as education and health have accepted, that this will occur within existing resources.

Mr A.P. O'GORMAN: Where is the follow-up? Who is the person who keeps following that up? Is it left to the foster carer, the case manager or a team manager? Who, at the end of the day, does the buck stop with? If I want to find out about a child in care in my electorate from a family I know, do I go to the foster carer or the department and talk to the case manager? Who do I speak to?

Mr T.M. Murphy: The caseworker is the best bet. The member may be aware that we work in partnership with our foster carers and delegate a number of responsibilities and decisions to them. However, in these instances, ensuring children are accessing the education and health services they require is the responsibility of the caseworker.

[7.50 pm]

Mr M.P. WHITELY: I have been trying to establish for a while the number of kids who are on a range of psychotropic medications of the 3 300 kids in care. Is it possible to identify the proportion of children through a review of their health care plans, even if a case sample of, say, 500 was taken and it was found that 25 per cent were on these medications? Is it possible to do that in this review?

Mr A.J. SIMPSON: No, I am sorry.

Mr P.T. MILES: My question relates to the fifth dot point on page 707 and the reform and expansion of residential care services. What are the ongoing plans and issues in this area?

Mr A.J. SIMPSON: The department is processing a major expansion and reform in residential care across the state. The department has moved away from the outdated approach based on larger hostels by establishing smaller, more home-like environments and accommodation for children and young people. It has introduced a new concept of an operational framework that underpins this. The houses work similar to how a home would work with a parent figure involved with the young people or children. They also work in the therapeutic area and with traumatised children and young people, trying to work through their issues. In this year's budget further funds have been made available to continue these reforms. An additional \$13.6 million increase in recurrent funding in 2010–11 will enable an additional 65 beds from 2010–11. This will take the number of beds in family group homes managed by the non-government sector in which a carer lives with children and young people from 96 beds in 2008–09 to 224 this coming year. There were an additional 44 beds this year and 84 were added last year. It also takes in a number of incentives with therapeutic bed managers and around-the-clock staff to increase to 56 from the current 42. A nine-bed secure care service will be established and will commence in January 2011, with the legislation being introduced later this year. It is all part of that process of trying to work with children. The member would be very much aware that living in small group houses certainly has a lot more impact on reforming our young people and children with a parent-like figure working more one on one with the children instead of the old-fashioned hostels and putting them all into the one place.

Ms L.L. BAKER: I again refer to the residential care services referred to in the fifth dot point on page 707, which states —

The roll-out of metropolitan intensive support homes to replace large institutional hostels is nearing completion.

Could the parliamentary secretary tell us which suburbs these houses are in now, where he is planning to put them, what the local residents and local government think of it and what the average cost is? It is a suite of questions around the residential purchases.

Mr A.J. SIMPSON: I thank the member for the question. I will answer a couple of the questions and then I will hand over to the director general. As the member would imagine, the cost varies depending on where the houses are.

Ms L.L. BAKER: There must be an average cost.

Mr A.J. SIMPSON: It would almost be the average median price of a house to a certain degree, depending on the area.

Mr A.P. O'GORMAN: The average is \$500 000.

Mr A.J. SIMPSON: I will get the final figure from the director general in a moment. The member asked about the locations. We are trying to keep in mind where we are with these children and young people and the best environment for them is to go through that process. Obviously, we always try to look for the best environment for them to grow up in and be involved with. We take a number of factors into consideration—being close to educational facilities, health services, transport and those types of things. For a more direct answer relating to price and areas, I will pass to the director general.

Mr T.M. Murphy: The cost of a tier 1 house in recurrent terms is around \$340 000 a year. That is a family group home with live-in carers and additional support staff. The cost of a tier 2 home with around-the-clock staff and an additional manager, psychologist, education officer and the like is around \$1 million.

Mr A.P. O’GORMAN: Is that for four kids?

Mr T.M. Murphy: Yes.

Ms L.L. BAKER: The adviser is giving me the cost of the whole service, which is fantastic. Does he also have the average cost of the houses? I would like him to keep going with that but I would like the average cost of the properties as well.

Mr T.M. Murphy: That is the next bit of the puzzle. We purchase houses for an average cost of \$750 000. It is an average cost. The variation can be quite considerable.

Ms L.L. BAKER: Did the director general want to finish talking about the tiering that he was mentioning?

Mr T.M. Murphy: We discussed tier 3 and its location and the cost in an earlier question. I turn to the areas where these houses are located. It may be simpler to provide that information on a supplementary basis, although I am quite happy to read through a list of suburbs. I would emphasise that with the tier 2 houses, where the behaviour of the children and young people is more challenging, we are spreading those houses throughout the metropolitan area, albeit biased towards outer metropolitan areas in which we can buy houses with sufficient land to provide a buffer zone for those children so that we can be good neighbours, as is our intention. We have a further commitment that there will be no more than two houses in any one state electorate and we are equally careful of local government areas.

Ms L.L. BAKER: Are there any outstanding issues with the current properties that the department has purchased?

Mr A.J. SIMPSON: Not that I am aware of but I will just check with the director general.

Mr T.M. Murphy: There are outstanding issues with the City of Wanneroo, as this chamber would be aware, having debated it.

Ms L.L. BAKER: I wish to confirm the supplementary information.

Mr A.J. SIMPSON: That would be supplementary information on where the houses are located.

Ms L.L. BAKER: The list of the properties.

Mr A.J. SIMPSON: I will provide the names of the suburbs where the houses are located.

Mr A.P. O’GORMAN: And the costings.

Mr A.J. SIMPSON: And the costings, as in the value of the buildings.

Mr A.P. O’GORMAN: The value of the buildings and then the \$360 000 to \$1 million that Mr Murphy mentioned as attached to the tiers.

Mr A.J. SIMPSON: The member would like the tiering, the value of the tiering, the suburb location of the houses and the cost of housing.

[Supplementary Information No A20.]

Ms L.L. BAKER: Sorry to have interrupted before but I just go back to that question to the parliamentary secretary that I think the director general was going to answer. Could the parliamentary secretary explain or elaborate on the problems with the City of Wanneroo?

Mr A.J. SIMPSON: The problems have been debated enough in this chamber and I think it has been answered by the Premier. We are best to leave it at that.

Ms L.L. BAKER: I refer to page 706, which still relates to residential care, and the total cost of services. The comparison between the 2009–10 budget estimate and the 2010–11 budget estimate shows an increase of \$43 million. With \$25 million of that being the funding increase to children in state care, what percentage will go to NGOs to deliver services?

Mr A.J. SIMPSON: Is the member asking about the increase in “Total Cost of Services”?

Ms L.L. BAKER: Yes. There has been an increase of \$25 million. What portion of that funding increase will NGOs be given to deliver services?

[8.00 pm]

Mr T.M. Murphy: In order to provide a precise figure, it is best that we take that on notice; however, I would point out what that is made up of. As we indicated before, with tier 1 houses, 84 beds were tendered out to the non-government sector last year and, of those, 44 will be delivered this year. The member will remember that it is \$340 000 for four of them. Additionally, 44 beds will be rolled out into the country regions and there will be some cost variation. They will, in the first instance, be offered to non-government organisations. They will be established somewhat later in the year, therefore, there will not be a full-year's cost included in the figure. Additionally, there are some other allocations to non-government services. As was pointed out, in the use of demand growth funding, some \$1.2 million has been provided to existing providers of foster care placements in the non-government sector in accordance with benchmarking those costs and providing a higher level of funding for existing placements. There are a few other items, to wit—family support hubs, the expansion of family domestic violence case management and coordination services, a youth service in Carnarvon, and, of course, we have discussed the hardship utilities grants, which includes some financial counselling.

Mr A.J. SIMPSON: Does that answer your question, member?

Ms L.L. BAKER: Does that total \$25 million or does the director general want to respond in a supplementary answer to fill out the gaps?

Mr T.M. Murphy: We will need to give a supplementary answer because the figure that the member referred to was, in the first instance, about supporting young people in the care of the CEO, and most of the non-government funding is there. I have mentioned some other areas of non-government funding in other service areas.

Ms L.L. BAKER: If the director general would be happy to give us the lot, that would be great.

[Mrs L.M. Harvey took the chair.]

The CHAIRMAN: I need the parliamentary secretary to define precisely what he will be providing by way of supplementary information.

Mr A.J. SIMPSON: I will provide funding of non-government organisations through this budget in terms of the total cost of service to non-government organisations.

[*Supplementary Information No A21.*]

Mr M.P. WHITELY: The eighth dot point on page 707 refers to the extension of mandatory reporting for all forms of child abuse and neglect that will commence in 2012. I would imagine a review has been undertaken of other states to see who does it best. I wonder what states we might be modelling our approach on, and could as much detail as possible be provided on how we will see the system of mandatory reporting working in Western Australia?

Mr A.J. SIMPSON: I will pass that to the director, but before I do, I advise that the state government is investing \$68 million over four years, including \$43.9 million for Department for Child Protection legislation for mandatory reporting of the sexual abuse of children. The government has been pretty strong on it. I will pass over to the director to respond to the initial question and to give those figures.

Mr T.M. Murphy: As is indicated in the dot point in the budget papers, the extension of mandatory reporting is being planned for 2012. That is a substantial lead-in time. Planning will begin this year. A number of issues have been considered. First, I note that the minister and I visited Victoria and South Australia to look at how they manage their expanded systems of mandatory reporting to give us some preliminary notions and information to inform our planning. Secondly, though, a significant development that we are commencing this year is being developed in order to provide a platform to effectively manage that expansion of mandatory reporting; this is, the establishment of family support hubs. The extension of mandatory reporting to physical, emotional and psychological abuse and neglect can be anticipated to bring in a substantial increase in the number of neglect cases reported to the department. Most of those cases, based on the experience of other states and our own experience and knowledge of the communities with which we deal will be best addressed not through a forensic child protection response but through a robust family support response; that is, workers working with the family to strengthen their capacity to look after their own children. That in turn requires a strong, well-coordinated system of family support services effectively integrated with the child protection system. That is what we are aiming to do with family support hubs, and we will be establishing four this year with a view to having a statewide roll-out of those in time for the expansion of mandatory reporting in order to provide a platform on which we can have the necessary family support services and to ensure that they are integrated with child protection services. This is a substantial work in progress. We are anticipating the issues and there is a very good amount of lead-in time to do that planning and organisation of services.

Mr M.P. WHITELY: Which elements of the models in other states have impressed the director general and that he thinks should be incorporated?

Mr T.M. Murphy: Our family support hubs borrow very heavily from the Victorian system, as well as from their organisation of family support services, which go by the name of Child First in that state. Their system of local child protection services, being responsible for taking and assessing mandatory reports, is impressive, as is the South Australian system of central management of mandatory reports. It is probably also germane to say that the system that has impressed all of us the least over many years is that in New South Wales, where probably every mistake has been made in terms of managing mandatory reporting of child protection and from which we can learn as much as the systems that are working and working in different ways.

Mr A.P. O’GORMAN: Dot point 7 on page 707 of the *Budget Statements* refers to a worldwide shortage of foster carers and the increasing number of children needing foster care. How many foster carers are currently registered with the department? I would like to ask a series of questions and to get to the detail later. How many currently have children placed with them? In 2009 the department ran the foster care recruitment campaign that aimed to recruit another 250 new carers and it got just 109, which is less than half the target. Was that campaign evaluated and did we get value for money?

Mr A.J. SIMPSON: I thank the member for the question. Foster care is a huge asset in our community and it is very hard to recruit foster carers, as the member stated. From our campaign in March, we managed to get another 100 carers. That process is an ongoing battle. Recruitment is one process, and screening and checks and other measures on the family is the other side of the process. It is quite labour intensive getting new carers on board, but once we have them, they are great. For the actual numbers of carers, I will pass over to the director general.

Mr T.M. Murphy: The number of registered carer households, as at the end of March 2010, which are the latest figures available, show that we have 986 relative carer households and 675 general carer households. The number of households with children placed is 791 for relatives and 48 for general carers. Bear in mind that some carers will be respite carers, some will be taking a break and some will be between children. With respect to the campaign, we are very pleased with the results. An error made by the review of the former Department for Community Development by Ms Prudence Ford was to say that mass media campaigns do not work in the recruitment of foster carers. Our results so far have belied that view. From the beginning of the campaign to the end of March, we have had more than 2 000 inquiries to become foster carers, 640 expressions of interest and 256 applications. In 2009, the figure was 109, as the member said. Since the commencement of the campaign we have registered 111 new foster carers. With 256 applications, we would expect substantially more carers to be registered over time. The existing increase is some 34 per cent over the previous year but we anticipate that the impact will go on and on. I am also very pleased to say that in partnership with the Department of Sport and Recreation, we are about to launch additional advertising targeting volunteers at clubs and the like. That is a work in progress. Our target of 250 new carers will be met, we believe, over time, but it will take some time. I will finish by saying that it is also worth emphasising that the gestation period for a foster carer can be many, many months from when a person first considers the issue to actually making an application and becoming registered. In some cases it will take years.

Mr A.P. O’GORMAN: Can the parliamentary secretary tell us whether this budget includes the final increase of \$35 to take the subsidy paid to foster carers up to \$100 over four years since 2007, which was announced by the previous government? Can the parliamentary secretary tell us also what plans there are to increase the subsidy further, particularly given the increase in children coming into care as a result of the expansion of mandatory reporting?

Mr A.J. SIMPSON: I thank the member for the question. I can confirm that it is up by \$20 in this budget and by \$100 over the past four years.

Mr A.P. O’GORMAN: It should have been \$35 this year.

Mr A.J. SIMPSON: It was increased by \$15 last year.

Mr T.M. Murphy: The \$100 increase over the past four years has been substantial and was very welcomed by foster carers. We are not experiencing problems with that on a widespread basis at all. Where we are experiencing some problems is where the cost of living is very, very high; that is, in some remote and regional areas of Western Australia. Some family carers in particular will choose not to foster simply because of the cost of doing so. We are able to address that issue this year. We are going through a process of identifying those areas so that we can increase the subsidy on a region-by-region basis. The areas where the cost of living is very high will be located in the north west of the state in particular and, to some extent, in the eastern desert areas where there are remote Aboriginal communities. Over time, as these increases over the past four years have demonstrated, it is critical to keep up with providing a decent recompense and to make sure that foster carers are not out of pocket when looking after children in care.

Mr A.P. O’GORMAN: Are there no plans at the moment to increase that subsidy any further than the \$100 that has been achieved over the past four years, except in regional areas where people will possibly get a regional allowance?

Mr A.J. SIMPSON: It was increased by \$50 in 2007–08, \$15 in 2008–09 and 2009–10, and by \$20 this year. That is an increase of \$100.

Mr A.P. O’GORMAN: Has the increase amounted to \$100?

Mr A.J. SIMPSON: Yes, over four years.

Mr A.P. O’GORMAN: Are there no plans to increase that amount in the future?

Mr A.J. SIMPSON: We will work on that on a yearly basis.

Mr A.P. O’GORMAN: The director general mentioned that the department is looking at allowances for regional areas.

Mr A.J. SIMPSON: We identified that foster parents in regional areas have additional costs involved compared with metropolitan-based foster carers. That is being reviewed on a needs basis. We are going through that process.

Mr A.P. O’GORMAN: Has that been included in the budget? I cannot see where it has been.

Mr A.J. SIMPSON: I will ask the director general to answer that.

Mr T.M. Murphy: There is no specific line item for that in the budget and the actual allocations have not been made. The member will recall the first question that was asked about demand growth funding. Funds will be used out of that allocation.

Mr A.P. JACOB: I refer to the last dot point on page 706 of the *Budget Statements* regarding the need to provide support for individuals and families who are at risk or in crisis. Can the parliamentary secretary please provide some detail about the establishment of family support hubs?

Mr A.J. SIMPSON: I thank the member. Family hubs play an important role in improving the outcome of vulnerable children, young people and families. These services include extensive family support, targeting parent support, homeless services, domestic violence intervention, servicing young people and targeting community support. Working in partnership with the community services sector, the Department for Child Protection will drive major reforms aimed at integrating the family support services across Western Australia. This will be achieved largely through the establishment of family support hubs across the state. The director general touched on that earlier when he spoke about trying to make these hubs our service areas, about catchment areas and providing those services to the outer areas. The aim is to bring together each of the regions to enable them to easily access the services at the earliest opportunity. The approach will be more personalised to address complex issues. We will strengthen the link between the services for children and adults, and case managers will be made available earlier and over longer periods for families who are dealing with complex issues. Each of the family support hubs will involve an alliance with the local agency, providing a common entry point to the services. The common entry points will operate with local 1300 numbers and provide active support, initial assessments, referrals, pathways and case management. A community sector agent will manage the hubs and help ensure that the clients are engaged and that their needs are met within the local community. The Department for Child Protection will participate informally in the service alliance, underpinning the hub and common entry points and ensuring that the family support services are integrated with the Department for Child Protection. This goes a long way towards helping protect children. By working with the community, the centre hubs will be the gateway for those services that can be brought together.

Ms L.L. BAKER: I refer to the second-last dot point on page 707 of the *Budget Statements*. In communities where there has been a significant number of disclosures of sexual abuse, what kind of ongoing counselling and support services are in place on the ground to assist the community? By “ongoing” I am not referring to the fly-in six-week placement support services that are available.

Mr A.J. SIMPSON: I thank the member for the question. The Department for Child Protection runs a program called Child First.

Ms L.L. BAKER: Is that not the fly-in —

Mr A.J. SIMPSON: I will get to that in a minute. We are trying to identify and make sure that we can get people on the ground to assist families as a first point of contact to try to resolve these issues. I will ask the director general to comment on the status of that service.

[8.20 pm]

Mr T.M. Murphy: We are working with Aboriginal communities in particular, and also with some regional communities, to encourage there to be more disclosure of sexual abuse, and then responding to that. This has a

number of aspects. It is about gaining the trust of those communities to come forward and make those disclosures, and it is about an effective response by the criminal justice system. I would note the strong sentence that was handed out to a couple from Oombulgurri today. That will gladden the hearts of the people in the Oombulgurri community. This cannot be glossed over by looking for a simplistic answer about counselling services, because the recovery of communities is about regaining that trust and regaining the confidence to live fuller lives in a number of ways.

Ms L.L. BAKER: I was not being simplistic at all to the parliamentary secretary. I was merely asking about, where there are significant disclosures, what kind of ongoing counselling is being put in place by the department. I was not being—I would really, really not wish to be referred to as being—glib or trite on this. I am deadly serious. What kind of ongoing counselling and support services will be in place on the ground? It is a pretty simple question.

Mr T.M. Murphy: I do apologise for not providing a —

The CHAIRMAN: Parliamentary secretary, you do need to refer to the director general to give an answer.

Mr A.J. SIMPSON: Mr Murphy.

Mr T.M. Murphy: I do apologise for not providing a simple answer. The reason I was not doing so is that counselling is not the road to recovery for many of these communities, based on our experience. That said, in conjunction with the expansion of mandatory reporting, child sexual abuse treatment services, which have been in place for some time, have received an additional \$5.6 million over four years to expand their capacity in terms of the salaries paid and the people they can employ in each service. That will fill the gaps so that there are statewide services. But it would be a real error to think that that is the answer. Each of the whole range of services provided by, for example, the social and emotional wellbeing services of Aboriginal community-controlled health organisations, the way the schools respond, and the way we deal with the young people through our youth services and so on, is part of helping the community to recover, as is the effective dealing with the issues brought to the attention of the criminal justice system.

Ms L.L. BAKER: Through the parliamentary secretary, I ask a further question. Does the Department for Child Protection have any on-the-ground ongoing services in place to support families and children in these communities that have gone through the disclosure of sexual abuse? Within the context of all the other services that are available, does the department have any of those sorts of services?

Mr A.J. SIMPSON: I will refer that to the director general.

Mr T.M. Murphy: There is a statewide network of child sexual abuse therapeutic services. These services are available in the regional centres and throughout the city. In remote Aboriginal communities, and in towns like Meekatharra, for example, where a number of disclosures have been widely publicised in recent months, our own staff provide that sort of support, if not specific therapeutic counselling, to those young people, families and communities.

Mr P.T. MILES: I want to go back to a dot point on page 707 that one of the other members raised with regard to fostering allowances. Can the parliamentary secretary inform us of what the actual allowances are, because I am not aware of that? I think the member was talking about an increase over four years of \$100. Is that a monthly figure or is that a weekly figure?

Mr A.J. SIMPSON: I thank the member for the question. The payments in the past four years have increased by \$15, \$15, \$20 and \$50. So there has been an increase in fostering allowances of \$100 over the past four years.

Mr A.P. O’GORMAN: I think the member asked whether that is a weekly payment or a fortnightly payment.

Mr A.J. SIMPSON: It is a fortnightly payment.

Mr A.P. O’GORMAN: Is that per child?

Mr A.J. SIMPSON: Yes.

Mr P.T. MILES: That is what I was asking.

The CHAIRMAN: Members, supplementary questions do need to be asked by the proposer of the question.

Mr A.J. SIMPSON: I thank the member for the question. The payments are fortnightly. They are according to age groups. From zero to six years of age, it is \$332.45; from seven to 12 years of age, it is \$380.85; and from 13 to 18 years of age, it is \$438.25. I hope that answers the member’s question.

Mr P.T. MILES: I have a further question. Is the full \$100 extra over four years per child?

Mr A.J. SIMPSON: Yes. Four years ago, the allowance for zero to six years of age was \$223. It is now \$323. So it has increased by \$100 in the past four years.

Mr M.P. WHITELY: I refer to page 707. The ninth dot point refers to the Western Australian homelessness national partnership agreement implementation plan. I ask a very specific question. How many additional beds have been made available for homeless people in Western Australia since the change of government?

Mr A.J. SIMPSON: I will refer to the director general for the figure on the number of homeless people. I have the figure for the allocation of funds in the budget to increase the support for homeless people, but for the actual numbers I would have to refer that to the director general.

Mr T.M. Murphy: The strategy in the National Partnership Agreement on Homelessness focuses on early intervention, supporting people in their existing accommodation, and supporting people who otherwise cannot maintain their existing accommodation. It is not focused on emergency beds. There are some 122 services, which cost \$40 million, already in the community to provide beds. The implementation plan for the National Partnership Agreement on Homelessness will deliver some 110 workers employed by non-government agencies throughout the community to assist people to either stay in or access accommodation. Additionally, but not this year—the parliamentary secretary referred to this earlier—there are some other developments that will deliver beds over the coming year or two. One is the Foyer model for youth specifically, which will have some 80 to 100 beds, of which 35 will be provided for young people who would otherwise be homeless. Additionally, there are expansions at the redevelopment of the Salvation Army's Lentara service and the St Bartholomew service, both in the inner city, and the Seaview service in Fremantle, which will develop additional beds. There will be 20 beds in each.

Mr M.P. WHITELY: The parliamentary secretary may need to take this as a supplementary, but it is a very straightforward question. How many beds were there in September 2008 for homeless people; how many beds are there now for homeless people; and how many beds will there be in the out years for homeless people? I thank Mr Murphy for that information about the strategy, but I want to know the detail of how many beds will be provided for homeless people now and in the out years.

Mr A.J. SIMPSON: I will take that as supplementary information; that is, how many beds were available in September 2008, and how many beds are available now, in May or June 2010.

Mr M.P. WHITELY: Yes, and in the out years.

Mr A.J. SIMPSON: I am happy to provide that as supplementary information.

[Supplementary Information No A22.]

[8.30 pm]

Mr A. KRSTICEVIC: I refer to the last dot point on page 707, which states that the department faces and anticipates continuing challenges in the attraction and retention of staff, particularly in remote Western Australia. It talks about some of the innovative work that the department is doing. What work is the department doing to retain and attract staff to those areas?

Mr A.J. SIMPSON: The attraction and retention of employees remains a policy of the department's, particularly in regional Western Australia. As the member would imagine, it is important for the department to hang on to staff. A major policy has been undertaken to provide solutions and initiatives to ensure that the department continues to attract and retain suitably qualified and experienced staff, especially in regional areas of Western Australia. Basically, the department has tried to increase Aboriginal representation in regional areas through the implementation of the Aboriginal Employment and Learning Strategy, which commenced in 2009 and will continue until 2014. The department is conscious to ensure it can get Aboriginal representation in that area. Forty-eight per cent of the department's workforce is over 45 years of age. That is common amongst carers as well as child workers and so forth. It is very important for the department to keep in mind that it has an ageing workforce. It must try to keep its workforce rotating.

The vacancy rate for full-time employees at the end of March was 8.2 per cent. It is an ongoing issue with all departments to keep staffing at good levels and to keep qualified staff in that process. The government has an ongoing commitment to keep moving forward by getting good staff and ensuring that it is properly resourced to retain them.

Mr M.P. WHITELY: Does the parliamentary secretary have the figures for the number of Indigenous staffing targets that were set in 2009?

The CHAIRMAN: Member for Bassendean, I have the member for Joondalup down for the next question.

Mr M.P. WHITELY: I was following up on the last question. My question relates to the previous question.

The CHAIRMAN: Members, further questions need to be asked by the member who posed the question.

Mr M.P. WHITELY: My question relates to the question the member asked.

The CHAIRMAN: Member for Bassendean, please do not argue with me. Further questions need to be asked by the member who posed the question. If the member for Joondalup defers his question, the member might have the opportunity to ask a question on the same subject.

Mr M.P. WHITELY: I was making an interjection.

The CHAIRMAN: There are no interjections. Member for Joondalup.

Mr A.P. O’GORMAN: I refer to the dot point at the bottom of page 707. Can the parliamentary secretary tell us which district offices have vacancies or high turnover in staff? The question that the member for Bassendean was asking is what targets for levels of Indigenous staff were set by the 2009 strategy and have those targets been met?

Mr A.J. SIMPSON: I thank the member for the question and ask the director general to answer it.

Mr T.M. Murphy: With respect to the districts that have the highest vacancies, it is always difficult to recruit in the north west and the eastern desert—the Goldfields, Murchison, Pilbara and Kimberley. That said, I am pleased with how the department does in those areas. I will give a couple of examples. West Kimberley has 79 FTEs and at the end of March there were 8.5 vacancies. In the Pilbara, out of 78 positions there were 11 vacancies at the end of March. We maintain a five per cent vacancy rate. The unemployment rate is what we regard as full employment. Therefore, we do not expect the vacancy rate to be below five per cent. I have advised members of the most difficult regions to staff. It is a continuous challenge.

As the parliamentary secretary indicated earlier, the department has a big emphasis on Aboriginal employment. It is part of the solution as the department sees it. If members look at the level of Aboriginal employment in those regions, in the West Kimberley, which I mentioned, it is 41 per cent, some 26 positions, and in the Pilbara, it is 31 per cent, some 19 positions. Building up Aboriginal employment is a critical solution to maintaining employment in those areas.

In answer to the other part of the member’s question—that is, where is the department with its targets?—it has set a very ambitious target to double its employment of Aboriginal staff from roughly 10 per cent to 20 per cent over five years, from 2009 to 2014. A year ago it was 9.2 per cent and currently it is 9.8 per cent. More pleasing has been the increase in the number of Aboriginal staff, which has gone from just on 200 to 231. We are successfully recruiting.

Mr A.P. O’GORMAN: It is great that more Indigenous staff are being employed and I applaud the department for that. Are Indigenous staff required to have the same qualifications as non-Indigenous persons? If they do, is the department assisting them to raise their qualification standards?

Mr A.J. SIMPSON: It depends on their role. The member raised a good point about qualifications. Some people in child protection are involved in social work and some are psychologists. It depends on the need. For further information I will pass to the director general.

Mr T.M. Murphy: The key to increasing Aboriginal employment is to have a range of entry level positions—family resource workers; case support officers; youth and family engagement workers, who do not require a qualification; and support people, who are on a qualification pathway. This year we introduced our own Diploma of Child Protection, Youth and Family studies. It is a one-year diploma qualification undertaken in three blocks. It is particularly encouraging that we have close to 20 Aboriginal staff in the north west undertaking that qualification. That one-year diploma can be undertaken at Notre Dame University or Edith Cowan University—we anticipate it will also be available at Murdoch University—and it will count for a full year of a social work degree. Edith Cowan University is providing a social work degree on the basis of distance education. The combination of our diploma through distance education or Notre Dame University in Broome provides very realistic options for Aboriginal people to get on and stay on a qualifications pathway. They are given a lot of support from their colleagues and the department’s learning and development centre.

[8.40 pm]

Mr A.J. SIMPSON: I note that we are on division 57 and that we also have division 58 to go.

Mr A.P. O’GORMAN: We have almost completed the questions we want to ask.

Mr A.J. SIMPSON: I thank the member. I just wanted to make sure members were aware of that.

Ms L.L. BAKER: I refer to the notes on page 709 of the *Budget Statements* under the heading “Explanation of Significant Movements”, which refer to the costs of providing placements for high-needs children. How is it determined whether the costs for children with dangerous or harmful behaviours as a consequence of intellectual disability or mental illness are borne by DCP, mental health or the Disability Services Commission?

Mr A.J. SIMPSON: I will pass to the director general.

Mr T.M. Murphy: It is a process of negotiation with those agencies. The issue is largely between us and the Disability Services Commission. That said, it really has to be recognised that when a child is in the care of the CEO—in the care of the state—the Department for Child Protection will bear the cost of keeping that child safe and the community safe from that child, if that is required. Often a supplementary role is played by disability services while the child is under 18. There was some not insubstantial publicity recently about one particular young person who has been supported by the department at a very high cost in an individual placement and will be turning 18 in six months or so. We have been discussing his transition to care by the Disability Services Commission for some time, and will continue to do so. I emphasise that in situations like that, it is not a matter of the Department for Child Protection walking out when a young person turns 18. We have the capacity under legislation to continue to provide support, and we will continue to do so.

Mr M.P. WHITELY: I have one last question. I refer to note (a) at the bottom of page 709 of the *Budget Statements*, which talks about a shift in the amount of time spent by field staff from service 3 to service 2; in other words, from prevention to crisis. Could the parliamentary secretary explain how that translates through to the figures both on this page and on page 710? Can the parliamentary secretary highlight what the consequences of that may be in the long term if less prevention work is being done?

Mr A.J. SIMPSON: I thank the member for the question. I will hand over to the director general.

Mr T.M. Murphy: There are two things. I would not overemphasise this. It is significant enough to point out in the *Budget Statements*. It reflects a survey of the allocation of our staff's workload. The second point is that the family support services provided by the Department for Child Protection are well downstream from the prevention point. They really are provided to families who are very vulnerable and who, without intervention, are likely to see themselves and their children in the child protection system. This year, as well as providing for growth funding to look after an increase in the number of children in care and the number of child protection notifications, there is also a very significant increase in responsible parenting services. In addition to the royalties for regions allocation, which will fill in the gaps in those services in country areas, we have made an allocation of nine full-time staff to responsible parenting services in the metropolitan districts, and they are all in service 3. We recognise that it is preferable for families to be supported through family support services before issues escalate to the point at which a child protection intervention is necessary, and we are making resource allocations with our growth funding this year for that purpose.

The appropriation was recommended.

Meeting suspended from 8.45 to 8.51 pm

[8.50 pm]

Division 58: Communities, \$152 034 000 —

Mrs L.M. Harvey, Chairman.

Mr A.J. Simpson, Parliamentary Secretary.

Mr E. Bartnik, Acting Director General.

Mr P. Walton, Executive Director, Corporate and Business Support.

Mr C. Johnson, Director, Financial and Resource Management.

Ms M.A. Dawkins, Acting Executive Director, Policy and Planning.

Dr K. MacArthur, Executive Director, Community Engagement.

Ms H. Creed, Executive Director, Children and Family Services.

Ms S. Withers, Executive Director, Redress WA.

[Witnesses introduced.]

The CHAIRMAN: Member for Maylands.

Ms L.L. BAKER: I refer to “Appropriations, Expenses and Cash Assets” on page 717 of the *Budget Statements*, and the table of delivery of services. Starting with item 94, the 2009–10 budget appropriation was \$159 million. The estimated actual is less than half that at \$71 million. That is a very significant underspend. Can the parliamentary secretary please explain what that is and what programs, if any, did not use that allocation?

Mr A.J. SIMPSON: I thank the member for the question. I will ask the acting director general to respond.

Mr E. Bartnik: There are two major factors. One relates to the deferment of Redress WA funding. That was, firstly, because of the changes to the program and the extra time required to deliver the payments. The amount was \$65 million. The second reason was the deferment of the seniors' cost-of-living rebates at \$25.7 million.

Ms L.L. BAKER: The 2010–11 appropriation is \$151 million but the out years are significantly less again. Can the parliamentary secretary explain what that means for programs, please, and why that has happened?

Mr A.J. SIMPSON: I pass the question to the director.

Mr E. Bartnik: The major explanation is the Redress program, which is a time limited program of grants, which will be substantially complete by the end of June 2011.

Ms L.L. BAKER: Does that explain the whole of the difference into the out years—is that 100 per cent of it?

Mr E. Bartnik: That will explain a large amount.

Mr A.J. SIMPSON: That is correct.

Ms L.L. BAKER: Item 95 refers to “Contribution to the Western Australian Family Foundation Trust Account”. In 2008–09 and in 2009–10, in last year’s budget, and all the out years the amount was \$560 000. However, it has been cut by 32 per cent to \$376 000 in 2010–11 and into the out years. Can the parliamentary secretary explain why that amount to the WA Family Foundation Trust has been cut by 32 per cent?

Mr A.J. SIMPSON: I will hand it over to the acting director general.

Mr E. Bartnik: As part of the range of global saving measures implemented in the previous financial year, there was a reduction of \$424 000 in various grant programs that resulted in a \$184 000 annual reduction in the WA Family Foundation Trust.

Ms L.L. BAKER: Did that bear the brunt of the three per cent reduction or take its share of the three per cent? It is a lot more than three per cent; it is a 32 per cent reduction.

Mr E. Bartnik: A range of savings initiatives in the previous financial year included savings across grants, vehicle fleet savings and procurement savings, in addition to the three per cent efficiency dividend. The department was able to implement that full range of initiatives during the financial year.

Ms L.L. BAKER: I am sorry; I am still not clear. If the WA Family Foundation Trust has decreased by 32 per cent, it seems to me that it has worn a great deal more than its share of the three per cent cuts. Would that be correct?

Mr E. Bartnik: I will defer to the director of corporate business services.

The CHAIRMAN: Parliamentary secretary, you need to defer to the director.

Mr A.J. SIMPSON: I defer to the director of corporate business services.

Mr P. Walton: The three per cent efficiency dividend is quite separate from the reductions that have occurred in grants. They are quite different things.

Ms L.L. BAKER: Okay; so, through the parliamentary secretary, can someone please explain to me why the WA Family Foundation Trust funding has decreased by 32 per cent in 2010–11?

Mr P. Walton: It was part of the global savings applied across departments. It was a decision to harvest savings and, along with other grants, there were reductions.

Ms L.L. BAKER: Clearly, the minister was happy to take a significant amount of cuts in that line item of the budget in order to help meet the overall three per cent efficiency dividend.

Mr E. Bartnik: I think the comment I can make is that, in looking at the range of areas where reductions might be made, the Western Australian Family Foundation Trust is an area of discretionary grants by the minister, as opposed to an area of ongoing recurrent funding.

Ms L.L. BAKER: I understand that.

[9.00 pm]

Mr A.P. O’GORMAN: There was an efficiency dividend of three per cent in last year’s budget. I cannot tell from this year’s budget whether the department is still on target to meet the three per cent efficiency dividend of \$1.6 million in 2009–10. Is that the case? Is the department still on target?

Mr A.J. SIMPSON: Can the member give me a line item or a page number?

Mr A.P. O’GORMAN: I am referring to page 717 and the heading “Appropriations, Expenses and Cash Assets”. Previously we had a three per cent efficiency dividend. I cannot see it in this budget any more. Is the department still on target to meet the three per cent efficiency dividend of \$1.6 million in 2009–10?

[Mr J.M. Francis took the chair.]

Mr A.J. SIMPSON: I will hand over to the acting director general.

Mr E. Bartnik: Yes.

Mr A.P. O’GORMAN: Last year’s budget papers set the savings of three per cent for 2010–11 as \$1.3 million. Is that still the target and how will those cuts be made?

Mr E. Bartnik: The three per cent efficiency dividend reductions were made across a number of areas, including staff and efficiencies, reductions in community relations activities, reductions in publications and corporate communications and reductions in administration overheads and non-government sector payments. Reductions were made across all those areas.

Mr A.P. O’GORMAN: The acting director general said that the three per cent cut included NGOs. That was \$300 000. Was that target met this year and will it be met in 2010–11; and if so, how?

Mr E. Bartnik: The case savings have been made in the current year. The recurrent savings are subject to a review of our funded services that we have just completed rather than making any arbitrary reductions across the services. As part of our requirements to do a review of all our funded services every three years, we have initiated a strategic review of all our services and we are looking for areas where savings can be made through duplication and those sorts of things as opposed to any blanket reduction in services.

Mr A.P. O’GORMAN: Is that why the government put all these NGOs on a one-year contract rather than rolling over and renewing to a three-year contract?

Mr E. Bartnik: The department’s intent is to move to longer term contracts. One of our complications is that some of our programs are funded by the commonwealth. We are moving to three-year or longer contracts as a desirable feature of our contracting arrangements. The commonwealth will only fund some programs one year at a time, and, in some cases, will make a change to its funding at very short notice. We are balancing both state and commonwealth funding, which we try to deliver to non-government organisations in a seamless way.

Mr A.P. JACOB: I refer to the eighth dot point on page 719 under “Significant Issues Impacting the Agency”. How will the age-friendly cities model incorporate the needs of seniors at state and local government strategic and physical planning levels?

Mr A.J. SIMPSON: The age-friendly community model has been developed with the World Health Organization, a project involving 33 cities across the world, including the City of Melville. The model promotes a grassroots approach to local community, planning and asking local residents what they need to enable them to enjoy a fulfilling age-friendly lifestyle, and then building into the local community. A research partnership between the City of Melville and the Department for Communities saw the development of an age-friendly process apply firstly in Melville and then in Mandurah, Rockingham and Augusta – Margaret River. The age-friendly process has now been expanded to other local governments and authorities in Western Australia. Grants of up to \$120 000 are being provided to 25 local government authorities to undertake age-friendly research with local residents to incorporate their strategic needs in planning. Discussions have also commenced with the state government agencies that will be central to the effect of a community planning process. The Department for Communities will continue to provide support and mentoring to the agencies undertaking age-friendly planning processes. I guess that goes hand in hand with our ageing population and the way we design our communities in terms of making them age friendly and designing them around all those infrastructure needs of hospitals, transport and other services.

Ms L.L. BAKER: I refer to the first dot point on page 719 of the *Budget Statements*. My question is about the role that the department sees itself playing in relation to the non-government sector, particularly in light of the Economic Audit Committee’s reports and the desire that has been expressed by government to work more closely with the non-government sector. I am interested in what kind of advocacy role the department feels it can play in relation to the non-government sector. Does the government consider itself to be an advocate for the non-government sector?

Mr A.J. SIMPSON: I will pass to the acting director general for more information on that one.

Mr E. Bartnik: We have a very strong commitment to work in partnership with the non-government sector. In the context of the Economic Audit Committee report, that is also a partnership with the government. It will very much be a three-way conversation between the department, our funded organisations and central government, particularly through the Department of the Premier and Cabinet.

Ms L.L. BAKER: I am really interested in pursuing what role the department sees that it has in relation to the well-documented demands around wage parity in the sector. About \$198 million of additional funding is required through the contract system in order to address the wages gap between the public and the non-government sector. What kind of an advocacy role does the department have in forwarding that case?

Mr E. Bartnik: The department and the Department for the Premier and Cabinet are both involved in funding arrangements with the Western Australian Council of Social Service, which is a very strong advocate for the wage and salary conditions of the non-government sector. Through that three-way partnership and also the

planned partnership forum that was recently announced by the Premier, we will be representing those needs to ensure that our sector is suitably funded.

Ms L.L. BAKER: I am trying to get clear that the department considers that it would be advocating alongside WACOSS in support of its claims for additional funding.

Mr E. Bartnik: We would be representing the needs of our sector in comparison with other sectors to ensure that there are comparative pay rates so that we can recruit and sustain a suitable workforce.

Mr M.P. WHITELY: I refer to “Major Spending Changes” at the bottom of page 717 and the line item “Additional Indexation to Community Sector Organisations”. Where does the word “additional” come from? What is the justification for the insertion of the word “additional”? I thought that indexation to community sector organisations was a longstanding practice of certainly the previous government. Is there some meaning to the word “additional” or is it excess to requirements?

Mr A.J. SIMPSON: I understand that in line with the Economic Audit Committee, the non-government human services sector was funded at four per cent in 2009–10 and as per the policy over forward estimates of 3.1 per cent in 2010–11.

[9.10 pm]

Mr M.P. WHITELY: In what sense is it additional? Is it not just indexation?

Mr A.J. SIMPSON: I will ask the acting director general.

Mr E. Bartnik: I have no explanation. The only explanation may be—I will need this confirmed—that the rate of four per cent paid currently is slightly higher than the published rate, so there may have been some additional component paid to the sector. That could be my only explanation.

Mr M.P. WHITELY: Would it be possible to detail that, parliamentary secretary?

Mr E. Bartnik: There is one additional piece of information. The cadet program, which was funded under our grants program, is being moved to the non-government funding line, and, therefore, will attract indexation. That will be additional indexation to the department for a very important program that had not received any indexation for 10 years. In that sense, it is additional indexation to a new program that has been moved.

Mr M.P. WHITELY: Every year the department must add and subtract community sector organisations, parliamentary secretary. Are we going to add the word “additional” every time we act? Are we going to keep adding extra verbiage to this?

Mr A.J. SIMPSON: It is my understanding that it will be reviewed on a yearly basis, but we have an increase this year and we will work on it as the years come forward. I cannot add any more than that.

Mr A.P. O’GORMAN: I refer to the first dot point on page 719. The acting director general mentioned earlier the status of the review of funding arrangements to organisations funded by the Department for Communities. That put a lot of those organisations on a one-year contract while that review is being undertaken. Where is that review up to, and when might we expect to see some results from it?

Mr A.J. SIMPSON: I thank the member for the question. I hand it to the acting director general.

Mr E. Bartnik: The review by the independent consultants is complete. The department is analysing the recommendations and we will be providing advice to the minister in the near future.

Mr A.P. O’GORMAN: Can the parliamentary secretary tell us what form that review took? Clearly, organisations in Joondalup have no idea how they were assessed. They did not have too many discussions and they are wondering how that review was undertaken.

Mr A.J. SIMPSON: I refer that question to Dr Karin MacArthur, the executive director.

Dr K. MacArthur: We have covered the four main areas—family and community support; family centres; parenting; and volunteering. Therefore, I do not know whether the organisations that the member is referring to fall within those parameters.

Mr A.P. O’GORMAN: I have got them all!

Dr K. MacArthur: All of them were interviewed by electronic survey across the board. Others were selected on a random basis by independent consultant for face-to-face interviews, and then we had consultations, again which were done on the basis of random selections. Everybody has been contacted—if not for an individual interview for the program review, all have had the opportunity to have input through an electronic survey. That is the funded services review of the program area. At the same time, we have been holding reviews with every single individual organisation and that has been —

Mr A.P. O’GORMAN: That is the normal annual review that happens anyway.

Dr K. MacArthur: Yes, it is. We have expanded the scope of the reviews in order to look at mapping services across the state and at those areas where there may be duplications or areas of particular need. What the consultants are doing is beyond the call of the strict State Supply Commission guidelines.

Mr A.P. O’GORMAN: When can we expect to see some results from that? When can we expect to see these organisations moving back to at least three-year contracts? The current situation with a one-year contract means that many of those organisations cannot put forward their plans for expansion, and their grants through Lotterywest are held up because they only have one-year contracts. It is a big issue and it is causing a great deal of consternation in the non-government organisations, particularly because they are worried that many of them will not exist after this review.

Mr A.J. SIMPSON: The member raises a very good point. I will hand him to the acting director general, who will give him an update on where we are with that matter so that we can get continuity for the member.

Mr E. Bartnik: We are expecting the recommendations to go the minister by the end of this week and to work towards a fairly speedy outcome. If I can just say that having been with the department for only eight months now, one of the things I have seen is that many of the programs had a very historical basis to their funding. There was a wide collection of very disparate programs, and part of what we are trying to do is to come up with a more rational grouping of programs to increase some of the flexibility of our funding arrangements. Part of this has been around finding a modest amount of savings, and a large part has been around the logic to the programs and trying to get more flexibility in how we fund, which will be of benefit to the organisations.

Mr A.P. O’GORMAN: Parliamentary secretary, is this about weeding out the small organisations and going to the bigger organisations that deliver non-government organisation services? That is the feeling out there in the community.

Mr A.J. SIMPSON: I can imagine the fear is out there, but we have to do a review of all the services. What is most important for us is that we deliver the service on the ground, and that as a government agency, we fund the need—the need has to be there. The idea of the review is to ensure the need is still there and that we are in turn getting the best bang for our buck in that process, to use that analogy. As part of that process, if any of those areas are providing a great service—a lot of them are—that will show up. I am quietly confident that if all those areas are being looked at and addressed, they will be funded. I will hand to the acting director general to add a little more.

Mr E. Bartnik: As a matter of general statement, one of the things that the Department for Communities does very well and the organisations do very well is to create a lot of value from very small amounts of funding. Compared with organisations like the Department for Child Protection or the Disability Services Commission that often fund organisations for very large amounts of money, our funding levels are very modest. Small community organisations generate a lot of value, and the department is a very strong advocate for the important role of small community organisations.

Mr A. KRSTICEVIC: I refer to page 724 of budget paper No 2 under “Details of Controlled Grants and Subsidies”—specifically the payment to the *Leeuwin II*. The table suggests that this funding is a one-off for 2009–10. I ask the Parliamentary Secretary whether this is the case; and, if so, what other government funding has been available to the *Leeuwin II*?

Mr A.J. SIMPSON: I thank the member for the question. I am the Parliamentary Secretary to the Minister for Child Protection; Community Services; Seniors and Volunteering, but part of this division includes youth stuff, which I will have to pass to the acting director general, as I cannot answer under the rules of Parliament.

Mr E. Bartnik: There was a lot of media attention on the situation of the *Leeuwin II* during the past year. The government has provided one-off funding of \$500 000 through the gaming community trust to the *Leeuwin II* to cover operating expenses and also to repay a loan. Most importantly, an independent review was done of the financial viability of the organisation into the future. As part of that, the state government signed a three-year agreement that will keep the *Leeuwin II* afloat, and there will be \$200 000 a year recurrent funding, which is being coordinated by the Department for Communities and covers five government agencies that have come together to purchase places on the *Leeuwin II* youth development program. From a departmental perspective, one of the very pleasing things is that there are five government departments but only one funding agreement with the *Leeuwin II* youth development program. It is a very streamlined operation.

[9.20 pm]

Mr A.J. SIMPSON: I thank the member for the question.

Mr A.P. O’GORMAN: I take the parliamentary secretary to the second dot point on page 719 of the *Budget Statements*. The member for Ocean Reef and I are on a committee that recommended that we should be looking at doing more intensive work on early childhood development. Does the government support the views expressed by the Commissioner for Children and Young People, Professor Fiona Stanley and many others that

there needs to be an office or department for early childhood? Can the parliamentary secretary also tell us what is the split and overlap in functions between the Department of Education and the Department for Communities in early childhood? Does the parliamentary secretary agree that early childhood services in Western Australia are not as well coordinated as they could be because of that overlap?

The CHAIRMAN: Obviously, the last question is asking for an opinion and is not directly related to the budget item.

Mr A.J. SIMPSON: I pass to the acting director general.

Mr E. Bartnik: It is generally regarded that the key aspects in the development of early childhood include the Department of Health, early education through the Department of Education, child care and parenting through the Department for Communities. Other organisations such as the Department for Child Protection and the Disability Services Commission are a second layer in the same space. The Department for Communities has been working in cooperation with the education department in particular and also the Department of Health and the Department of the Premier and Cabinet to look at a range of options for providing a clearer policy lead and a better structured response to the needs of early childhood development in Western Australia. I think that just recently the Premier wrote to key stakeholders to say that he was expecting to make an announcement on this matter in the near future.

Mr A.P. O'GORMAN: The thing about early childhood development is that the years zero to three and zero to eight are the most important years, because they are the years when a child's brain gets wired and those years set the child up for the future. If we do not get that right—clearly we are not getting it right—many of those kids will fall behind and many of them will fall foul of the law when they get behind. I ask: will there be a move towards setting up a department or an office for early childhood, and what involvement does the Department for Communities have in that? Clearly, having responsibility divided between the Department of Health, the Department of Education and the Department for Communities is not working. There are many models around this country where the whole lot has been brought together under one office so that one department is responsible for early childhood development. Clearly, those young people are achieving far better outcomes than is the case with our young people. Where does the Department for Communities stand on that? The Department for Communities is responsible for children aged between zero and three. Why is the department not pushing to get childhood development put under the one organisation so that we can actually get some improvements in early childhood?

Mr A.J. SIMPSON: I pass to the acting director general.

Mr E. Bartnik: The department is taking a lead role in this debate. As the member mentioned, early childhood is often referred to as being between zero to eight years. Our department is of the firm view that many of the national indicators around the Australian Early Development Index and also the National Assessment Program – Literacy and Numeracy testing, indicate that in the years prior to school and years 3 and 5 in school, there are significant issues for our state. It is our belief that the department has a lead role to play in the years zero to four. That is a critical area for not only child care and parenting, but also for the better integration of partnerships with health, child maternal health and child development services. We are taking a lead role in that and we have a very strong view that our department has a key role to play in that process. Ultimately, it will be a state government decision about how that leadership and coordination will occur structurally.

The CHAIRMAN: I remind the member for Joondalup that general questions on policy areas are not permitted. Questions have to be relevant to the division in front of us. I will allow a further question.

Mr A.P. O'GORMAN: The Chair just made my further question too hard!

The CHAIRMAN: Maybe we will come back to the member. Member for Bassendean.

Mr M.P. WHITELY: It is an honour to get to ask a question. I refer to the service summary on page 718 of the *Budget Statements* and the reference to the Redress WA scheme. The Redress WA scheme is also referred to on the fifth dot point on page 719. There is a budget figure for the 2010–11 financial year of more than \$89 million, yet only \$23 million was spent. Can the parliamentary secretary explain the huge difference?

Mr A.J. SIMPSON: I thank the member for the question. I pass to the acting director general.

Mr E. Bartnik: The member will recall that changes were made to the maximum funding levels under the restructuring of the scheme and the issuing of the new guidelines. The scheme needed to be restructured and the new assessment process of the scheme requires a longer period of time, which meant that the bulk of expenditure from this year was deferred to the next financial year. We expect that all those payments will be made by June 2011.

Mr M.P. WHITELY: The change was a reduction in the maximum payout. Why should that lead to a delay in the payments? Surely it is easier to authorise smaller payments than larger payments. Given that the fifth dot point on page 719 states that the department has developed a comprehensive implementation plan to finalise

payments to applicants under the scheme in a timely manner, how can that claim be made if it takes longer to authorise smaller payments?

Mr A.J. SIMPSON: I pass to the executive director of Redress WA.

Ms S. Withers: The reason for the movement of the money into the next financial year is that it took some time to finish the actuarial sample and to develop a profile of likely payments. The payments commenced in mid-February this year. The progress has been slower than we had anticipated, partly because we are paying the oldest and sickest applicants first, for obvious reasons. We are looking at records that can be 70 or 80 years old, and that is taking us some time. Also, because of the age, disability and the remote location of some of the applicants, they are quite hard to contact. We have a policy of speaking to the applicants first if we can possibly get access to them before we process their claim. We also are establishing processes. We have been recruiting staff until relatively recently. Ours is a very complex scheme. It is probably the most complex in Australia. We do not have any other scheme that we can copy. We are still setting up the scheme, although we have commenced payments. Next week \$10 million will have been paid out. We actually are accelerating the progress of the scheme.

Mr M.P. WHITELY: The fifth dot point on page 719 refers to a comprehensive implementation plan. Does that plan include the provision of counselling services to Redress WA applicants? If it does, can the parliamentary secretary detail how that counselling will be delivered?

[9.30 pm]

Ms S. Withers: The department has spent more than \$3 million in counselling and supporting applicants to get their applications in. That process finished months ago. We then moved to a three-pronged attack. We have a help desk that is staffed by five social worker psychs to assist applicants and we take calls from 1 000 applicants a month. So applicants are using our services very extensively. We have also hired a number of agencies to do group work support, which is time-limited, short-term support to assist applicants particularly to access services that are already available to them in the community. There is actually a lot of support for people who have suffered trauma, particularly Indigenous applicants. Often applicants are not aware of what is available to them. Medicare funds a lot of services to people. We are very strong on getting people to springboard, because we will not exist forever, so there is not much point in setting up a long-term dependency. We have also set up a system in the past few weeks to allow applicants who are struggling to have between three and five funded sessions with service providers to make sure that they can access services in the community. The feedback that we have had from applicants is that they feel that they are getting a reasonable amount of support.

Mr M.P. WHITELY: Would it be possible to identify the staff turnover at Redress WA? Is it possible to identify what proportion of staff have left the service, particularly in the past year?

Mr A.J. SIMPSON: I refer to the executive director of Redress WA.

Ms S. Withers: No, I do not have an exact figure for the staff turnover, but I can tell the member that it has been extremely low. The staff have shown a great deal of loyalty to the project. As the member can imagine, it is not easy material to work with. I have been astonished at how loyal and dedicated our staff are and how little turnover we have actually had.

Mr M.P. WHITELY: It would not be difficult, I would imagine, parliamentary secretary, given the relatively small staff base, to identify the actual turnover over the past year.

Mr A.J. SIMPSON: Yes. We will take that on notice and we will provide that as supplementary information.

The CHAIRMAN: The parliamentary secretary agrees to provide supplementary information on the staff turnover at Redress WA.

Mr A.J. SIMPSON: Yes.

[*Supplementary Information No A23.*]

Mr A. KRSTICEVIC: I refer to page 724, “Income Statement (Controlled)”. Under “Details of Controlled Grants and Subsidies”, there is a footnote (a) that states —

From 2010–11 onwards, Cadets Western Australia funding transfers from controlled grants and subsidies to funded services, refer to Income Statement above.

Can the parliamentary secretary please explain why there has been a change in funding for this program?

Mr A.J. SIMPSON: I thank the member for the question. Again, as this is a youth issue, I will have to refer to the acting director general.

Mr E. Bartnik: Since the program’s inception in 1996, Cadets Western Australia payments have been made through annual grant agreements. As a result, the program has not been eligible for annual indexation to take into account cost-of-living increases. In 2009, an independent review of the program recommended that the program

move to three-year agreements due to its recurrent nature. In recognition of the value of the Cadets Western Australia program in building self-esteem and life and leadership skills among our young people, the state government has allocated an additional \$500 000 over four years to enhance the quality and scope of activities of the program. The additional funding will be invested back into the cadet units, with new initiatives, including major events and establishment grants, being introduced to the program. The state government is also allocating an additional \$300 000 over two years to trial the establishment of a River Rangers program for senior primary school children in years 6 and 7. The program will be jointly coordinated by the Swan River Trust, the Department of Environment and Conservation and the Department of Communities' Office for Youth.

Mr A. KRSTICEVIC: So is the funding through recurrent funding rather than grants?

Mr E. Bartnik: It has gone from grants to recurrent funding; therefore, it will be subject to indexation.

Mr A. KRSTICEVIC: That is good.

The CHAIRMAN: The member for Maylands.

Ms L.L. BAKER Dot point four on page 719 refers to the implementation date for the Council of Australian Governments national quality framework for early childhood education and care, and it lists four specific points that the department is addressing. I am interested in the overlap that would clearly occur with the Department of Education on all those items; for instance, the workforce planning item. Can the parliamentary secretary talk a bit about that overlap and how that is being managed in relation to the COAG changes?

Mr A.J. SIMPSON: I thank the member for the question. I refer to the acting director general.

Mr E. Bartnik: In recognition of the fact that there are two ministers and two departments in the early childhood space that are relevant to the national partnership, the Department for Communities and the Department of Education have been working very closely on an operational level, and also through a governance group that the Department for Education has set up to manage one of the national partnerships. So, right from the operational level through to governance of the national partnership, and also on advice to both ministers as part of the MCEECDYA—Ministerial Council for Education, Early Childhood Development and Youth Affairs—meetings, both departments and ministers are working closely with the Department of the Premier and Cabinet to give unified policy advice.

Mr M.P. WHITELY: I refer to page 719, the eighth dot point, which relates to seniors and population ageing. Was the Office of Seniors involved in the review of the extension of public transport concessions to seniors to examine whether that should be extended 24/7? If so, what consultation was conducted with seniors and seniors advocacy groups; and were any submissions sought, and received, in that process?

Mr A.J. SIMPSON: I thank the member for the question. I will refer the question to Margaret Dawkins, the executive director of policy and planning. But, before I do, when we came to government in 2008, we set up a seniors advisory committee as part of that process to report back to the minister and government on what they could be doing better to help seniors live their lives more fully.

Ms M.A. Dawkins: As far as I understand it, the question is: were we involved in the initial introduction of the free transport arrangements post the —

The CHAIRMAN: Unfortunately I cannot allow a conversation between advisers and members. If the member would please repeat the question.

Mr M.P. WHITELY: What was the role of the Office of Seniors in examining the proposed extension of free public transport 24/7? Did that process involve the Office of Seniors?

The CHAIRMAN: This will be through the parliamentary secretary, but I do remind the parliamentary secretary, before he answers this, that I am not sure how this relates to this particular line item. It may be more of a general policy question, but if the parliamentary secretary is happy to answer it, that is at his discretion.

Mr A.J. SIMPSON: I am happy to pass the question to Margaret Dawkins.

Ms M.A. Dawkins: The comment I would make is that the introduction of free public transport was an election commitment, under the carriage of the Minister for Transport and the Department of Transport. The Seniors Card centre that operates out of the Department for Communities has provided a supportive role in directing queries from seniors in relation to the new public transport concessions. It has provided support to seniors in redirecting them to the Department of Transport if they have any queries or in answering whatever questions it can.

Mr P.T. MILES: My question is further to the question that the member for Bassendean has just asked about the better deal for seniors on page 719, in dot point eight. Can the parliamentary secretary provide information on how Seniors Card holders have received a better deal since this government has come to office?

[9.40 pm]

Mr A.J. SIMPSON: I thank the member for the question. Since coming to power, this government has worked tirelessly to honour our election commitment to Western Australian seniors as quickly as possible. The incentives that we have taken include the establishment of a seniors ministerial council to provide seniors with a direct voice to the minister about issues concerning seniors in the Western Australian community. In 2009 the cost-of-living rebate successfully delivered payments to 231 370 Seniors Card holders, making it the biggest payment of its kind in the history of this state. This payment injected close to \$20 million into the Western Australian community to assist seniors with their increased daily expenses. The safety and security rebate has also been implemented allowing Seniors Card holders to claim \$200 per household towards purchasing and installing home intruder alarms, security screen doors, security window screens, security sensor lights and deadlocks for doors irrespective of whether they own or rent their premises.

Seniors Card holders also enjoy free public transport from 9.00 am to 3.30 pm on weekdays, all day on weekends and public holidays and throughout Seniors Week. It has allowed many seniors to connect with family and friends and become more active participants in their community. Furthermore, Seniors Card holders can enjoy reciprocal public transport concessions when travelling interstate. It is an addition to the Seniors Card. A number of complex situations have arisen that require careful consideration to achieve the best possible outcome for as many WA seniors as possible.

A new Seniors Card directory is due to be mailed out to all Seniors Card holders in late June. It will detail all the government concessions that are available to Seniors Card holders as well as the 10 per cent or more discount that is available to them from over 500 retailers in Western Australia, including in rural and regional areas.

Mr A.P. O'GORMAN: I hope the parliamentary secretary has an answer written out to my question. My question refers to the same dot point. What modelling was done for a review of the eligibility of the Seniors Card with a view to lifting the number of hours that a senior person can work and still be eligible for the card? It is now 20 hours and the government's election promise was to raise it to 30 hours. The government keeps breaking that promise. What modelling has been done and why has it been put on the backburner?

Mr A.J. SIMPSON: I thank the member for the question and I will ask the acting director general to answer it.

Mr A.P. O'GORMAN: I am very disappointed that the parliamentary secretary does not have a written answer to my question.

Mr A.J. SIMPSON: Does the member want an answer to the question?

Mr A.P. O'GORMAN: The parliamentary secretary has written out answers to questions asked by government members.

The CHAIRMAN: Order! I do not want to start naming members at this time of the night.

Mr E. Bartnik: The review has been completed. Detailed economic modelling was undertaken. What was complex about it was that it was about not only the number of additional cardholders, but also the impact on direct rebates through the Department of Communities. In addition, there is a very long list of other benefits that are provided to Seniors Card holders through a range of government and local government organisations that the Department of Treasury and Finance required the department to properly estimate and cost. The modelling was on not only the numbers, but also the direct costs, indirect costs and the flow-on costs by government departments. We were required to come up with a total cost. The modelling was quite complex in terms of not only the projected numbers but also giving other government departments—the energy providers and transport providers—and local government good data in respect of rates so that Treasury knew the full implications. The review has been completed. The modelling has been completed. Treasury and the department have an agreement about what it will take. My understanding is that the minister is on record saying that it will now be considered as part of the midyear review process.

Mr A.P. O'GORMAN: We have just heard that the modelling has been done, so the department would have an understanding of the costing. What is the costing to undertake this increase? Is it not in the budget because it costs too much and will blow the government's surplus?

Mr A.J. SIMPSON: My understanding is that the review has been submitted to the minister and is going through a process and will be part of the midyear review. The problem at the moment is costing the recommendations. That is the reason we did not have it in time for this year's budget. I will pass over to the acting director general.

Mr E. Bartnik: I will add that the aim was to review the 20 hours of work by seniors and the retention of some benefits in recognition of the change in demographics. A number of policy options are relative to the age of the Seniors Card, number of hours worked and different income levels. A number of options have been put to government on what could take place and what the finance implications will be.

Mr A.P. O’GORMAN: This was an election commitment. We are now two years into this government and we are into its second budget and it still has not delivered. Thousands of seniors are hanging out to be able to work those extra hours. I know. I employ one of them.

Mr A.J. SIMPSON: I have one in my electorate office as well. I attend a lot of seniors groups and I hear their concerns.

Mr A.P. O’GORMAN: I am sure the parliamentary secretary fits in well.

Mr A.J. SIMPSON: I do fit in well. That review has been done and we are working through the process and it will be part of the midyear review. That is all the information I can provide on that question.

Mr A.P. JACOB: My question refers to the last dot point, dot point 10, on page 719 under “Significant Issues Impacting the Agency”. How will the proposed state and community volunteering strategy support volunteering in Western Australia?

Mr A.J. SIMPSON: I thank the member for the question. Volunteering Western Australia is a fantastic organisation. A lot of people within our community do fantastic work. They provide a valuable resource for the Western Australian economy. Our volunteers are an integral part of our community and life and without them we would be lost. The strategy will ensure that the government and community are working together and are on the same page in supporting and guiding volunteering into the future. We have taken a partnership approach in developing a strategy to ensure that it reflects the needs and aspirations of the community, organisations and the volunteers. Currently, the strategy is in the consultancy stage.

The Minister for Seniors and Volunteering attended a community forum in Manjimup. The feedback the minister received was important. It was important to the volunteers that they had a voice and were listened to in that forum. We are confident that the state and community volunteering strategy will provide the government with a practical framework in fostering support for volunteering in Western Australia. I have a copy of the strategy that I will provide to the member.

Mr A.P. JACOB: Is the parliamentary secretary tabling that strategy?

The CHAIRMAN: Unfortunately, documents cannot be tabled during estimates.

Mr A.J. SIMPSON: I will ask the acting director general to answer the question.

Mr E. Bartnik: Volunteering is one of a number of areas in which the commonwealth government essentially works in exactly the same place as the state government. Funding is provided for volunteering organisations. In addition to the state strategy, we are systematically working with the commonwealth to try to get a better coordinated approach to these many small organisations. Frankly, we do not need two separate contracts for two different levels of government. We will use the strategy as a way of not only engaging the sector as partners, but also ensuring that the two levels of government come up with a better coordinated response to make it easier for these organisations.

Ms L.L. BAKER: I refer to the first dot point on page 719, which deals with the partnership with non-government organisations. I have a couple of questions about this. I have been trying to find out where the community trust fund is located. I refer to the \$10 million that the Premier announced would be available to this sector for low interest loans. Can the parliamentary secretary point me in the right direction so that I can find it in the budget?

Mr A.J. SIMPSON: I am happy to do that. I hand over to the acting general director.

Mr E. Bartnik: I understand that it is located in the Department of Treasury and Finance budget.

Ms L.L. BAKER: Will the innovation grants be there as well? It is an amount of \$2 million.

Mr E. Bartnik: I suspect they are. The Department of the Premier and Cabinet has taken the lead on the majority of recommendations. Any financial allocations will be in either the Department of Treasury and Finance or Department of the Premier and Cabinet budgets.

[9.50 pm]

Ms L.L. BAKER: So the Department for Communities —

The CHAIRMAN: The member should be aware that it is not really permitted for members to ask parliamentary secretaries questions about someone else’s portfolio.

Ms L.L. BAKER: On a similar subject, and on the same dot point about the non-government sector, I note that the Premier has made it clear publicly and to the sector that he recognises the wage-parity issue. Have any discussions been held or plans made to address the \$198 million shortfall in wages between the community sector and almost everybody else in the entire universe?

Mr A.J. SIMPSON: I will pass to the acting director general.

Mr E. Bartnik: My understanding is that the new Partnership Forum is scheduled to meet in the next two months and that that will be one of the pressing items. If government and non-government organisations are getting together, I am sure that will be at the top of their list. I am sure that it will be one of a number of priority items.

Ms L.L. BAKER: Within what time frame would the Partnership Forum be expected to deliver results?

Mr E. Bartnik: The Premier said in his speech to the Western Australian Council of Social Services conference that the Partnership Forum will report to him. I think it is meeting every one or two months. There are a number of working groups underneath it which are meeting regularly. The chair of the committee is Professor Shergold, and there is a great expectation in the sector that there will be outcomes and actions from that committee.

Mr A.P. O'GORMAN: I refer to the final dot point on page 719 of the *Budget Statements* about volunteering. Can the parliamentary secretary indicate what contribution the government is making to Volunteering WA and what the increase was from last year to this year?

Mr A.J. SIMPSON: As in the contribution?

Mr A.P. O'GORMAN: Grant funding.

Mr A.J. SIMPSON: I hand over to the acting director general.

Mr E. Bartnik: There were two subprograms funded under Volunteering WA—one for \$283 200 and the second for \$137 856. I cannot provide the historical funding in previous years but we would be very happy to take that on notice.

Mr A.P. O'GORMAN: Can we have that supplied through supplementary information?

Mr A.J. SIMPSON: We will provide current figures and last year's figures for Volunteering WA.

[*Supplementary Information No A24.*]

Ms L.L. BAKER: I refer to the seventh dot point on page 719, which states —

Through its Youth Plan 2009–2011, the Department is addressing the overall wellbeing of young people as well as their over-representation in a variety of at risk groups by:

- partnering with community organisations through recurrent and grant funding ...
- changing community perceptions through awards and recognition strategies;

Are any specific NGOs involved in helping the department to develop that plan? Does the parliamentary secretary have any comments to make on the major areas of work that he thinks will be picked up, particularly in the drug and alcohol and mental health and wellbeing areas?

Mr A.J. SIMPSON: I thank the member for the question. I pass to Margaret Dawkins, acting executive director, policy and planning for the Department for Communities

Ms M.A. Dawkins: We undertook consultation to develop the youth plan last year, so we are a year into the plan now. As part of the consultation process we spoke not only with young people through metropolitan and regional forums but also to service providers at a forum in Subiaco. The Youth Affairs Council of WA partnered us in that forum and helped to bring together its membership group and a wide range of organisations, so we got a lot of valuable input into the plan at that stage. The other part of the question related to the particular projects we are working on as part of the plan. We have six priority areas for youth, with mental and emotional wellbeing in young people being one. We have just completed National Youth Week 2010. We had a highly successful joint partnership with the Mental Health Commission and the West Australian Music Industry Association, and we produced a DVD with young musicians who had challenging issues with mental health. The DVD involved those young people talking about their experiences. We also held a concert in Northbridge. That has had some really remarkable outcomes. We know of one young person who listened to the DVD and decided to not take his own life. There are some really quite poignant outcomes. The member also asked about drugs and alcohol. We have just about finished two research projects with a variety of university consortia. The first is about young people's use of alcohol at large-scale events such as leavers. Some really interesting preliminary research findings are coming out. The other one is being done with the University of Wollongong on the impact of point-of-sale promotions on young people's purchase of alcohol. We are also working with the Drug and Alcohol Office on updating our parents' guidelines on young people and alcohol, because recent research has shown that they are somewhat dated. Some of the other areas we are working on include the funding of Youth Focus, which is a really major youth provider in the area of mental wellbeing and youth suicide prevention. It is one of our most substantial funding agreements. In the last month or so we also started putting out a lot of funding for strategic partnerships to do with young carers. We are funding a major project in collaboration with Carers WA on young carers in the school system and how we can give them additional support. Another one relates to older young carers aged 18 to 24 and their social isolation. I have probably talked enough. Is that sufficient?

Ms L.L. BAKER: I thank Ms Dawkins.

Mr A.P. O’GORMAN: I refer to the sixth dot point on page 719, which states —

With higher levels of marriage breakdown and women living on their own, the issue of economic security for women is an increasing concern. Levels of retirement savings, superannuation and housing affordability are issues for many women and have been identified as a priority by the Women’s Advisory Council, which was established in late 2009.

That is a great statement but it is just floating in the air. What is the department doing about that? How is it addressing those issues, particularly housing affordability? One thing that happens as soon as a family breaks down is that one partner moves out. Unfortunately, it is usually the woman. Once joint property is sold, women are still in a bad position to afford a new home. Homeswest or the Department of Housing do not provide housing quickly—it takes a long time to get housing. What is the department actually doing? It is a great statement, but there is no point in making a statement if there are no funds to back it up and to provide some housing, particularly for women who come out of marriage breakdowns.

Mr A.J. SIMPSON: The Women’s Advisory Council was established in January 2010 for a two-year term. The council identified women’s economic security as one of five priority areas. That is the theme for a one-day symposium to be held in June 2010, which will inform the council’s work, its advice to the minister and the ongoing policy work of the women’s interest area during 2010–11. Practical assistance is also provided through the Women’s Information Service and a soon to be released women’s services directory. The member identified a number of areas. Women are vulnerable in the process of marriage break-ups. Single mums are left trying to raise kids. This is the idea behind the Women’s Advisory Council—to bring those things together to help women to deal with that process. This is part of our modern life. For instance, fly in, fly out work places a lot of strain on families. That is identified more in marriage break-ups. The Department for Communities’ Office for Women’s Interests provides considerable research and policy support to the Women’s Advisory Council. As I mentioned, there are five priority areas. The outcomes of the symposium will inform the council’s work and its advice to the minister on ongoing policy, and will provide some framework for the department during 2010–11 so that it can start looking at specific roles for the Office of Women’s Interests as it progresses through that process.

The appropriation was recommended.

Committee adjourned at 10.00 pm

Legislative Assembly

Tuesday, 1 June 2010

ESTIMATES COMMITTEE B

The meeting commenced at 9.00 am.

Division 48: Attorney General, \$390 765 000 —

Mr P.B. Watson, Chairman.

Mr C.C. Porter, Attorney General.

Mr D. Creedon, Chief of Staff, Office of the Attorney General.

Ms C.M. Gwilliam, Director General.

Mr A. Andersson, Director Business and Financial Services.

Ms P.M. Bagdonavicius, Public Advocate.

Mr G. Hamley, Executive Director, Office of Native Title.

Mr J. F. Skinner, Public Trustee.

Mr R. Warnes, Executive Director, Court and Tribunal Services.

Mr G. Turnbull, Director, Legal Aid Commission.

Ms L. Baker, Manager Finance, Legal Aid Commission.

Ms Y. Henderson, Commissioner for Equal Opportunity, Equal Opportunity Commission.

The CHAIRMAN: This estimates committee will be reported by Hansard; the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the intention of the chairman 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 Attorney General may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the Attorney General to clearly indicate to the committee which supplementary information he agrees to provide, and I will then allocate a reference number. If supplementary information is to be provided, I seek the Attorney General's cooperation in ensuring that it is delivered to the committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the Attorney General to cooperate with those requirements. I caution members that if the Attorney General 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. Only supplementary information that the Attorney General agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question. If any of the advisers want to answer, they must answer through the Attorney General.

I now ask the Attorney General to introduce his advisers to the committee.

[Witnesses introduced.]

The CHAIRMAN: Are there any questions from members? The member for Wanneroo.

Mr P.T. MILES: Listed on page 629 in the tenth line item on new works is the Carnarvon police and justice complex. Can the Attorney General outline what is involved in the construction of the facility, please?

Mr C.C. PORTER: I will perhaps give a little history of the Carnarvon police and justice complex. An amount was allocated by the previous government for that facility. We agree that the new facility should be located at the site identified by the previous government, which is the Gascoyne traders site at the corner of Robinson Street and Babbage Island Road. The state government will invest \$52.5 million to deal with a new police and justice complex in Carnarvon. That will bring together the courts, the police and community justice services into one facility. Part of that \$52.5 million appeared in the budget out years under the previous government. Provisional on the capital audit that occurred prior to last year's budget, when all capital infrastructure projects over \$20 million were reviewed, that amount was taken out of the budget so that it did not appear in last year's budget. We have reviewed that decision with the slight improvement in financial conditions. That project is planned to go ahead. The provision in that line item also has an amount of royalties for regions funding, which is \$9.5 million of the \$52.5 million. That represents the fact that the build estimate has increased since the time of the previous government's estimation. There are some real difficulties with the current courthouse in Carnarvon—that may be a question that occurs with respect to the Department of Corrective Services—but we have had to bypass the police facilities in Carnarvon as a holding facility for prisoners who are en route to Perth. The view was taken that the facilities, as they presently stand, were not fit for purpose. That has caused some difficulties with respect to travel, and it indicates that there is a desperate need in Carnarvon for that court to go ahead. In the present facility there are no rooms presently for witnesses or victims, no pre-trial mediation rooms, no separate area for jurors and no contact interview rooms. As I said, the previous government allocated \$38 million, but this will be increased to \$52.5 million. Prior to the tender going out for construction for the new facility, there will need to be appropriate time to ensure that the occupiers of the site who are responsible for contamination will remediate the site. Some public comments have been made about the prospect of that delaying the construction. In meetings that my director has had with respect to the parties, which are the Shire of Carnarvon and Wesfarmers, who are the owners of the site, all indications are that it will not prevent the site from being constructed on time and according to schedule. It will be therefore a very good facility and one of several, hopefully. There were some other questions about Kununurra and Kalgoorlie.

Mr P. PAPALIA: Mr Chairman, can I pursue that briefly with the Attorney General?

The CHAIRMAN: Yes.

Mr P. PAPALIA: With regard to the environmental considerations that the Attorney General referred to, is it a requirement that an environmental approval process be concluded; and, if so, what is the status of that process and are there any time lines for the approval to be achieved?

Mr C.C. PORTER: My understanding of the very general background to the —

Mr P. PAPALIA: I realise it is not really the Attorney General's portfolio.

Mr C.C. PORTER: Yes, I know, but the mechanics of it are that the site was used for a purpose which now means that there is a presumption in favour of contamination having occurred. I think that is because it had fuels or some other items that had been stored on the site. Therefore, as a matter of balance of probabilities testing, it is not necessarily the fact that the site is actually contaminated, but there is a presumption in favour of its contamination. The environmental auditor has determined that there will be a report available at the end of the month as to the actual level, if any, of contamination, and that is what we were expecting. That report goes to the Department of Environment and Conservation. Obviously, I cannot guess at what that will be.

Mr P. PAPALIA: Yes, that is fair.

Mr C.C. PORTER: But that is the first and prequel stage, and that is on track.

Mr P. PAPALIA: That was not my question, Chair.

The CHAIRMAN: No.

Mr P. PAPALIA: I refer to division 48, page 621, significant issues impacting the agency. The top dot point refers to the government's law and order reform agenda being a priority and a number of bits of legislation have been listed that have been worked on. Can I have an indication of how much of a priority and what sort of time frame we are talking about for things like prostitution, which was a significant talking point prior to the election two years ago? I would also like an indication of some of the priority and time frames involved with the other items that are listed there as being such important priorities for the government.

[9.10 am]

Mr C.C. PORTER: Certainly. Perhaps I will start with prostitution. Of all of those items listed as being a priority, prostitution, without question, is the most complicated and controversial. Perhaps, to put it in context, the manner in which a government might successfully bring in legislation of that level of controversy is a matter of history. The previous government—the member's government—had two attempts at prostitution legislation. The first attempt was in 2005. It had not passed through Parliament at the time of the second to last election. The

second piece of legislation, which actually was very different from the first piece of legislation, passed through Parliament prior to the time of the last election, but we, pursuant to our promise to have what we think is a —

Mr P. PAPALIA: I am much more interested in what the Attorney General is doing about it.

Mr C.C. PORTER: Indeed; but I think that the timing of these issues that the member has asked about has to be put in context as to how difficult they are. My aim with respect to prostitution is to have a green bill available and tabled by the end of this year so that public comment can flow from that green bill. That is aspirational—I believe I can meet that —

Mr P. PAPALIA: Is that an indication of how quickly high priorities pass through the government’s process—three years by the time we get a green bill?

Mr C.C. PORTER: Although it is one of several key priorities —

Mr P. PAPALIA: We have slightly slipped on the 100-day promise is what I am getting at.

Mr C.C. PORTER: I actually do not think prostitution was in the 100-day promise.

Mr P. PAPALIA: I am sure it was. I am sure that in the lead-up and during the campaign, the Premier made this particular piece of legislation one of his highest priorities.

Mr C.C. PORTER: I know the 100-day document guessed pretty well. In the 100-day document we said that we would repeal the Labor bill. In fact we met the substance —

Mr P. PAPALIA: The Attorney General knows the indication given to the community of Western Australia was not that a Liberal government was going to repeal the Labor bill; it was going to sort it all out. Particularly members on the government side of the committee at the time were very interested in what the Attorney General intended. I am still interested to find out.

Mr C.C. PORTER: We will sort it all out, but the member’s contention is that we promised to sort it all out in 100 days. We never made that promise.

Mr P. PAPALIA: My contention is it was this government’s highest priority, and we are looking at three years down the track. It will not go through before the next election.

The CHAIRMAN: Members, can we get to the point? We could be here all day.

Mr C.C. PORTER: We simply never made that promise. Of course such a promise would never be made because it would be ridiculous to conceive that an act could be repealed—in this case not proclaimed being the route that we chose—and replaced in an area as serious and as controversial as prostitution in 100 days. That promise was never made.

Mr P. PAPALIA: I agree that it was ridiculous.

Mr C.C. PORTER: It would have been ridiculous to have been made if it was ever made, but it was not made. My aim is to have a green bill by the end of this year. That will beat the previous government’s effort by six years, which is really not a bad effort.

Mr P. PAPALIA: I will wait and see whether it is achieved!

Mr C.C. PORTER: The member has also asked about the procedure. A senior officers’ group has been working across several departments. The central aspect of the promise that we have made in terms of the legislation is that we will not have lawful—that is, registered prostitution—in what the Premier termed prior to the election “residential areas”. There are obviously complications associated with that; that is, land use issues in terms of local government regulations. There are mixed areas of land use. I believe that we will and can make good on that promise not to have lawful, registered prostitution in residential areas. That has involved a lot of interagency cooperation in terms of the fundamentals of the plan as between the offices of the Minister for Local Government and the Minister for Planning, and my own. I intend to have the green bill out for public comment rather than have the consultation period prior to the final bill being drafted. In my view that is a way to avoid the situation that has occurred previously of bills coming into Parliament too late to be effectively passed during a term of government. If a green bill is tabled by the end of the year—which I have every confidence that it will be—that is a relatively good effort when compared with the history of this matter over the last eight to 10 years.

Mr F.A. ALBAN: I refer to the seventh line from the top of page 622 of the *Budget Statements*, “Coroner’s Court — Time to trial”. Can the Attorney General inform the house on the number and makeup of backlog files at the Coroner’s Court?

Mr C.C. PORTER: I thank the member for the question. The first thing to point out is that the item “Coroner’s Court — Time to trial” that appears at page 622 represents figures in terms of weeks, which are far in excess of both the Supreme Court criminal and civil times to trial and the District Court criminal and civil times to trial. There is a reason for that that I will come to in a moment.

We have had significant improvements with respect to that area in terms of affecting what was a large backlog of matters. One of the reasons there will always be a much longer wait in terms of time to trial for the Coroner's Court is that the time is measured from the death that is to be later investigated to either the administrative hearing or the full hearing in the Coroner's Court. There are a number of matters that bear upon whether or not and how long that will take that do not necessarily bear on a usual criminal trial. It might be the case, for instance, with a coronial matter, that there is a wait for a criminal investigation to finish before any cause of death can be determined or any indication given as to whether it actually requires a coronial investigation. Sometimes it is the case that quite complicated pathology occurs, including the sending of organs to other jurisdictions; as I understand there is only one person qualified in the Western Australian jurisdiction to undertake the sort of examination that the coroner routinely requires on organs. In some instances delay is occasioned by families of deceased requiring secondary opinions and themselves commissioning those opinions, either consequent to a police investigation or initial coronial findings. That also has the tendency to delay the matter.

What occurred in terms of the backlog—that was the important factor for this government—was that a backlog had developed because the coroner's office had been underfunded. In the midyear review, consequent to last year's budget, we allocated an additional \$822 000 to the coroner; \$622 000 of that was for an increased number of full-time employees for the coroner. That has had a significant impact on the backlog of matters. Another \$200 000 was for pathology services. In this budget, the \$641 000 for the additional FTEs continues. Again, that will have a major impact on the backlog of cases that are waiting to be heard. I think there are 75 backlogged inquest cases at the moment.

The number of cases older than 12 months, which is a key indicator, is currently 705. The time to trial is 99 weeks. That is down from 112 in the previous financial year, and is a significant improvement. That is the improvement that we can directly attribute to the extra funding. It is certainly my hope to have that extra funding on an ongoing basis for the coroner. To this point we have delayed putting that funding clearly in all of the out years based on waiting for a Law Reform Commission report into the coroner's office, which, in part, will deal with funding but also will deal with matters such as structure—which funding is obviously intimately related to. It is certainly the case that we will look into that in the future. It seems to me appropriate that the coroner's funding increase continues. By the end of 2009–10 the backlog will be reduced to 400 files; and by the end of 2010–11 it is anticipated that most, if not all, of the 75 inquest files will be completed and the backlog of administrative files will be reduced to 150 files. That is a significant improvement in terms of the timeliness, but the timeliness for the Coroner's Court will never be as good as it is for the District Court or Supreme Court in criminal matters.

[9.20 am]

Mr J.R. QUIGLEY: Page 631 of the *Budget Statements*, under the heading “Details of Controlled Grants and Subsidies” has a line item, “Act of Grace and Ex-Gratia Payments”. In 2008–09 that allocation was \$3.072 million; in 2009–10 no payments were made, and nothing has been allocated for the out years going forward. The Treasurer's Advance Authorisation Bill 2010 contained a line item of \$10.5 million, but that amount is not shown in the *Budget Statements*. Given that there is an act-of-grace payment outstanding for the family of the late Mr Ward and that the Director of Public Prosecutions has stated that there will be a withdrawal of the confiscation application against Mr Nigel Mansfield, which we have been told is in the order of between \$6 million and \$15 million depending upon who people listen to, why is there no budget allocation for these large payments?

Mr C.C. PORTER: There has been some confusion about this, and I appreciate the member's question. At the time of the Treasurer's advance authorisation an estimate is made of any additional payments—that is, payments that may have to be made between April and, for instance, 30 June of this year. That \$10.5 million is an estimate made by officers of the Department of Treasury and Finance of amounts that may have to be paid during that period of time. I will come back to that in a moment and give the member some description of what it appears that DTF has in its mind when it sets out that figure.

The second part of the member's question appears to ask why it is that this budget does not contain an allocation for ex gratia payments that may need to be made between 1 July 2010 and 30 June 2011. The answer to that is procedural in that it has never been done that way, as far as I understand it. Moneys are not prospectively allocated in the budget for ex gratia payments that may be made in the next final year. Through the *Government Mid-year Financial Projections Statement*—or the Treasurer's advance—moneys are allocated for payments that have either been made or are about to be made, or, in the case of the Treasurer's advance, payments that may be made between April or June. It appears that with respect to that \$10.5 million, DTF officers settled on some estimate as to moneys that may have needed to have been paid out by the end of this financial year. It appears that they included in that amount mesothelioma payments that may have had to have been made—I think they were in the vicinity of \$2.5 million. They also included an estimate that the final Ward payment may be made by the end of the financial year. They also made an estimate for the fact that it may have been that any moneys

going to Mr Mansfield pursuant to the settlement of his court action may have been paid out by the end of the financial year. DTF officers estimated what those payments may have been for Mr Ward and Mr Mansfield, but those payments may or may not occur by the end of the financial year. If they do not occur by the end of the financial year, we will, in effect, go through the same process in the midyear review and the Treasurer's advance to have those moneys allocated forward. They will not be allocated in this budget per se.

Mr J.R. QUIGLEY: I have a supplementary question. But the Attorney General has conceded that the DPP has already indicated to the Supreme Court that this payment has to be made to Mr Mansfield, and the Attorney General himself has said there will be a substantial payment to the relatives of Mr Ward.

Mr C.C. PORTER: Yes.

Mr J.R. QUIGLEY: These are not theoretical payments; these are payments that are due to be made, yet there is no provision in the budget.

Mr C.C. PORTER: The member is pointing to what he views to be an imperfect procedure, and he may well be right. If the Mansfield and Ward matters were to be concluded and paid on 13 July this year, my department would pay those out of cash reserves and would be reimbursed. They are just simply the accounting measures that have always been in place for those matters. It appears that one of the reasons that occurs is because it is very, very difficult to estimate what those amounts will be given that, in one instance, they rely upon ongoing negotiations between the DPP and Mr Mansfield; in the other instance, conversations and negotiations are ongoing between myself and the Aboriginal Legal Service on behalf of the family of Mr Ward. That makes the quantum very difficult to predict, which appears to me—without having a deep historical knowledge of it—why it is that this process, which the member considers imperfect, has been adopted. Nevertheless, that is the process that has been in place for some time.

Mr J.R. QUIGLEY: I am not saying the process is imperfect—I am saying the budget is imperfect. But if the Attorney General looks at what the government put before the Parliament, the Treasurer's Advance Authorisation Bill 2010 contains an allocation of \$10.5 million for act-of-grace payments, of which the Attorney General said that approximately \$2.5 million has been set aside for the mesothelioma payments, leaving a balance of \$8 million, in respect of which the Attorney General said that the Department of Treasury and Finance has allocated a substantial sum for the relatives of the late Mr Ward and for Mr Nigel Mansfield. How much did they allocate for Mr Ward and how much did they allocate for Mr Mansfield in the figure put before the Parliament of Western Australia?

Mr C.C. PORTER: That might be a matter that the member needs to ask Treasury because that is its estimate, not mine. The fact is that any estimate may be extremely inaccurate because the decision about the payment to Mr Ward's family will ultimately be a decision of the executive and cabinet, which is not known either to me or to Treasury. The Mansfield amount will be pursuant to any agreement that can be reached pursuant to negotiations between the DPP and Mr Mansfield. In any event, because that money has to be approved by the cabinet, it ultimately becomes a cabinet decision to in fact authorise any result of the negotiations. Treasury officers, knowing that the two processes are in place, have obviously made some kind of estimate about those matters. That is not my estimate and neither is it, as I understand it, the DPP's estimate. The Treasurer's advance considered what may be a possibility between April and the end of the financial year. It may be that neither of those payments will be made between now and the end of the financial year, in which case the Treasury estimates are, if we like, 100 per cent wrong because the payments will not be made. That is just the system that is in place.

Mr J.R. QUIGLEY: This is a totally murky area of the budget, is it not? The government has come before the Parliament and asked the Parliament to vote on a Treasurer's advance of \$10.5 million on the basis of what the Attorney General has told the chamber today is merely a guesstimate. The government has asked the Parliament to vote on speculation—is that not right?

Mr C.C. PORTER: Indeed, but there are reasons for that. If it were the case that either or both of those matters concluded before the end of the budget and no money had been included in the Treasurer's advance, the member would equally be complaining that no money had been included in the Treasurer's advance. When matters have timing issues that are outside the control of any agency or minister there will either be an inaccuracy in the previous year or an inaccuracy in the prospective year. It appears to me that that is why it is done in the way it is done. But of course the way it is presently done is the way it has been done for many years. If there is a better way, that may be something that Treasury may look into, but how Treasury goes about the timing of making the estimates is not a matter in my control.

Mr P. PAPALIA: I have a further question. I am interested in this, too, from an administrative point of view with regard to the budget, because this \$10 million was in the Treasurer's advance and then suddenly disappeared. Other items under the control of the Attorney General as Minister for Corrective Services are the court security and custodial services contract and the Coroner's Court. Did those allocations also disappear if they were not spent? Has the money allocated in the midyear financial review gone?

Mr C.C. PORTER: Sorry, what why items is the member looking at? Give me a line item.

[9.30 am]

Mr P. PAPALIA: I am looking at any of these other line items. “Court and Judicial Security” is a line item on page 629.

The CHAIRMAN: Member, we do not want to get away from the line we are talking about at the moment.

Mr P. PAPALIA: This is related, Chair, because the line we are talking about does not appear. The question was why the \$10 million allocated in the midyear financial review does not appear in this year’s budget. For the same reason, I ask: are all the other allocations in the midyear financial review there or there only if they were spent? Is this part of the Premier’s never–never land approach to the budget or is this a special rule just for ex gratia payments?

Mr C.C. PORTER: I think the member’s question is: with respect to line items appearing in the Department of the Attorney General’s budget, if there is an overspend, is it possible that some of those moneys are brought over into the next financial year? That is possible but there are forms that need to be filled in and procedures that need to be observed. That is the answer to your question.

Mr P. PAPALIA: Would I be able to find an allocation in the midyear financial review in the budget for something other than ex gratia payments?

Mr C.C. PORTER: The purpose of the midyear review is to allocate funding for matters that have not appeared in the budget and that could not have been anticipated.

Mr P. PAPALIA: That is last year’s budget.

Mr C.C. PORTER: That is correct.

Mr P. PAPALIA: In this year’s budget, should not the estimated actual have a line item for expenditure from the midyear financial review that has subsequently taken place between then and now? If it were not spent, would it somehow be reflected in this year’s budget?

Mr C.C. PORTER: On page 619, under the heading “Major Spending Changes” it reads —

Details of major decisions impacting on the Agency’s Income Statement since publication of the 2009–10 Budget ...

These are moneys that were, in effect, allocated in the midyear review process that appear in the four out years of our budget. One example is the Bell litigation appeal. We secured considerable funds, which are, for all intents and purposes, to pay for an additional three judges to come into this jurisdiction and hear the Bell matter. It appears to me, at least, that Treasury does the midyear review process in terms of line items for things like Bell because we definitely know that Bell will go ahead and require certain funding in this next financial year. There is “planability” and predictability. It may have been the case and may still be the case that the negotiations between the DPP and Mr Mansfield, for instance, are concluded by the end of this financial year. But I simply do not know that. If that is completed and whatever agreement is reached is authorised in terms of a payment by cabinet, the moneys, or part of them, that were allocated in the figure the member for Mindarie has spoken of will flow this financial year. But they have not been allocated across the next financial year because there is no guarantee that agreement will be reached in the next financial year. We simply do not know whether that is the case. That will depend on negotiations that are out of my control. It appears to me that it is a matter of Treasury process; that is, the distinction between the line items in the midyear review that appear in the budget and matters that occur in the Treasurer’s advance that do not appear in the budget.

Mr J.R. QUIGLEY: Further to the act of grace payment line item on page 631, the Attorney General is saying that the Department of Treasury and Finance arrived at the figure of \$10.5 million by way of guesstimate, without any input from the Attorney General or his department as to the likelihood of these matters being resolved in the current financial year. The Attorney General is saying that Treasury arrived at this figure without any expectation there will be a payment in the current financial year.

Mr C.C. PORTER: No. DTF officers became aware of the possibility —

Mr J.R. QUIGLEY: From reading *The West* or how?

Mr C.C. PORTER: No; through inter-officer communications they became aware of the fact that negotiations are ongoing between the DPP and Mr Mansfield. They are also aware that there is some possibility that the Ward matter may be resolved by the end of the financial year. They are made aware through officer level communications. The member used the word guesstimate, but as I understand it, having regard to its own experience in matters of this type, Treasury makes some estimate. But the estimate is not my estimate and it is not the DPP’s estimate. In my view, it is a very overly cautious estimate made by Treasury, but it is Treasury’s estimate.

Mr J.R. QUIGLEY: The Premier talks about never–never land. This is fairyland is it not? The Attorney General is not prepared to give even an indication to this chamber this morning that these matters are likely to be concluded, despite what he publicly said to Mrs Ward, even by 30 June 2011. He is not prepared to put that forward as a realistic proposition is he?

Mr C.C. PORTER: I think it is realistic and possible, but I do not know whether it will be —

Mr J.R. QUIGLEY: If it is realistic, why has some provision not been made in Western Australia’s public accounts for that contingency?

Mr C.C. PORTER: There are two reasons for that. First of all, it may not occur before the end of the financial year, notwithstanding that it may realistically occur. The second is that, as a matter of procedure, as it was under the previous government, if the Department of the Attorney General became responsible for any ex gratia payments, it would pay them out of cash reserves, and then the Treasurer’s advance or the midyear review would be reimbursed. If there were any possibilities of payments being made, whether they be likely, real or remote possibilities of payments needing to be made between the Treasurer’s advance in or about April and the end of the financial year, the Treasurer’s advance would include an amount that was based on an estimate from DTF officials as to what those amounts may be. That is the process that existed over the last financial year and it is the same process that existed under the previous government for eight years. My department does not get paid in advance in line items in the budget, either predicated on the midyear review or this process, for ex gratia payments that may or may not be made in the ensuing financial year. It has simply never been done that way.

Mr J.R. QUIGLEY: On the same line item, in respect of the former of the two examples cited, the Attorney General will have a reasonable idea of the amount of assets seized from Mr Mansfield and a reasonable idea of the amount of compensation flowing from the amounts of the assets seized, and that this is likely to be concluded within the coming financial year.

Mr C.C. PORTER: Not at all. In fact, as a matter of proper process and in observance of the independence of the Director of Public Prosecutions, I am in no way involved in the negotiations that are going on pursuant to the damages claim that Mr Mansfield has against the DPP.

Mr J.R. QUIGLEY: But the Attorney General worked in that section; he knows that the assets were seized. From working in that section under Mr Staples, he would have an idea from his own work history of the amount of assets seized.

Mr C.C. PORTER: I never worked under Mr Staples.

Mr J.R. QUIGLEY: Finally, in relation to that line item with nothing going forward and the Attorney General saying this is historical accounting, for the public of Western Australia, will any other prospective large quantum ex gratia payments need to be considered by the government over the next 12 months?

Mr C.C. PORTER: That is a very fair question. My answer is: none that I am aware of. I am aware of the potential for a substantial payment in the case of Ward. I am aware of the potential for a substantial payment in the Mansfield matter. The distinction between the two though, member, is that I am intimately involved in the negotiations, the correspondence and the legal views that are being put by the Aboriginal Legal Service on behalf of the Ward family. In the Ward matter, I have some inclination to consider what is a reasonable figure that we may reach in consultation with Mr Ward’s legal representatives. Whereas, in the matter of Mr Mansfield, although I am aware of the legal basis upon which damages are payable, I am not involved at all in the ongoing negotiations between the DPP and Mr Mansfield. Indeed, all I have done with respect to those negotiations is seek a briefing from the DPP on when those negotiations are likely to be concluded. These are questions that the Attorney General is obviously free to ask the director during debate on his division. The best available advice that he has given to me is that, whereas those negotiations were proceeding relatively quickly, they have settled and at the moment it is not possible for the Director of Public Prosecutions to say when they may be concluded. I take that to mean that they may be concluded in this financial year, but that now appears highly unlikely. They may be concluded in the next financial year, but that is as yet unknown. Apropos the member’s question about why we would not have a line item in this budget for a potential ex gratia payment pursuant to the negotiations in damages that are going on between the DPP and Mansfield, the two answers are: firstly, that is simply never how it has been done; and, secondly, there is a reason for that—we do not even know whether that matter will settle and need to be paid in the 2010–11 financial year.

[9.40 am]

Mr J.R. QUIGLEY: Would the Attorney General take this point? When he says “potential payment”, these payments are, as far as Western Australia goes, definite liabilities. They are not potential payments; they are payments that certainly have to be made and they will be in the order of millions and millions of dollars.

Mr C.C. PORTER: With respect to the Mansfield matter, I would agree with the member’s assessment that that is a payment that legally must be made. As to its quantum, I would not wish to guess; the member may want to

ask the Director of Public Prosecutions. The Ward matter is solely in the province of the executive and solely a matter of executive discretion; however, we have said publicly that a final amount will flow and it will be substantial. I think that the point of the member's question is: am I aware of anything like those two matters that is impending in the next financial year? I have not received any advice from the DPP or any other agency that there are matters of a similar quantum that may arise in the next two years. The closest thing that I can think of is the Butcher matter, but no formal application of any type has been made to me with respect to that, so I would not even put that in the category of being a definite matter. The member must keep in mind that Mr Ward, unfortunately, died some time ago during the time of the member's government. The question that might be asked is: why did his government not put in its out years provision for an ex gratia payment? The previous government did not do that for the same reason that we did not—we do not know when it will occur or how much it will be.

Mr J.R. QUIGLEY: The answer might be that that was before the Coroner's Court delivered its finding. Leaving that aside for a moment —

The CHAIRMAN: I think the member has had enough on that question. The member for Southern River.

Mr P. ABETZ: I refer to the fifth note on page 623 regarding the effectiveness of the Fines Enforcement Registry. Can the Attorney General inform us of the amount of fines outstanding and what is being done to reduce the amount of outstanding fines?

Mr C.C. PORTER: A good deal has been done and more will be done over the next financial year. The member will note that provision has been made in a line item for moneys to flow in the next financial year and in the subsequent financial year under the banner of new fines enforcement measures. If the member looks at page 619, he will see that for 2010–11 there is just over \$1 million, which increases to \$1.4 million and then to \$1.492 million and then decreases to \$850 000. Those figures are for measures that involve changes to legislation that will be brought before cabinet shortly. The reason that that amount increases and then decreases is that it is considered that the measures, by virtue of the increased revenue that they will bring in, will potentially be self-funding. The question that the member has asked is one of those questions that appears to me to be asked each year in estimates. The level of outstanding debt as at the end of March this year was \$240 million, of which \$235 million is subject to active enforcement and \$5 million is due to be written off.

We have had some success over the past year in stabilising the key indicator. Each year more and more fines become registered with the Fines Enforcement Registry. It has as its source both court fines and other fines from a whole variety of agencies; they might be traffic infringements or parking infringements. We anticipate that by the end of the financial year the total number of fines and infringements registered will top the three and half million mark, which obviously is an enormous number of fines. One of the key indicators is the number of fines incomplete. The member will see that three and a half million registered fines since 1996–97 represents a very sharp increase in the fines being registered with the Fines Enforcement Registry. Since coming to government, we have, thankfully, managed to stabilise the matter of fines incomplete. With the increasing number of lodged fines, we cannot have an increasing number of fines becoming incomplete. The number of fines incomplete has very much stabilised; it has stabilised at about the 750 000 mark. I am working off a graph that I am happy to provide. It has stabilised since about 2008. We have increasing registrations and we have managed to flatline the number of fines that are becoming incomplete, which is a very positive development. But we will not start to increase the completion rate, if I can put it that way, until the new measures come into play.

I will give the member some factual background about the overall number of registrations. Since 1995, 3.97 million fines and infringements have been escalated to FER—that is, registered with it. More than \$982 million in fines have been registered with the Fines Enforcement Registry to the end of March. Although I think that figure of \$240 million in outstanding debt absolutely needs to be brought down, that must be kept in context with the fact that there is \$982 million of value in the fines that have been registered. Of all the matters that have been lodged with the Fines Enforcement Registry, 82 per cent have been completed—that is, they have been either paid, acquitted or, in a very small number of cases, written off. The total value of completions is \$725 million; an amount of \$598 million has been collected or obtained through other means, such as warrants of commitment; and \$128 million has been written off or referred back to court. A further \$17 million has been collected through partial payments being made, including time-to-pay arrangements, which is one area that we are very definitely trying to hit to decrease that amount of \$240 million.

One other thing I would add is that almost \$70 million of that \$235 million that is under active enforcement comes under time-to-pay arrangements. They are the arrangements whereby people agree to have an amount deducted from either their Centrelink benefit, which they can do voluntarily but which we cannot obtain compulsorily, or a wage, or from any other source. Since coming to government, we have managed to stabilise the number of incomplete matters, notwithstanding very dramatic increases in lodgements. We can start to get that amount down with the new measures which we are bringing into place and which we have budgeted for; nevertheless, there has been a significant stabilisation. This is an area that the government definitely needs to get

right by virtue of the fact that the number of lodgements that have been made since the Fines Enforcement Registry was created in 1995 is increasing at a very substantial rate.

Mr P. ABETZ: Is any record kept of, or is it possible to determine, the extent to which Indigenous people are represented or overrepresented with outstanding fines?

Mr C.C. PORTER: We keep identifiers for Indigenous persons, certainly, with respect to prison and certainly with respect to community corrections orders. I seem to recall that we keep them with respect to those people who have determined to transfer a fine into community work because we keep them for community work. I understand that we do not keep information on the criteria of Indigenous or non-Indigenous, or on any other ethnic-based criteria, for people who get fines. I am informed that we can do it by postcode.

[9.50 am]

Mr P.T. MILES: Will we spend half an hour on each division?

The CHAIRMAN: That is something that the committee decides. I do not decide that; members decide that.

Mr P. PAPALIA: With regard to that, can the Attorney General confirm which departments we have here? We have equal opportunity here as well.

Mr C.C. PORTER: All departments are here other than the Department of Corrective Services.

The CHAIRMAN: Members have to put a question.

Mr P. PAPALIA: This is in relation to the question just posed. I am trying to confirm which departments are here because I do not think that was made clear at the start.

The CHAIRMAN: If members look at the sheet, it shows divisions 48, 49 and 50.

Mr P. PAPALIA: It is not that clear.

Mr P.T. MILES: It is, Mr Chairman. We are on division 48, which is the Attorney General's department. If we want to go to division 49, we will be dealing with the Corruption and Crime Commission.

Mr P. PAPALIA: Will we jump around divisions in this session?

The CHAIRMAN: No. We have started with division 48. We must pass division 48 and then go to divisions 49 and 50. The next question is from the member for Kimberley.

Mrs C.A. MARTIN: I draw the Attorney General's attention to new works, services and physical infrastructure on page 629 of the *Budget Statements*. Could the Attorney General give me more information about the Broome and Kununurra courthouses?

Mr C.C. PORTER: The member will be aware that the Broome courthouse is beautiful.

Mrs C.A. MARTIN: It would be better suited for a restaurant.

Mr C.C. PORTER: Indeed. It is an aesthetically pleasing courthouse but its facilities for both victims and witnesses could not be described as terribly modern. I am very keen to try to preserve the aesthetics of that courthouse but to ensure also that it grows and is redeveloped so that it is fit for modern court purposes. Every time someone comes to town and wants to film a courtroom scene, they go to Broome courthouse. It would be terrible if we lost the court's aesthetics. We have put aside \$500 000 for planning for the Broome courthouse. That envisages the planning to take into account the fact that we want to keep the existing facilities and either modify or build around those facilities so that we can have a modern courthouse in Broome. I probably cannot add too much more than that at the moment, given that that is money for planning and I am not a planner. However, it is envisaged that the heritage value will remain and that whatever is built will be built in sympathy with the existing courthouse, but it will be a modern courthouse.

Mrs C.A. MARTIN: Is the government looking at maintaining that location rather than walking away from it and finding somewhere that is more appropriate and closer to the new police complex and the new police station, which are across the road?

Mr C.C. PORTER: The planning brief is able to look at locations other than the immediate geography of the court as it exists at the moment because the police station, as the member points out, is across the road. A co-facility may be built there. However, as I said, regardless of whether it remains as a courthouse or something else, the courthouse as it presently exists will continue to exist.

Mrs C.A. MARTIN: It would be a great restaurant.

Mr C.C. PORTER: Quite possibly. No doubt, it will be a very broad and interesting consultation process. The redevelopment of the Kununurra courthouse is set to commence in 2010–11 and is expected to be completed by 2013–14. A new magistrate was appointed to Kununurra in 2009 to deal with the growing demand in criminal

cases there. Frankly, there were a lot of complaints coming from that magistrate and from visiting District Court judges, even down to arguments over who should vacate a room when the District Court judge came.

Mrs C.A. MARTIN: It is a terrible place.

Mr C.C. PORTER: Indeed. It was causing difficulties internally. The holding cells in the police station are not very good. As we funded an extra judicial officer in Kununurra, the complaints increased.

Mrs C.A. MARTIN: There is no doubt that they were valid.

Mr C.C. PORTER: Indeed. Given the strength of the complaints, my staff and I looked at it and I was convinced that something needed to be done about Kununurra. In my view, it was probably the number one priority in the state in terms of underdone court facilities. We will have two courtrooms, six interview rooms, four non-contact interview rooms, a room for witnesses and victims, a room for mediation and pre-trial conferences, and a separate area for empanelling a jury. The estimated total cost is \$43 million. That will start in 2010–11 and be completed in 2013–14. That is all royalties for regions money. This is a matter that I have spoken about at length with —

Mrs C.A. MARTIN: Does the government not have the money in its own budget?

Mr C.C. PORTER: It is all the government's money.

Mrs C.A. MARTIN: No, the royalties for regions money is different, I am told. It is to be above and beyond what is normally required. That is what the promise was. I do not know whether it was a real promise.

Mr C.C. PORTER: The Kununurra courthouse redevelopment was identified as one of several priorities. In my mind, it was perhaps a more urgent priority than had been listed when I first came to government and when Labor was in government. I approached the Leader of the National Party and put to him my view that although it is not necessarily glamorous to spend capital infrastructure on courts in the regions, it provides a real and immediate service to people who are accused of committing a crime and to people who are the victims of crime.

Mrs C.A. MARTIN: It was not safe in the courthouse for anyone.

Mr C.C. PORTER: We have undertaken some modifications over the past 12 months.

Mrs C.A. MARTIN: As I said, it was not safe, and the Broome courthouse was even worse. Broome has a greater population, with 20 000 people.

The CHAIRMAN: Can members stop having a conversation and ask questions? If you have a question, put a question.

Mr C.C. PORTER: The member is right to raise these concerns. The modifications that we have put in place, at significant expense over the past year, have made the court safe. We spent nearly \$600 000 just to get the court to meet the minimum standards. It clearly needs a complete overhaul. A capital spend of \$43 million will provide an absolutely first-class criminal justice facility. I am very pleased that the Leader of the National Party and his party saw that this was an important infrastructure project for the community.

Mrs C.A. MARTIN: Will the Attorney General approach the Leader of the National Party for the other very, very urgent courthouse restructuring for Broome, or will the Attorney General take that on as his responsibility through his department and the budget process?

Mr C.C. PORTER: What members have seen in the budget in terms of court infrastructure facilities is a mix of royalties for regions funding and general government funding. For instance, in my view, there was an underallocation to the Carnarvon project. Our government has put back into the budget a similar amount of funding and that the previous government had provided, and that has been topped up with royalties for regions funding. Royalties for regions funding is providing the planning money for Broome, and construction of the Kununurra courthouse. It will always be a blend. However, it seems to me that the royalties for regions money can be used for projects that we have identified that could be brought forward by the allocation of royalties for regions money. Obviously, that matter has to be determined by the Leader of the National Party. If the Leader of the Nationals determines that that is a priority for the region, it would be possible. It will be a mix of funding. The next area that I think is in need is the Karratha facility. Of course, a new police station has been opened there. A terrible donga at the back of that facility is being used for Magistrates Court proceedings. The member must also keep in mind that the other infrastructure project that will start very soon is Kalgoorlie, which will also be a very large spend on an absolutely excellent piece of infrastructure for Kalgoorlie. That also is a consolidated funding with a top-up above and beyond what was previously allocated. Funding being provided by the royalties for regions funding allows projects to proceed more quickly than they otherwise would have.

[10.00 am]

Mrs C.A. MARTIN: Further to that question, we have \$500 000 from royalties for regions for the Broome project. I am sorry for being pedantic, but I really need to get this on the public record. Once the Attorney

General has done the research, will he then take responsibility for his department to actually do its core business, which is to provide this form of infrastructure for the wider community? That is what I want to come back to. I want to know whether the Department of the Attorney General will pass this on to royalties for regions, or whether it will take on its core business—which is what these projects are to me. I live in a democracy, like everybody else. I want to know why all of a sudden the department's core business is actually going somewhere else. Will the Attorney General pass this on to royalties for regions, or will he make sure that these projects are a part of the forward estimates and that he does his job so that we can enhance our community without having to do this sort of thing?

[Mrs L.M. Harvey took the chair.]

Mr C.C. PORTER: That is a fair question. I view my job as being to do my absolute best —

Mrs C.A. MARTIN: I think the Attorney General is doing a great job, by the way!

Mr C.C. PORTER: That is very nice of the member.

Mr J.R. QUIGLEY: I would not say that!

Mrs C.A. MARTIN: I am getting what I want!

Mr C.C. PORTER: I view my job—in terms of the intense competition for funding between departments—as being to do my absolute best to secure funding for my portfolio areas that I consider can be justified as a priority, or, above and beyond that, as critical. I think the member's question has two parts. The first is: is there any intention for us to divest ourselves—that is, my Department of the Attorney General—of the core business of running courts?

Mrs C.A. MARTIN: Or building them, which is also the department's core business, in my view.

Mr C.C. PORTER: Indeed. But let me answer quickly the first question. There is no prospect of any recurrent funding from royalties for regions for the provision of services. They will always be services that are delivered out of the general revenue of our own budget, which is the Department of the Attorney General. As to construction, will I undertake to build only courthouses with Department of the Attorney General money, no. I will undertake to be in conversation with the Nationals about infrastructure funds that they may have available to build facilities in criminal justice. These are questions that could also be directed to the Leader of the Nationals. My understanding of the way in which royalties for regions infrastructure funds are used is that they have to be new projects. That does not mean to say that they cannot be projects that traditionally have come out of non-royalties for regions funding—keeping in mind that was all the funding there was before there was such a thing as royalties for regions. But they have to be appropriately tailored in terms of providing critical infrastructure to regional communities. So it seems to me, dare I say it, a very sensible decision on the part of the Leader of the Nationals to identify criminal justice facilities—which have been delayed over many years by virtue of a shortage of funds in other areas—to be provided from royalties for regions.

Mrs C.A. MARTIN: So the Attorney General is not going to go back to his core business? That is what he has just said. He will be negotiating with the Leader of the National Party to provide core business that used to belong to the Department of the Attorney General. I just need the answer.

Mr C.C. PORTER: I think the member's question is: will I keep trying to achieve some portion of royalties for regions funding for criminal justice facilities? The answer to that is yes. At the end of the day, this is all taxpayers' money. The point of royalties for regions was to provide a particular focus for the expenditure of taxpayers' money on infrastructure and other matters in the regions that may have been, in the view of many, neglected. I do not think that I am giving up my core business. My core business is providing infrastructure in my portfolio areas. If I can do that with the intelligent cooperation of the Leader of the Nationals, then I will keep trying to achieve that.

Mrs C.A. MARTIN: I thank the Attorney General.

The CHAIRMAN: I just want to draw members' attention to the time. We are still on division 48 and we have a number of divisions to get through by 3.00 pm. Three members have indicated that they would like to ask questions on division 48. The member for Mindarie.

Mr J.R. QUIGLEY: I have a question about the fourth dot point on page 621, under "Significant Issues Impacting the Agency". Before I do that, to put my question in context, I refer to page 620, item 6, "Legal Aid Assistance", under "Service Summary", "Expense". There seems to be a structural bias in Western Australia in favour of the rich and the corporate rich versus the average working person. The budget for the legal aid assistance scheme is to be increased from \$66.56 million to \$69.319 million, basically to achieve nothing. I say that because, according to page 622, only 66 per cent of eligible applicants get legal aid. However, it is projected that despite this modest increase in the budget for the legal aid assistance scheme, only 65 per cent of eligible applicants will now get legal aid; therefore, this increase in the budget will achieve nothing. I draw the Attorney General's attention to the fourth dot point. Is it not a fact that in heavy corporate litigations such as the Bell

Group appeal, the average Western Australian taxpayer, by the provision of a gold-plated, A-class court service, is subsidising a fight between a liquidator and the banks, for the benefit of one or the other, but not the taxpayers? Will the government give consideration to law reform to require that at the upper end of corporate fights, the corporations pay a portion of the court costs—that is, the court costs beyond filing fees; namely, the cost of hiring these three judges, and the cost of running these appeals? These costs may run to millions of dollars for the taxpayers of Western Australia. That is money that could be made available, for example, to deserving causes like the Legal Aid Commission of Western Australia. I am not saying that is where the money has to go, but I am citing that as an example. Does the Attorney General see that there is a structural imbalance in that the taxpayers of Western Australia are funding this gold-plated, A-class court service for a fight between corporations?

The CHAIRMAN: Member, you need to ask a question specific to the budget.

Mrs C.A. MARTIN: He has to give some information. That is what he is doing. He did say that.

Mr C.C. PORTER: That is a very fair question. The member has asked whether I have thought about this situation. I have thought about it long and hard. With respect to the member's observations, I want to make a few observations of my own that are relevant. The member points out the issue of the stress on legal aid. That is certainly the case. It may be that we will speak about that some more in a moment. What legal aid of course provides, as the member knows, is assistance in litigation in terms of representation. A legal aid client—a person accused of a criminal matter, or, indeed, a person who is proceeding through the Family Court—will receive the full benefit, subject to any fees that apply, of the court infrastructure, of the judges, and of all the fixed costs of operating the criminal justice system. So although it is fair to say that the legal aid service provision is under stress—although legal aid is doing a very good job within the budget that it has—the member's analysis falls down somewhat in that what is provided by legal aid is representation. Legal aid clients, as well as corporate clients, receive the benefit of a court system that I would say is publicly-funded—the member says subsidised, but I would say publicly funded. The secondary question that the member has raised is: is there not some room in the future to consider whether “top-end” clients, as the member referred to them, could pay more —

Mr J.R. QUIGLEY: I think that is a fair categorisation.

Mr C.C. PORTER: Yes, I think that is a fair categorisation. Could they pay more? I think there is some room for consideration of that matter. What I did not want to do is undertake that consideration just as a reaction to the Bell matter. It may be that we learn some lessons from the Bell matter as to how we can have a sliding scale of fees.

Mr J.R. QUIGLEY: On the eastern seaboard, we have seen the C7 litigation. It is not isolated just to Bell.

Mr C.C. PORTER: Indeed. There have been a number of notable pieces of litigation that have been very protracted and that have tied up state resources. Indeed, the advice that came to me from the Chief Justice was that if three Court of Appeal judges were to be tied up for a year, or perhaps longer, to work solely on the Bell matter, the public would suffer in terms of the fact that time to trial and timeliness of appeals—all key performance indicators of public service—would be blown out. The first question that then arose was: would I force the court to make do? I did not do that. The second question was: would I try to make that \$4 million-odd come out of the pockets of the two litigants? The third question was: would I go to consolidated revenue?

[10.10 am]

Mr J.R. QUIGLEY: Really!

Mr C.C. PORTER: In this case I have chosen to go to consolidated revenue, and there are several reasons for that. The first is that the alternative to the argument that the member raised—as to whether a person is rich or poor or a moneyed litigant or a not-so-moneyed litigant—is that the provision through consolidated revenue of a court system with its infrastructure and judicial expertise has long been a matter of providing a core service by government through consolidated revenue. Of course we do recoup amounts in fees and administration fees; that has always been the case and always will be the case, and there may be room to manoeuvre there. In fact the cost-recovery rate following fee increases that we will institute in this year in the Supreme Court is about 21 per cent. Therefore, for all litigants, irrespective of their financial background, cost recovery is at about 21 per cent. Could we increase that cost recovery more on a biased basis against litigants that we identify as moneyed litigants? There may be room for that. I am disinclined to think that it is time to go about that quite slow, cautious law reform simply because of one matter that will cost the state a lot of money. The member should bear in mind, firstly, that the provision of the court system is something that the state has generally provided for rich and poor litigants, but, secondly, these parties are by their very nature litigious. If it were a case in which something was novelly applied only to this litigation and these litigants, my view—without being an expert on the case—is that that, in itself, could easily become the basis for a later appeal. That would be a very dangerous situation to arise in what could be then one of the largest pieces of litigation in Australia's history. If we were to move down that path, it would have to be done very cautiously and not in response to one case. There may be

room for the Law Reform Commission to involve itself in such research. The final thing I would say is that making Western Australia an attractive destination for litigants is good for the Western Australian economy. The \$4 million —

Mr J.R. QUIGLEY: For lawyers!

Mr C.C. PORTER: They are, with respect, part of the Western Australian economy, and a very important part of the Western Australian economy. Making Perth a destination for litigation—arbitration or commercial litigation—is something that pumps a lot of money, yes, into the legal fraternity, but let me assure the member —

Mr J.R. QUIGLEY: Which requires us to subsidise it by having a gold-plated, A-class service at taxpayers' expense.

Mr C.C. PORTER: The member says “subsidise” —

Mr P. PAPALIA: Are you serious?

Mr C.C. PORTER: I am absolutely serious—it is one thing I have realised, having spent time as Attorney General—in the context of a very profitable business-like industry. Our legal industry is a very large part of the commerce of Western Australia. There are risks associated with making ourselves a high-cost jurisdiction for litigants. In fact one agenda item for the Standing Committee of Attorneys-General for many years now has been to ensure that there is parity in terms of fees between state Supreme Courts and the Federal Court of Australia to stop jurisdiction shopping. One of the perhaps unintended but nevertheless very deleterious results of what the member is suggesting—I am not saying it should not be considered—and one of the possible negatives is that people would jurisdiction shop either into other states or into the Federal Court. That would, first of all, breach general agreements that we have with the other states and with the Federal Court, but it would mean that expensive litigation is not conducted in Western Australia. The fact is that expensive litigation is very good for the Western Australian economy.

Mr P. PAPALIA: So a taxi could go to Melbourne, pick up the lawyers and bring them back!

Mr C.C. PORTER: That is a kind of simplistic analysis, I have to say. When I first entered the legal profession in 1995, some of my closest friends started working on the Bell case, and people have been working on it ever since. It would have employed hundreds of lawyers in this jurisdiction from 1995 to 2010. Those people earn wages, they spend money, they buy houses and, frankly, the more that we can grow the legal industry in Western Australia, the better for the overall economy. It is a serious point to suggest that if we made this a high-cost jurisdiction, we would put ourselves at a disadvantage. If the member looks at our cost-recovery rates compared with other jurisdictions, he would see that we are fairly even. I can provide those figures on cost recovery if the member is interested in them. Our cost-recovery rate is to be 21.9 per cent; the average across all Australian jurisdictions is 22 per cent. At the moment in Australia we say that we have always publicly provided court services to rich and poor. Although we make everyone pay a little—20 per cent for the recouping of those services—a move from that would be a very big philosophical and practical move with economic consequences; and I was not prepared to do it for just one case, which in my view would not be the way to conduct such serious law reform.

Mr J.R. QUIGLEY: Is the Attorney General prepared to ask the Law Reform Commission to investigate reform in this area?

Mr C.C. PORTER: I certainly am.

Mr J.R. QUIGLEY: Will the Attorney General?

Mr C.C. PORTER: I have not engaged in a habit of forcing upon members of the Law Reform Commission matters that they think are outside the proper ambit of their investigation. But I will certainly raise it with them. This is an ongoing matter. My view would be that that type of reform could not be conducted in isolation from what occurs in other states. If we were to have some form of cut-off to identify moneyed litigants and in effect charge them more, that would need to be done cohesively amongst the other states to stop jurisdiction shopping. But I am willing to consider it and I did consider it.

Mr J.R. QUIGLEY: But in a cause of action that is seated in Western Australia, the only jurisdiction shopping could be between the Federal Court and the state Supreme Court.

Mr C.C. PORTER: Indeed.

Mr J.R. QUIGLEY: And whether it is litigated in the Federal Court in Perth or in the Supreme Court in Perth is neither here nor there, except that the federal government would pick up the tab for the cost of the service in the Federal Court.

Mr C.C. PORTER: Not necessarily. The member might find that the complexion of solicitors employed in a state court matter would be quite different from those employed in a Federal Court matter.

Mr P. ABETZ: The fifth dot point on page 621 of the *Budget Statements* refers to over-representation of Indigenous people in Western Australia as victims and offenders. Could the Attorney General elaborate on the phrase “considerable departmental resources are devoted”, and outline some of the measures that are being undertaken?

Mr C.C. PORTER: I thank the member for that question. It is certainly the case that there is over-representation of members of the Indigenous community. Even when the previous government came to power, it was about 34 per cent. That increased over the course of eight years of the previous Labor government to about 41 per cent. It has dropped down again to just under 40 per cent based on recent figures. What certainly appears to occur in the context of this debate in my view—and views will differ—is that there is a tendency to look either at the Department of the Attorney General or the Department of Corrective Services and ask: what are you doing right or wrong? In some ways that is the equivalency of looking at a hospital and blaming it for people who are admitted as patients. Many Indigenous people have difficulties in their communities and end up in contact with the criminal justice system to the extent that the causal factors are not about individual decision making, or individual decision making tempered by other factors. Those factors are education, health, welfare, social matters and housing in particular. That might be something that I will come back to at the end of this answer, but an enormous amount of money in this budget is devoted to programs that address directly all of those criminogenic factors—health, welfare, housing and so forth. However, as a preliminary matter, there is an extent to which people—because they do not see it in their day-to-day lives—do not realise that departments such as my department do a great deal, albeit in part of the criminal justice process. If the member has a look at the types of things that occur already, he will see that we have very strong partnership agreements, such as the “Aboriginal Justice Agreement”. I meet with members of the WA Aboriginal Justice Congress and they put in place agreements in regional areas on what they will be doing to try to reduce those criminogenic factors and how the Department of the Attorney General can assist. There are today 24 local justice agreements that specifically target geographic areas to try to work out inside those areas the programs or facilities that are required and what the department can do to improve rates of offending. There are specific dispute resolution services in both Family Court of Western Australia hearings and criminal hearings for dispute resolution.

[10.20 am]

I faced a difficult decision with respect to the Kalgoorlie–Boulder Community Court this year. I determined to keep it running. Unfortunately, that has not been a very productive program in terms of decreasing rates of recidivism. There is also the Geraldton Family Violence Court, which has been another positive development. Aboriginal liaison officers are very important—they exist in eight courts. If I might add to all of that: when we look at what happens inside the department, it is specifically tailored to those things which also occur outside the Department of the Attorney General. When we look at the expenditure that has been set aside in this budget, there is \$49.7 million for improved access to community child health services, which is absolutely critical, and \$13.9 million for English language tuition for the children of 457 visa holders. One of the things that we find, particularly in juveniles who enter the criminal justice system, is language problems.

Infrastructure—school upgrades of about \$20.5 million under royalties for regions; \$43.5 million allocated in this budget for support and protection services for children in the Department of Community Services; \$27.9 million for the responsible parenting program in regional areas, again in community services; \$6 million in the Foodbank project; \$195 000 in the expanded school breakfast program; \$5 million over three years, again from royalties for regions, to expand the work done by Clontarf; and \$13 million in royalties for regions in terms of short-stay accommodation for Aboriginal people particularly in Broome and Kalgoorlie. I think that will be some of the best money this government ever spends. One of the reasons there are elevated levels of offending in those areas is not merely because of the peculiar criminogenic factors that Aboriginal people are subject to over many years leading up to the time of offending, but at the actual flashpoint of offending people come into town and literally have nowhere to stay. If a person is domiciled on an oval or in or about the main street, the chances of that person running into trouble are significantly elevated. The amount of \$15 million has been allocated for Aboriginal housing in the Kimberley; \$110 million over five years as part of the Browse LNG Precinct project —

Mr P. PAPALIA: The Attorney General could probably give them the document!

Mr C.C. PORTER: Where would the fun be in that?

Mr P. PAPALIA: I am aware of other members waiting.

The CHAIRMAN: No-one is allowed to table documents during estimates.

Mr C.C. PORTER: There is also, in my own department, youth justice services. In my estimation, the amount of expenditure that goes to welfare, community services, the criminal justice system, and housing and health issues—all of which have a significant criminogenic factor—is larger in this budget than in any other single budget. We may not see the flow-on effects of those in the immediate term, but in the mid to long term I am very positive about those things. It is a significant increase in expenditure in the crime prevention area.

Mr P. ABETZ: That is a very encouraging answer. Thank you, Attorney General.

Mrs C.A. MARTIN: I draw the Attorney General's attention to page 620 of the *Budget Statements* headed "Service Summary". I refer to point 7 "Native Title Policy Development, Implementation and Negotiation". How many native title claimants is the Attorney General dealing with; and what is the nature of the services provided?

Mr C.C. PORTER: The answer is we are dealing with a lot of native title claimants. A problem has arisen in dealing with overlapping native title claimants in one claim area. If I understand the member's question, she wants to know what services are provided.

Mrs C.A. MARTIN: What type of services, yes; and which native title claimants. I know what is going on in my area but there is a broader picture here.

Mr C.C. PORTER: If the member would like, I can probably take on notice a question about all of the existent native title claims and the stage of the process that they are at. That information is probably more amenable to a written response. I am very happy to take that on notice, not because I cannot read it now.

To give an overview, the policy of this government has been to settle these matters by agreement wherever possible. That is not to say that we will not litigate when disagreements in terms of overlap cannot be resolved. One of the policy positions I have taken is: the point about mediation and negotiation is that it is meant to be quick. I will resort to litigation when a litigated outcome might be quicker. There have been a limited number of cases in which mediation and negotiation have not worked. Since being elected in 2008, we have entered into a number of native title agreements. The Yawuru people in Broome obviously —

Mrs C.A. MARTIN: All very happy.

Mr C.C. PORTER: Indeed; and that was something the previous government had done an enormous amount of work on, but getting it across the line also required about nine months of intensive effort from my department and my office. The Yamatji people, through the Murchison radio observatory agreement; the signing of the heads of agreement with the Nyoongah people to resolve native title in the south west of the state—I might come to that briefly in a moment—the signing of the heads of agreement with the Jabir Jabir people with respect to the progress of the Browse LNG Precinct —

Mrs C.A. MARTIN: Can I ask a question on that?

Mr C.C. PORTER: Yes.

Mrs C.A. MARTIN: Have they actually lodged a native title claim?

Mr C.C. PORTER: I do not know whether the heads of agreement represents that. I will ask Gary Hamley to answer that briefly for the member.

Mr Hamley: The heads of agreement was signed with the Goolarabooloo–Jabir Jabir registered native title claimants, but subsequent to that signing there is now a Jabir Jabir native title claim filed in the Federal Court, separately.

Mr C.C. PORTER: It is also the case with the Miriuwung Gajerrong people—negotiations have been continuing, with \$12.5 million in an Aboriginal development package to facilitate Indigenous participation in the Ord–East Kimberley expansion project —

Mrs C.A. MARTIN: Is that with Leighton?

Mr C.C. PORTER: That is correct. That has just occurred. There have been two native title consent determinations in terms of the Thudgari and Nyangumarta people. There has been a lot of activity in this area. Over the next two years of this government, Mr Hamley's office will spend a lot of time on negotiations with the Nyoongah people in terms of resolving native title in the south west. A decision was made fairly quickly after coming into government to agree to negotiate that process. The member will obviously appreciate that will be with its complications.

The other thing I will mention is that there was a heads of agreement formalising the negotiation process to resolve native title over Perth and the south west of the state. That was signed by the government and the South West Aboriginal Land and Sea Council on 17 November 2009. This is the first step in that negotiation process.

Mrs C.A. MARTIN: But that is the whole group.

Mr C.C. PORTER: Indeed.

Mrs C.A. MARTIN: That is great.

Mr C.C. PORTER: The department has been a busy place. Mr Hamley's office is doing a very good job. As the minister responsible, I have tried to look at all of the claims, look at the ones that are either close to resolution or

are reaching key targets, and pour our resources into those to try to get resolution of matters that are otherwise stymied.

Mrs C.A. MARTIN: If we do that right, we will not need to build any more prisons. It should fix itself. It will deal with poverty.

Mr C.C. PORTER: It raises this important philosophical point: how much of the money which flows, in terms of mandatory benefits and compensation packages, should be, if I can use the clumsy word “tied”? It seems to me that in terms of structure and management of the flow of moneys, we are certainly getting better, both Indigenous people and the government, at ensuring that the development corporations and the directorship structures that are in place ensure that moneys are well spent and state moneys are getting better and better —

Mrs C.A. MARTIN: As long as there is an economic framework and not a welfare framework.

Mr C.C. PORTER: I think that is right, but my preference going forward would be for more detailed agreement between the state and the Aboriginal development corporations about the areas and ways in which moneys will be spent; which is not to say that these moneys are an abrogation of state responsibility on welfare and justice matters but, nevertheless, there is some expectation that the moneys will be spent in certain ways. That is happening; and it is happening more and more with better detail attached to it. That is an area for significant improvement.

Mrs C.A. MARTIN: With prescribed body corporates, will there ever be real funding to set them up and manage them in a way that allows the broader scene of Aboriginal communities to manage their own affairs? I know the big ones, which have made good deals and get millions of dollars coming in to their organisations, they are all fine; but if we look at, for example, the mob down at Le Grange, they have not got their PBC up properly. There are a number of smaller ones. The Wanjina–Wunggurr Wilinggin in the east Kimberley has not got any funds for a prescribed body corporate, yet it is a legal vehicle with no money. I just wonder about that.

[10.30 am]

Mr C.C. PORTER: One good thing about prescribed body corporates—they have been few and far between—is that the federal government has put \$50 million into trying to enhance the structures and assist in the development and functioning of prescribed body corporates. A very disappointing thing that has come from the federal government is that previously an agreement had been reached—in my view, a very clear agreement—that the federal government would fund 75 per cent of all of the compensation payments for past and future settlements of native title, yet at a native title ministers’ meeting late last year, the commonwealth simply turned up and said that it now did not consider that that deal was on foot any longer and that it would be considering matters on a “case-by-case basis”. That, to me, is highly unsatisfactory, but nevertheless it is an ancillary matter.

In final answer to the member’s question, I have both declined and agreed to give extra moneys to PBCs. What I am conscious of is that where moneys are given specifically to get PBCs up and functioning—they are reasonable amounts of money—they have one bite of the cherry and that money must be used to get the PBC up and functioning. I have declined in instances that subsidiary funds are sought when really the problem should have been sorted out. That is a matter of maintaining discipline in the operation of PBCs across the board. I simply will not say yes to every request for money for PBCs. That may be something that Gary may want to add to.

Mr G. Hamley: The whole issue of funding for PBCs is complex and all states and territories in Australia are dealing with it. Recent changes to the Native Title Act have enabled native title representative bodies to provide ongoing legal support and legal services to prescribed body corporates after a determination of native title. Also a review, or consideration, of regulations is taking place for PBCs to enable them to establish costs on a fee-for-service basis, so that when parties come to do business with them, they are able to charge for that service.

Mrs C.A. MARTIN: Does the state government have the mechanism to fund PBCs?

Mr C.C. PORTER: I have some funds in the land and equity facilitation fund that can be attributed —

Mrs C.A. MARTIN: Sorry; what is it called? I will check it out.

Mr C.C. PORTER: The member is not going make an application, is she?

Mrs C.A. MARTIN: I might!

Mr C.C. PORTER: It is the native title facilitation fund. I have both granted and declined requests for money from that fund for the purpose that the member suggested, I have been very conscious that that fund cannot be used to fund failure.

Mr P.T. MILES: I was just going to ask the Attorney General a question about the native title information. The second table on page 627 of the *Budget Statements* gives the average time taken to achieve the resolution of prioritised native title applications. Is there any way that they can be determined more quickly? It seems as

though it is taking about four years to have an application resolved. Is the Attorney General considering ways to try to reduce that time?

Mr C.C. PORTER: It is very difficult. A decision that a native title claim exists and that the state agrees that it exists over a certain geographic area can be achieved by agreement or by litigation—our preference is certainly by agreement. Once that determination is made, then the issue of extinguishment to the extent necessary, and compensation, flows. In terms of trying to make that decision about where and to what extent native title exists, mediation, negotiation and agreement is definitely the way to go. But a lot of things are outside of the control of myself as minister, one of which has already been mentioned—that of overlapping claims. A primary point is one of whether the claimants—those arguing that native title exists—can agree who the claimants are. That is a major delaying factor. The threat of litigation is sometimes a matter that can hurry things along, but not always, and often that is very counterproductive. I think my honest and short answer to the member's question about whether the time taken can be reduced significantly is that I would not have thought it could be reduced to the tune of 25 per cent or anything of that nature, but we always have an eye to the timeliness of these matters.

Mr J.R. QUIGLEY: This is the last question from the opposition on this division. Page 622 of the *Budget Statements* has a heading "Outcome: Equitable access to legal services and information". In answer to my previous line of questioning, the Attorney General said, in relation to the court service, that it is important that everyone has access to it. I point out that that line item shows that in 2008-09 the percentage of eligible applicants who received a grant of legal aid was 78 per cent. That erodes, by a whacking 15 per cent, under the Liberal-National government in 2010-11 to only 65 per cent of eligible applicants receiving legal aid. I put to the Attorney General that that means that for a lot of average Western Australians who are fronted with accessing the courts, their position vis-a-vis accessing legal aid is deteriorating, and that rate of deterioration is accelerating. Under this Liberal-National government, far fewer people will have access to legal aid than had previously—not that previously it was terrific at 78 per cent, but now we are sliding backwards. What can we do to help the Legal Aid Commission, and, given that a lot of the legal aid services are delivered in the regions and \$430 million was unallocated in the regions, why can the Legal Aid Commission not be given a whack of great money out of royalties for the regions so that the people in the regions can access the court system?

Mr C.C. PORTER: The short answer as to how we can improve those figures is to receive more money from the commonwealth government in the areas for which it is responsible and with respect to divergences of funding as between the various states and territories. The commonwealth government needs to pay more money in total, and more money needs to come to Western Australia compared with what, historically, has been the case in comparison with other states.

Mr J.R. QUIGLEY: In my electorate office—I do not know about the Attorney General's—the constituents who come to see me from the working-class suburbs in my area have no problem in accessing legal aid in relation to federal matters where there are tied grants, but they have real difficulty accessing legal aid in relation to state matters, particularly for criminal matters, and as a result of the accelerated law and order agenda, there will be more of those people needing legal assistance. What can be done for them?

Mr C.C. PORTER: I will have Mr Turnbull —

Mr J.R. QUIGLEY: The problem is not the federal area; it is the state area.

Mr C.C. PORTER: I will ask Mr Turnbull to comment on that in a moment, but what the member is asserting is not necessarily borne out by the statistics on from where the growth in demand for legal aid is coming. The highest area of growth for legal aid is coming from the family law area. That places strain across the entire organisation. Indeed, the legal aid budget had exceeded its family law expenditure by mid-December of last year by about 15 per cent. The increase in family law applications received was 28.8 per cent, compared with the same period in the previous year. The increase in family law grants of aid was 21 per cent, compared with the same period in the previous financial year. I am not disputing that the member has, as a matter of anecdote, had people come in who have been declined legal aid for criminal matters, but the stresses in the system do not come directly from the growth in people requiring representation for criminal matters; the stresses in the system come by virtue of the quite rapid increase in people who require legal aid funding for family law matters, and the fact that the commonwealth, which has the responsibility for funding those matters, has not, in my view, been keeping appropriate pace with demand.

[10.40 am]

I cannot prove this as a matter of statistics, but as a matter of historical commonsense, we have had increased applications for family law, and thereby family law grants of aid have increased, because a range of families have been under a good deal of financial stress due to the downturn in the economic climate we have experienced over the past 18 months or so. That is where the pressure is coming from. I have been lobbying the commonwealth government very hard and we have had some success with that. The total amount of funding that has been allocated in the federal budget is an extra \$19 million annually over four years. That will take an enormous amount of heat off Legal Aid WA because that is money that will go into areas of growth, which are

also the commonwealth areas, and that will free up resources in the other areas. That is a considerable step forward. In addition, those percentages, which are the eligible applicants who receive a grant of legal aid, to some extent, represent a more stringent application process being applied by the Legal Aid Commission. Mr Turnbull might want to speak about that and perhaps add something about where his growth is coming from and the division between commonwealth and state funding.

Mr G. Turnbull: It is certainly the case that there are stresses across the board both in respect of state and commonwealth law. The minister is correct in saying that perhaps the most acute area of difficulty at the moment is in the area of family law. I think he is correct in saying that it is probably a result of fairly low levels of funding that have been coming from the commonwealth. That has been the situation probably for almost the past 13 years now. Currently, the commonwealth contribution to the whole-of-government funding for legal aid is roughly 40 per cent and 60 per cent comes from the state. Thirteen years ago the commonwealth contributed 60 per cent of all government funding to legal aid and the state contributed 40 per cent. Over time, the relative contributions from both governments have been reversed. It is true that, at least provisionally, some additional funding has been earmarked for Western Australia in the federal budget that was recently handed down. That is subject to agreement, but it represents a fairly significant boost to our funding. Nonetheless, it brings the commonwealth up to only about two-thirds of the state's contribution from roughly 50 per cent. Although it is welcome, it is still a long way short of what we see as a reasonable amount.

Mr J.R. QUIGLEY: They are all the questions the opposition has.

The appropriation was recommended.

Division 49: Corruption and Crime Commission, \$31 052 000 —

Mrs L.M. Harvey Chairman.

Mr C.C. Porter, Attorney General.

Ms C.M. Gwilliam, Director General, Department of the Attorney General.

Mr D. Creedon, Chief of Staff, Office of the Attorney General.

Mr F.A. ALBAN: In light of the Corruption and Crime Commission success rate, can the Attorney General give us the comparative success rate of the DPP and can he expand on the 82 per cent success rate of the CCC that, to a lay person, will appear to be an exceptional result?

Mr C.C. PORTER: I thank the member for that question. Are we talking about the division of the DPP?

Mr F.A. ALBAN: We are discussing division 49, the CCC.

Mr C.C. PORTER: Yes; these are matters that I have stated publicly. My view about these matters is that the CCC has a solid success rate in its prosecutions, at 82 per cent. That compares favourably with other bodies of the same type in other jurisdictions. It certainly compares favourably with the DPP itself. Of course, the DPP prosecutes some of the more serious CCC matters. It may be that other members have ancillary questions to that, because I know there is dispute about whether those figures represent success or whether they are an accurate reflection of a success rate. In my view, in context, they are very good figures.

Mr J.R. QUIGLEY: That depends on how we count it, does it not? Once a matter is initiated by the CCC and goes across to the DPP, if the charge is unsuccessful because there is no case, which column do we put it in, failure of the DPP or the CCC? I have heard the Attorney General say on radio that the system is only as good as the people in it; there can be flawed decisions; nothing is perfect. It is a matter of which column it is put in, is it not, Mr Attorney?

Mr C.C. PORTER: That is true to an extent, but whichever column we put it in, it is still comparatively a good figure. Seven CCC prosecutions have been undertaken by the DPP. They are measured in total effective trials, which is a measure of those trials where a jury has been empanelled and/or evidence has been called by the prosecutor on the allocated listing date. The total number of trials in which convictions have been recorded is three, so that is about 42.9 per cent. The total number of trials in which defence has made a successful no-case submission is one of those seven. It is obviously a very small sample size. To give some comparison, the total number of effective trials in total for the DPP is 1 347 and for recorded convictions it is 766. The total number of those trials in which the defence has made a successful no-case submission is 13. That is a very low number and is about 0.07 per cent. The statistics for the CCC itself are even higher than that. Obviously, the CCC is prosecuting matters that are less serious, as measured by the jurisdiction they appear in.

Mr J.R. QUIGLEY: They are not allowed to prosecute disciplinary offences in any event.

Mr C.C. PORTER: That is correct.

Mr J.R. QUIGLEY: The CCC gets its prosecution power only because of its office of special constable.

Mr C.C. PORTER: That is right.

Mr J.R. QUIGLEY: There is no specific legislative warrant for the CCC to commence prosecutions; it is only because it is special constables of police.

Mr C.C. PORTER: That is correct. The reason that police cannot prosecute an indictable matter is the same reason the CCC cannot do so.

Mr F.A. ALBAN: There are elements within our community that will benefit from the demise or undermining of the capacity of the CCC. Are there any figures pre-CCC and post-CCC to show any evidence of the CCC's functioning well?

Mr C.C. PORTER: It will depend on how we measure the success of the CCC. I will give some data that the CCC has provided me with. In its first six years it received and assessed more than 16 300 misconduct complaints; monitored 10 600 misconduct investigations; reviewed the outcome of 11 000 completed investigations into alleged misconduct; and charged 71 persons with 678 criminal offences linked to the commission's misconduct investigations, with a conviction rate by person of 78.2 per cent, and a conviction rate by charge of 64.68 per cent, which are very good figures. It has tabled 35 reports in the Parliament; held 100 days of public hearings involving 170 witnesses; held 185 days of private hearings involving 142 witnesses; and delivered 919 corruption prevention education sessions and consultations to more than 16 700 individual public officers. Certainly it would be unfair to say that the CCC has not been busy; it has been very busy. I think those figures represent some measure of success. That is not to say that there is not room for improvement in the operation of the CCC. When it was set up by the former government it was a very well-budgeted agency. Although it has its interstate comparison agencies, it was extremely well-resourced in terms of the expenditure it was able to call upon and legislatively. There have been certain public calls for a basis of reform. One that the member for Mindarie has made is that the Corruption and Crime Commission not be able to prosecute matters pursuant to the basis that he has just mentioned—that is, it has, in effect, the standing of police officers in the Magistrates Court. The Premier has said that he wants to see a shift of focus onto matters relating to organised crime, which is a legislative issue with respect to how those matters are referred. No doubt there is some room for reform in whether they can be self-referred or referred by a committee structure that is different from that which is in place at the moment. I do not know whether I am entirely convinced about who can and cannot prosecute and whether that will be within the category of major reform, even if it were agreed to. There is certainly room for reform and those are matters that are well and truly underway; however, they are matters that also have to dovetail into the process of reform in the space of the Public Sector Commissioner.

[10.50 am]

Mr J.R. QUIGLEY: Further to that, indeed it was Archer, SC, who said in relation to the power to prosecute that there needed to be reform because it was less than clear. It depends which way one goes.

Mr C.C. PORTER: Indeed.

Mr J.R. QUIGLEY: It depends whether the commissioner's assumption of power, by reason of the office of special police constable, to institute a prosecution is confirmed or whether that is left to a prosecuting agency.

Mr C.C. PORTER: I agree.

Mr J.R. QUIGLEY: Royal commissions do not institute prosecutions.

Mr C.C. PORTER: Indeed. If the member agrees with the assessment of Gail Archer, SC, that the present situation is unclear—I think that there is some argument for that, although both the member and I understand why things occur the way that they do, but it is perhaps inelegantly put in the act—the question is: should the CCC, like the police, be allowed to prosecute its own matters in the Magistrates Court or should it be forbidden from doing so? I personally do not have a strong view either way on that, but it strikes me that of the types of reforms that might be appropriate for the CCC, that is a very minor matter. I think that there are other areas in which the CCC can be improved that do not hinge upon that minor matter. If we look at the success rates of its prosecutions vis-a-vis those that have gone to the Director of Public Prosecutions, we see that there is no empirical evidence that the CCC is not succeeding on matters that it prosecutes itself.

Mr J.R. QUIGLEY: In relation to the question that I had my hand up for, the Attorney General referred in a prior answer to the Premier's public statements about a shift of focus—that is, towards organised crime and the criminal element and whether that is affected by self-referral or by police referral. In relation to the latter of those, now that Mr Anticich, who was formerly with the CCC, is with the police, there might be some more confidence in those referrals. My concern is that there does not appear to be any capacity in the budget for the CCC to take on this extra load. In 2008–09 it was allocated \$23.1 million and then it increased in 2009–10 to \$27 million, and then it increases to \$29 million and to \$32 million. There does not appear to be any allocation of extra funding to cover this extra task. Although they are good statements, there does not appear to be the proper provision.

Mr C.C. PORTER: That is a very interesting question, because it is predicated on the assumption that what the Premier is speaking about when he talks about reform in this area and a shift of focus in the matters that are being investigated is not true reform. Simply giving the CCC more power and more resources is not the type of reform that is being spoken about, but, rather, the power is the expanded use of existing powers in different areas. I think that the way that the CCC needs to be viewed in that regard is that it is not a yearly, mutually exclusive exercise. The CCC will be with us for some period and its longevity will depend on its ability to investigate both organised crime and corruption and misconduct in a body such as the police force. The mix of those things will wax and wane over time, from year to year and over the mid-term. My view is that the CCC does not require extra funding; it is already a very well funded organisation.

Mr J.R. QUIGLEY: As much as the DPP.

Mr C.C. PORTER: Indeed. When I was working at the DPP and the previous government established the CCC with that level of funding, that was a comment that was often made. Nevertheless, the reform is not about growing the jurisdiction, but about changing, from time to time, its complexion and, dare I say it, having more flexibility in the change of that complexion. With the nature of modern organised crime based on the briefings that I have been privy to, things that need very quick attention can happen very quickly and often unexpectedly in a jurisdiction. That may mean that other matters receive a slightly lower priority while those matters receive a slightly higher priority, but it is not as though that is a mutually exclusive decision that occurs year in, year out; it is simply a matter of refocusing and re-engaging and moving priorities around. Perhaps identity crime is the best example. Organised criminal groups are utilising a range of technologies that we have not before seen in the state to steal large amounts of money from Western Australian citizens. That appears to be an area in which we might want an organisation such as the CCC, with an ability to either self-refer or refer in a committee system that is not as cumbersome as the one we have at the moment, to put other matters at a slightly lower priority while it runs an investigation into a matter of that type.

Mr J.R. QUIGLEY: It cannot do both. It will not have the resources to do both.

Mr C.C. PORTER: No. I think that demonstrates, with respect, some misunderstanding about how investigations work. Investigations do not stop and start. The CCC does not shift between investigations, which means that one completely stops. There is certainly the ability for organisations like that to flexibly allocate resources so that when one investigation receives, for a variety of reasons, an absolute higher priority that might slow others somewhat, that might decrease the overall time for which a matter is investigated, but it is not a mutually exclusive decision between two different types of investigations.

Mr J.R. QUIGLEY: The last clarification on this budget item and the last question for the opposition relates to the fact that one of the assistant commissioners, Archer, SC, has publicly stated that a deputy commissioner should be appointed full time. There does not appear to be any mention of, or allocation for, that in the budget. Has that been given consideration?

Mr C.C. PORTER: It has been given consideration and there are views other than Ms Archer's views on that. I have not formulated a final view on whether there should be a deputy commissioner. Whatever else happens, even if we consider that it is just the self-reference system or committee reference system for organised crime that would be the basis of reform—I envisage that it will be slightly broader than that—that will require legislative change. That will take some little while. If a deputy commissioner is part of that legislative change, that can be adequately catered for as part of a cabinet submission that effects legislative change, or in the midyear review process or in next year's budget process, depending on the timing of the legislative change.

Mr J.R. QUIGLEY: Those are all the questions that the opposition has for this division.

The appropriation was recommended.

[11.05 am]

Division 50: Commissioner for Equal Opportunity, \$3 330 000 —

Mr M.W. Sutherland, Chairman.

Mr C.C. Porter, Attorney General.

Ms Y. Henderson, Commissioner for Equal Opportunity.

The CHAIRMAN: The member for Warnbro.

Mr P. PAPALIA: I refer to the fourth and fifth dot points on page 647 of the *Budget Statements* regarding a significant issue impacting on the agency and the need to train people to look at the impact of new initiatives on diverse groups within the community and the commencement of a pilot program by a few select departments to capture the extent to which new policies and major new initiatives are assessed for their impact on Indigenous and minority ethnic groups. With respect to the fifth dot point, is the Department of Corrective Services one of those departments? More generally, is the commissioner considering the potential impact of the proposed

Criminal Investigation Amendment Bill, and has the minister sought some advice from the commissioner about the stop-and-search legislation, noting that in the United Kingdom similar legislation resulted in a 300 per cent increase in the number of minorities who were stopped? On 12 May, *The New York Times* reported that in 2009 blacks and Latinos in New York were nine times more likely than whites to be stopped when this sort of activity was undertaken but that they were no more likely to be arrested.

Mr C.C. PORTER: I thank the member for his question. I cannot comment on the statistics that the member cited regarding other jurisdictions. My understanding about the fourth and fifth dot points is that there is an ongoing process of identifying and examining existing services. Also, new policies and major initiatives are assessed on an ongoing basis. When problems are identified, and before any new major initiatives related to services to the public are implemented—I stress “services to the public”—measures are put in place to remedy systemic racism and prevent future acts of systemic racism from occurring as a result of public policy. I have not sought a particular focus from the Commissioner for Equal Opportunity on the legislation that the member has raised. That is because it is my view that the Criminal Investigation Amendment Bill does not fall into the category of systemic racism. The member might have a different view. I have not sought from the commissioner any specific action to be taken in regard to that legislation. I will get the commissioner to comment on that in a moment.

The fifth dot point is about the commencement of a pilot program with a few select departments to capture the extent to which new policies and major new initiatives are assessed for their impact on Indigenous and minority ethnic groups. The notes that I have been provided with show, and my understanding is, that this is about the duty to provide agencies with vital information to identify issues before a new policy or major initiative is imposed. The aim of the pilot is to develop and identify common processes that can be used by agencies to undertake an assessment of the new policies. Perhaps the crux of the member’s question is that he is talking about legislation which he does not agree with and which he thinks will have a certain effect. What the commissioner deals with is the way departments administer legislation. Obviously this legislation has not yet been administered. I do not necessarily agree with the member that the problem that he has identified will arise. Nevertheless, no-one is yet administering this legislation.

Mr J.R. QUIGLEY: It is not legislation; that is the Attorney General’s aspiration for the Parliament to pass the Criminal Investigation Amendment Bill.

Mr C.C. PORTER: Quite obviously. Nevertheless, I am pointing out that the commissioner’s role is to educate and liaise with the public sector about the way in which the public sector carries out government policy. I understand that the member for Warnbro objects to the policy. I will let the commissioner talk about the specific point that the member raised. My point is that, notwithstanding what the member has asserted to have occurred in other jurisdictions, no legislation has been implemented. It might be a bit precursory. I will let the commissioner answer the member’s question.

[11.10 am]

Ms Y. Henderson: When this program commenced, we had a pilot involving four agencies. That included WA Police and the Department of Corrective Services. That was four years ago now. The pilot that is referred to here is a pilot to examine new initiatives. In relation to services provided by the police, one of the issues for us is that there have been a number of decisions around whether, when the police are executing a prosecutory-type role, that is a “service” for the purposes of our act. A matter is currently under consideration by SAT—it was heard in Kalgoorlie—involving some young Aboriginal boys who had requested assistance from the police, but that assistance was not given, and the boys were subsequently further assaulted and ended up injured and in hospital. In looking at the refusal to provide a service at that point, the preliminary question that SAT had to consider was whether the police were providing a service for the purposes of our act. It is our view that the services that the police provide to the public—that is, whether the police take complaints and investigate matters, and whether the police follow up on claims by people that they have been harassed or victimised or assaulted—are “services” for the purposes of our act. That is why we are pursuing that matter. It would be our view that anything that affects interaction between the police and the public would constitute a service for our purposes. That would include whether the police are searching people.

Mr C.C. PORTER: If I can add to that, I have not yet read the transcript of the case that the commissioner is talking about, but I must say that the commissioner puts a very, very broad interpretation on “services”. Whether, for instance, an arrest by the police is a service to the person being arrested or to the public at large is a matter that has yet to be debated. I just put that on the record as my view.

Mr P. PAPALIA: In responding to the Attorney General’s previous comments, and in light of the commissioner’s contribution, I would have thought that anticipating the impact of potential legislation would be an important role for the Attorney General, regardless of whether he sources advice from the commissioner and from departments like the police, to ensure that the impact is identified prior to that impact being felt in the community, particularly with regard to minority groups and the Indigenous population of Western Australia. But,

putting that aside, if we are to have a debate about whether a service is being provided by the police, the manner in which this legislation is being sold to the Western Australian public suggests that a service is being provided by WA Police to ensure that Northbridge is a safe place to enter—somehow suggesting that Northbridge is the only place in which this legislation will be applied—and that, without this legislation, Northbridge would not be a safe place to enter. I suspect that we would not need to broaden the definition too widely to assume that that type of activity by the police is a service that is to be provided to the people of Western Australia, and it is, therefore, appropriately subject to scrutiny by the commissioner in that context. I also question the Attorney General's assertion that there is no need for the commissioner to look at this legislation prior to the legislation being passed. I say that because once this legislation has been passed the police will have these additional powers that they do not actually require, and the impact will be felt by the community. The Attorney General is saying that the only time he is going to be concerned about this is subsequently when Indigenous people or other minority groups are unfairly impacted by this legislation; that is when he will get concerned about it, and that is when the commissioner might hear about it.

Mr C.C. PORTER: If I can take out the statements from the questions, I think there are probably three questions there. The first is with respect to the definition of “services” and the extent to which services are appropriately analysed by the commissioner. I am not debating that “services” should be given a relatively broad meaning and interpretation within the context of the act. What I would say—this is a slight divergence from what the commissioner has said—is that not everything that the police service does can be considered, in my legal view, a “service” within the ambit of the equal opportunity commissioner's empowering legislation. That term cannot be infinitely elastic in terms of what the commissioner can and cannot do. The member might disagree, but —

Mr P. PAPALIA: I am not really concerned about that.

Mr C.C. PORTER: What the member has described in terms of Northbridge may or may not fall within the definition. I have not considered that. My first point is that it is not all-encompassing. It is not infinitely elastic. The second point the member raised was that this is a power that the police do not require. Again, this debate has been had. My view is that very clear statements have been made, particularly in the committee inquiry into this matter, that the police consider that this power is appropriate to fit the purpose and is required. The third point the member raised is: why would I not ask the commissioner to investigate the services that will be provided by WA Police pursuant to this legislation before this legislation has been enacted? My response to that is: what is there to investigate at this stage? What the commissioner does is look at real instances—for instance, the matter that has been raised in Kalgoorlie—and make a determination. It then becomes a question of the opportunity cost of investigating a matter that, at the moment, with respect, is a political issue rather than a practical on-the-ground issue.

Mr P. PAPALIA: That might be true. But the wording of the dot point suggests that this is being done in anticipation of new initiatives by departments to identify potential outcomes before they occur.

Mr C.C. PORTER: I will let the commissioner add to this, but it seems to me that there are a number of ways in which the commissioner might become involved in that anticipatory area of legislative change and the services that would be occurring by virtue of that legislative change. Firstly, we need to be absolutely sure that it is a service. Secondly, the relevant minister might ask the commissioner to become involved. I am not that minister. Thirdly, the commissioner might view it as an area that warrants immediate attention as opposed to all the other matters in the public sector's delivery of services that currently require attention. I have not asked, because I am not the relevant minister. I do not view this as a matter of immediate and urgent concern. Certainly, from the sorts of figures the member has cited from other jurisdictions—I have heard them before—if that situation did arise in this state to some unreasonable and unexpected extent, that would be something that would warrant looking into; but it has not arisen here. I will let the commissioner answer about whether the fact that this legislation is being considered inside the parliamentary process has been sufficient to warrant her going out in this anticipatory way to cure problems that have not yet arisen pursuant to legislation that has not yet been passed.

Ms Y. Henderson: I have made some comments and I have expressed concerns about what has been found in other jurisdictions in relation to these kinds of powers. In relation to what we are looking at with the police, we have been looking at issues around the frequency with which the police are likely to arrest Indigenous people, particularly young people, rather than charge them by summons, compared with non-Indigenous people. We are also looking at the frequency with which Indigenous people in general are granted bail according to the kind of offence committed, compared with non-Indigenous people. We therefore look at a range of issues where we believe the police and the courts are providing services to people that impact on the proportionality of the way in which those services are provided. If those services are provided in a manner which unintentionally results in greater hardship or less favourable treatment for any particular group, then we try to identify that and we work with the agency to try to find ways around that.

[11.20 am]

Just on a slightly related matter, for example, we have been doing extensive work with the Department of Transport around the issue of lack of licences held by Indigenous people in communities and the reason why many Indigenous people do not hold a current driving licence; and the impact that then has on offences for driving and their imprisonment rate as a result of those offences.

Mr C.C. PORTER: If I could just add to that, it seems to me that the point of the member's question is to assert that there is a high likelihood, or even an inevitability, of systemic racism arising in the way in which services are rendered.

Mr P. PAPALIA: No.

Mr C.C. PORTER: If that is not what the member is suggesting —

Mr P. PAPALIA: Did the Attorney General hear me use the words “systemic racism”?

Mr C.C. PORTER: No. Let me put it this way: what is levied often against the police force —

Mr P. PAPALIA: Not by me.

Mr C.C. PORTER: I hear often in my job that there is some form of indentured or systemic racism in the way in which they —

Mr P. PAPALIA: Not by me.

Mr C.C. PORTER: Okay; I accept that.

Mr P. PAPALIA: I am concerned that the Attorney General does not portray me in that manner, because I do not say that.

Mr C.C. PORTER: I accept that, but often it is raised in the matters that the commissioner has now put on record.

Mrs C.A. MARTIN: I will say it, if the Attorney General likes. There is systemic racism. I will say it; okay?

Mr P. PAPALIA: Carol can say it!

Mr C.C. PORTER: As I say, some people hold that view.

Mrs C.A. MARTIN: I am one of them.

Mr P. PAPALIA: I think the legislation is flawed and likely to have a bad outcome.

Mr C.C. PORTER: I do not share that view but it is raised and then often tested. The commissioner has been testing that view in terms of clear, delineated issues; such as the distinction in levels of Aboriginal arrest versus charge by summons, and the differences between Aboriginal people, particularly young Aboriginal people, getting bail.

Mr P. PAPALIA: I commend that approach, but —

Mr C.C. PORTER: My view is that there is a range of other reasons for that, which I would certainly not describe as systemic racism. The point I raise is: would the problems that the member considers will inevitably arise from this legislation be properly considered, as these other issues have been? I think that would be the case, but the raising of the issues in itself might mean that those issues are not proven to be indicative of systemic racism. The point I raise is that it seems to me to be well down the track here. We always test the outcomes of legislation; I dispute whether the outcome that the member has suggested is anywhere near an inevitability. But when those claims have been tested with clear, measurable, discrete issues, such as the granting of bail, I am not certain whether or not there has been proof of that kind of systemic racism. I would certainly be happy for the commissioner to make additional comment with respect to charges on summons versus arrest and bail, because it seems to me that there is a multiplicity of reasons why those statistics differ between Indigenous and non-Indigenous people. I do not know whether the commissioner has anything to add to that.

Ms Y. Henderson: I think the clear issue for us is that we are looking for factors that are built into the system that were not intended to be racist but in their outcomes tend to produce disproportionate responses. In relation to, for example, bail, the requirement for a responsible adult is the most frequent reason why Indigenous youngsters do not get bail, so we then looked behind that to see whether there are alternative ways of satisfying bail conditions to reduce that disproportion. The aim of our exercise, therefore, is not to seek out racist individuals but to look at policies that have an unintended impact and disproportionately impact adversely on some groups.

Mr C.C. PORTER: I add to that that I find it difficult, I must say, to accept that unintended outcomes can be adequately described as racism. My view is that racism has always had an element of intent to it. It may be that outcomes of policies —

Mr P. PAPALIA: Not necessarily.

Mr P.T. MILES: It is.

Mr C.C. PORTER: The member for Warnbro might take a different view.

Mr J.R. QUIGLEY: If it was a race issue, you might not intend to do it but you might just.

The CHAIRMAN: Order!

Mrs C.A. MARTIN: The commissioner would not have a job if there was no racism; so, it is something, isn't it? It is not like under a rock, mate!

The CHAIRMAN: Order!

Mr C.C. PORTER: The member might have a different view but that is a view and perhaps it is a strictly legal view that I take.

Mr P. PAPALIA: I am happy to let this go.

Mr P.T. MILES: I want to take the committee to page 648. One of the services and key efficiency items in the box there, "Average Cost per Presentation/Seminar/Workshop", rises from \$3 200 to \$5 180. Could the Attorney General expand on the increase and the reason why, please?

Mr C.C. PORTER: Is that the difference on page 648 between the 2009–10 figure and the estimated actual for 2009–10?

Mr P.T. MILES: Yes.

Mr C.C. PORTER: I will hand over to the commissioner on that one, but it is obviously a significant increase.

Ms Henderson: I thank the member for the question. The reason for the increase is that previously we offered short courses, such as a half-day course on equal opportunity law and short courses for contact and grievance officers. We now offer longer courses, so that we actually deliver fewer courses. That therefore is really measuring the difference in the cost of each unit. The units we are now measuring are longer courses over a day and a half, as opposed to half a day, and that is why the figure is greater.

Mr P.T. MILES: Further to that, Mr Chair. Is that extra staffing costs or are you hiring more staff to cover those extra course days or course hours?

Ms Y. Henderson: No, we are not hiring more staff. It is the cost per presentation, which is the efficiency indicator. The number of presentations we are dividing into the cost is now fewer. That is why the cost per unit appears to be more.

Mr C.C. PORTER: So, fewer, larger presentations.

Mr J.R. QUIGLEY: May I preface my question with a little statement, Attorney, because it is to do with bullying?

Mr C.C. PORTER: I would expect nothing less!

Mr J.R. QUIGLEY: Then I shall not disappoint the Attorney, if that is all right. With the advent of electronic services such as Twitter and Facebook, we have seen a lot in the media about the explosion of bullying as practised on these electronic mediums, making the lives of children at school, and indeed some teachers, a misery. We have seen some examples in the eastern states of schoolchildren working as casual employees who have even taken their own lives as a result of bullying. Given the Law Reform Commission's paper, which recommended that bullying should be included as prohibited conduct, is it not now time for the government to address this issue, amend the Equal Opportunity Act and, in accordance with the desired outcomes of this agency, legislate to outlaw bullying for the devastation it causes to people's lives both in the workplace and in the education system?

Mr C.C. PORTER: There has been a range of suggestions about amendments to the act, some of which I agree would be appropriate areas for amendment and others with which I personally disagree; but I do not pretend that my views are held on a consensus basis by everyone in my party room. In my view one of the appropriate areas for reform and amendment is in the area of bullying. I would caveat that by saying that the member's statement to outlaw bullying is a statement that reflects an outcome that is harder to achieve than it is said, because there are obviously very finely balanced issues at play here, but I do agree that this is one area for reform. A number of areas have been mentioned and I can conceive of reforms to the act in this term of government, but it is not an absolute priority in this government's legislative agenda. Nevertheless, if reforms do go into the act I would like to see them go through not on a piecemeal basis, but as a consolidated series of reforms. I agree personally that bullying is one that could be appropriately added to the act.

Mr J.R. QUIGLEY: I am concerned that the provisions concerning breastfeeding went through on a piecemeal basis, but bullying is having such an impact on ordinary families and children right now that it could be an exception and offer relief, as it would bring the commission into the mediation process between children. Often

it is just the requirement to bring the parties together and have them confront the consequences of their aberrant behaviour that brings about cessation. Could we not bring in a bit of legislation—it would not take us longer than about half an hour in the Assembly—to bring bullying within the ambit of the Equal Opportunity Act?

[11.30 am]

Mr C.C. PORTER: The idea that amendments along the lines of bullying would take half an hour to debate in the Assembly is fantasy. I would imagine that, notwithstanding that in principle it has my support—and I would imagine the support of other members of my government—it would be contentious. An enormous amount of devil would be contained in the detail. Although I do not disagree with the member that the need is emergent and increasing, I would disagree that somehow that is a need that did not exist when the member was in government not more than two years ago. I disagree that this is a matter that can be dealt with somehow in a piecemeal, swift and uncontroversial fashion. I would envisage this would be a matter of some controversy. Getting the detail absolutely right would be the only way that we could guarantee anything resembling a swift passage through our two houses of Parliament. I suggest that this is an area that is ripe for reform but not something that should be done on an urgent or knee-jerk-type basis.

Mr J.R. QUIGLEY: The government pushed through mandatory sentencing in a couple of hours when the Police Union was on the steps of the Parliament!

Mr C.C. PORTER: Mandatory sentencing was a core election promise of this government; indeed, something that we promised to do in a short period of time —

Mr P. PAPALIA: As opposed to prostitution legislation.

Mr C.C. PORTER: The member made an assertion about prostitution and what I said I would do, which has not been proved because it is not correct.

Mr J.R. QUIGLEY: I was not going into the philosophical basis behind pieces of legislation. I was only picking up mandatory sentencing as something that was controversial, as I remember it went through the Assembly in a few hours. Families all over Perth whose children are being subjected to bullying are looking to this Parliament for relief. Can we not offer them some relief urgently?

Mr C.C. PORTER: The distinction to be drawn with the mandatory sentencing legislation is that that was a core election promise and some good deal of thought had been put into the structure of the legislation—although it is not a structure of legislation the member agrees with. I in embryo agree that this is an area which is ripe for reform. Yes, there has been a Law Reform Commission report on it, but, equally, there are variants of legal views on how it would best be done—how the boundaries would best be drawn. It is something I would advance in the context of other reforms, not in a standalone piece of legislation, but it would need to be done carefully and cautiously. This is one area where less haste would result in more speed.

Mr J.R. QUIGLEY: In this Parliament?

Mr C.C. PORTER: I think the member can consider there will be changes to the Equal Opportunity Act in this term of Parliament. If those changes occur in this term of Parliament, bullying would certainly be prime amongst those.

Mr P.T. MILES: Is there no part of the current Equal Opportunity Act that bullying would come under anyway?

Mr C.C. PORTER: Arguably, there are areas such as discrimination on the ground of sexual preference or other matters in the context of employment and other areas that themselves might be characterised as bullying. I think this goes to the core of the problem—what we have now come to understand as bullying in 2010, through the use of electronic media, is distinct in some respects from other forms of discriminatory behaviour. Defining it, and capturing the serious and objectionable activities but not over-regulating our society in a way that would cause controversy and division, will be a very difficult exercise. To some extent it is covered already, but I agree with the member for Mindarie that there is room for expansion here.

Mr J.R. QUIGLEY: Further on that point: for Western Australian families who are looking for some relief for their children from bullying, can the Attorney General hold out realistic hope that in this term of government they will see bullying outlawed vis-a-vis the equal opportunity legislation?

Mr C.C. PORTER: The member talks in ridiculously simple terms of outlawing bullying and providing relief as if a change to the act will cure overnight some very pervasive problem. That is an unrealistic expectation to build in the minds of people whose children or other siblings might be suffering the ill effects of what we colloquially know as “bullying”. On the issue of timing, I will say again what I have previously said: I would anticipate that there will be reforms to the act in this period of government. I would consider that reforms in the area of bullying would be a very important part of those reforms.

Mr P. ABETZ: Attorney General, I refer to “Outcomes and Key Effectiveness Indicators” at the top of page 648 of the *Budget Statements*. The figures for “Community awareness of the Act and belief it is of benefit” seem to

indicate that public awareness of the Equal Opportunity Act seems to be consistently around 80 per cent. Is it possible that this figure is consistent because the principles of the act have become embedded in Western Australian society over the 25 years since the act was passed?

Mr C.C. PORTER: I will get the commissioner to give a more detailed answer than this, but it seems to me that we might consider that at some point in time the KPI, which measures awareness of an act of Parliament, will reach a peak. I do not know whether we have reached that peak and I do not know whether we would dive from that peak if the activities that the commission engages in were modified. It looks statistically like we have reached some sort of peak. I do not know whether the commissioner has an alternative view.

Ms Henderson: These figures are based on a community awareness survey conducted around the whole state by a survey company. Although we have distilled high levels of awareness of the act, in fact what the detailed questions reveal is that those behaviours that have been outlawed the longest have the highest levels of recognition—somewhere in the ninetieth percentile—whereas for those that are more recent the recognition is much lower. Over time people have become aware which provisions of the act make certain behaviours unlawful. The community awareness survey consistently shows this. For example, age discrimination is much less well known than sex discrimination or race discrimination.

Mr F.A. ALBAN: My question is based loosely on pages 648 and 649 of the *Budget Statements*. I am cross-referencing some of these figures with data from the commission's annual report, specifically the number of complaints received. The annual report states that the commission received 634 complaints in 2008–09—that is just short of two a day. Going over these papers on pages 648 and 649, the commission has an FTE complement of 30. Is that right; and, if so, my question is: what do these positions do? Thirty FTEs seems like a lot of positions to handle under two complaints a day and to educate a public that likely seems educated already on the merits of the act.

Mr C.C. PORTER: I do not have experience in the way that complaints work at the commissioner's office but often complaints are complicated matters. Maybe the commissioner can give some explanation about what actually is involved in a complaint. It is also the case that there is the issue of unit costs for each number of complaints, which have increased. Again, that might be part and parcel of the answer. Sometimes these things are more complicated than they appear. I will let the commissioner answer that.

Ms Y. Henderson: In addition to formal written complaints that are investigated and conciliated, and, if not resolved, referred to the State Administrative Tribunal, the commission deals with several thousand inquiries every year. That is detailed in the annual report. In addition to that, the commission conducts education and training sessions around the state. That is also detailed in the annual report. We hold several hundred of those. There are employees employed specifically as trainers who go out and provide customised training to companies and communities on request, for example, and in response to rights-based applications by community groups—for example, for advocates. The commission also has people who work on the program, as we referred to earlier, who look after 29 government agencies. They assist them to monitor their policies and practices, and to look for any unintended consequences that are less favourable for particular minority groups. It is not the case that the bulk of the commission's staff work exclusively on resolving complaints—it is about six or seven people.

The appropriation was recommended.

[11.40 am]

Division 52: Office of the Director of Public Prosecutions, \$28 396 000 —

Mr M.W. Sutherland, Chairman.

Mr C.C. Porter, Attorney General.

Mr J. McGrath, Director of Public Prosecutions.

Mr P. Byrne, Director, Corporate Services.

[Witnesses introduced.]

Mr J.R. QUIGLEY: Page 659 states that the amount appropriated to deliver services for 2010-11 increases by about \$1.2 million—unless I have my arithmetic wrong, that is about right. I refer to an article printed in *The Sunday Times* on 4 April, published under the by-line of Todd Cardy, which was an interview with the Director of Public Prosecutions, Mr McGrath, where he talked about moves to overhaul the courts. The article states —

Lawyers will replace police prosecutors handling serious cases in magistrates courts under a major overhaul planned by the state's new Director of Public Prosecutions.

We congratulate the director on his appointment. Although the director has an ambition for his office to take over the prosecution of serious matters before the Magistrates Court, there does not seem to be any capacity in

the budget for that to happen. How many prosecutors will be required for this task, and what will be the cost of taking over prosecutorial services in the Magistrates Court?

Mr C.C. PORTER: I thank the member for his question. The first point to be made is that the last part of the member's question was about how much it would cost to take over prosecutorial services in the Magistrates Court. I read that article in *The Sunday Times*, and I do not believe that it ever stated that there would be exclusivity to the DPP in Magistrates Court prosecutions, and I do not understand that there is such a plan afoot; however, the director has a view —

Mr J.R. QUIGLEY: As I read, the article stated “serious cases in magistrates courts”.

Mr C.C. PORTER: That is quite different from the final part of the member's question, which asked about all prosecutions in the Magistrates Court. He might find that, depending on how one defines serious, even if it was taken as those either-way offences that find their way into the Magistrates Court rather than the District Court, that would only be a small percentage of those in the Magistrates Court. I do not understand it to be the case—I will ask the director to give the member free and frank comment after I have spoken on this issue—that a plan is afoot to either immediately, or indeed in the long term, take over all prosecutions. The director has a very wide brief to engage in reform and improvement for his organisation, and I am very interested in all of his views on those issues. I know that the director has a view on this, and it is a view that I share, that there is real room for growth in the prosecution of some Magistrates Court matters by the DPP, and a shift in the balance —

Mr J.R. QUIGLEY: A view that we share.

Mr C.C. PORTER: Excellent! We are all in resounding agreement then.

Mr J.R. QUIGLEY: We just want to make sure that the director has the funding to achieve this desirable outcome.

Mr C.C. PORTER: Indeed, and I will speak to that in a moment.

This is an area that we want to approach relatively cautiously. It is my view that it is appropriate to have, even in the very long term, a mix of prosecutions going on in a Magistrates Court. I hold police prosecutors in high regard and they have done an enormous service for the state criminal justice system for many years and, in many respects, they undertake a number of matters at least as well as what we might expect qualified—albeit junior—lawyers to undertake. As I understand it, at the moment it is proposed that two positions will be created. They will report to the consultant state prosecutor, Mr Meertens, who is already down there, and that Western Australia Police will release two existing sergeant positions from the Perth prosecuting division to finance two of the positions.

Mr J.R. QUIGLEY: WAPOL will release how many?

Mr C.C. PORTER: Two existing sergeants from prosecuting, and then two positions will be created. This will be obviously subject to all the financial procedures that must be gone through, but a funding transfer will occur, under the provisions of the Financial Management Act, from the Western Australia Police to the Office of the Director of Public Prosecutions to fund those prosecutors, because of course they will be doing the work that would have otherwise been done by serving and sworn police officers.

Mr J.R. QUIGLEY: I cannot see the police commissioner giving up his budget.

Mr C.C. PORTER: There might be a valid reason for him to do so if it frees up those positions to do something else. It will not be a net loss to the commissioner. But, obviously, these are conversations that I have not had directly with the commissioner, and I will let the director speak about that. It is fair to say that there is broad agreement about an increase in the level of prosecutions done by the DPP in the Magistrates Court. I myself do not favour exclusivity there. I certainly favour the approach that the director has taken, which is, if we like to describe it coarsely, as a pilot project, but the funding for that pilot project will come from a funding transfer. I will let the director speak more about that.

Mr J. McGrath: That is correct. The reality was not quite described appropriately in that newspaper article. What has been agreed between the DPP and commissioner is that there will be four 2LG—level 4—prosecutors within our office. Two will be funded through the transfer of funds from the commissioner, and two will be funded from within the Director of Public Prosecutions. Those four will be sent to the Perth Magistrates Court and will come under the supervision of Mr Brent Meertens, the consultant state prosecutor. I hope that they will take carriage of the more serious matters. The benefit is that there will be a better prosecutorial outcome for the state of Western Australia.

Mr J.R. QUIGLEY: Will they be sent to the regions, Mr McGrath?

Mr J. McGrath: Not at this stage. The regions may be a long-term goal, but that would be something the government would have to consider, given the size of the province. Within the Perth Magistrates Court there is a second benefit, which is the training of young Director of Public Prosecutions lawyers. Regrettably, in our office

they go from having limited court experience to conducting jury trials. This would be the avenue for that training. We are limiting it to four young lawyers, and at this stage that will have no great budgetary impact, but it will be of great value to this state, member.

Mr J.R. QUIGLEY: I would like to take the Attorney General to page 661 of the *Budget Statements* and the line item “Early advice to Court on charges”. In 2008–09, the actual was 19 per cent and the projected target was 85 per cent for 2009–10. There seems to be a yawning gap between aspiration and reality. In 85 per cent of the cases it was hoped to have early advice through the court, but the estimated actual is only 22 per cent. I wonder if the Attorney General could explain what the problem there is. Is it a staffing problem because he has not got the staff to get on to the files?

Mr C.C. PORTER: No. The problem is to do with, primarily, a change in the measurement parameters—I will let the director explain that. In effect, as I understand it, the goalposts shift during the measurement period and there is certainly some catching up to do, but that will be achieved inside existing resources. Perhaps the director might just explain in detail what the change to the measurement parameters were.

[11.50 am]

Mr J. McGrath: The measurement change was measured at five days before rather than five days after. We are endeavouring to direct resources —

Mr J.R. QUIGLEY: Is that measuring at five days before rather than five days after the scheduled start?

The CHAIRMAN: Ask all questions through the Attorney General, please.

Mr C.C. PORTER: I will have the director answer that question.

Mr J. McGrath: The measurement previously was five days before the appearance; now we are measuring at 42 days after the committal. Then there is the variance for that reason.

Mr J.R. QUIGLEY: Minister, is the aim to advise the court within six weeks of committal whether the charges will proceed to trial?

Mr C.C. PORTER: Indeed. I think we were meeting 85 per cent of the target of advising five days before the event, but we are struggling in terms of the estimated actual to meet the new target, which came into play during the financial year in question, which is a significantly harder target to meet. I will let the director comment. The notes I have been provided with indicate that there is some confidence that, with the change of internal procedures, that figure will come up inside the next financial year.

Mr J. McGrath: We have introduced a new computer retrieval system that will ensure that there will be early communications with defence. There will be prompt disclosure; we hope to receive briefs timely and then address and deal with the defence in a very timely manner to meet these goals.

Mr J.R. QUIGLEY: A further question coming from that answer Attorney General was going to be the next question I was going to put my hand up for, which concerns disclosure. I do not want to be political and bring it back to the Burke trial. That is the most recent one that was reported in the trial; I think, the start of the trial had to be put off due to some late disclosure. I am aware of disclosure problems, historically, going back before Mallard et cetera. I am hearing from the criminal bar that disclosure problems are still evident. What is being done to effect timely disclosure and what is the Attorney General’s aim with completing disclosure?

Mr C.C. PORTER: Far be it from me to say that your sources are notoriously unreliable! Nevertheless —

Mr J.R. QUIGLEY: Sorry?

Mr C.C. PORTER: That is a little joke about the criminal bar.

Mr J.R. QUIGLEY: Okay. The Attorney General would say that; he was a prosecutor!

Mr C.C. PORTER: Indeed. Having been a prosecutor, I am the first to acknowledge that the changes that occurred on disclosure were a quantum shift in what was expected of the prosecution, and entirely appropriate. There is no dispute there.

Mr J.R. QUIGLEY: They came in with the elimination of preliminary hearings.

Mr C.C. PORTER: Agreed.

Mr J.R. QUIGLEY: They became important.

Mr C.C. PORTER: They certainly did, because what was a matter of some advantage, if we like, to the prosecution was accompanied by other matters that were a significant disadvantage to the prosecution, if we can put it in those very basic terms. Yes; there have been specific instances in which disclosure has not been what it should be, and where there has been effect on the process of a trial because of that. I will let the director talk more about it because this is one of the key areas of reform that he needs to undertake in his office. I do not

know whether the member for Mindarie has had an opportunity to see this, but the “Memorandum of Understanding: Joint Guidelines and Disclosure for the Office of the Director of Public Prosecutions Western Australian and the Western Australia Police Service”, a relatively detailed document, is a huge advance on what was in place when I was at the DPP’s office. One of the issues that arises with disclosure is the constant push back. When the DPP is blamed for late or inadequate disclosure it often has the habit, as prosecutors do, of blaming the agency that sources the documents to it. I think this is a great advance. We can give the member for Mindarie a copy of the MOU if he is interested.

Mr J.R. QUIGLEY: I have never seen it but I will be interested to see it.

Mr C.C. PORTER: The director might talk about that and some of the initial changes he has made in this area.

Mr J. McGrath: Thank you. Disclosure is an ongoing difficulty. This memorandum of understanding addresses some of the significant difficulties. We are aiming to introduce throughout the state, working with the police, a full disclosure at the committal stage. That will include a schedule of not only the evidence upon which it is said the state will rely but a schedule of unused material; that is, any material that has been obtained by the police, whether or not it is relevant, will be disclosed by way of schedule. That will address a number of historical difficulties that will be known to the member.

The second aspect of the memorandum of understanding is the appointment of case conferences at which a DPP case officer and the police case officer meet prior to committal and the ambit of the disclosure is considered, so there is a joint understanding that all material that should be disclosed is being disclosed; that there is an understanding that the unused material list is comprehensive and in its final state; and that, at the point of the committal in the Magistrates Court, it can be said that there is full disclosure. I use the word “full disclosure” in this sense: to mean that it may not be the final disclosed documents, but it will reflect all that the state will reply upon. I illustrate this in this way: it will be known to the member that PathWest and other agencies on occasions can provide only short reports rather than long reports. We will give those short reports at the committal stage so there should be no further disclosure beyond that point.

A final point about disclosure—I think the member alluded to it when referring to recent trials—is this: even in the best conducted prosecutions, in the run up to trial, the state prosecutor undertakes what is called the “proofing” of witnesses. During the proofing, despite a very able police officer undertaking the statement at an earlier stage, other matters may arise and at that point they are disclosed. We will be seeking to rectify that disclosure problem by undertaking proofing at as early a stage as possible in proceedings.

Mr J.R. QUIGLEY: On this question of disclosure—I have not seen that memorandum of understanding—but what appears to be a significant difficulty, if not the biggest difficulty, which was thrown up in Mallard in the High Court, was the disclosure of draft statements because the police say, “Well, we don’t consider those relevant because they were our working documents; what we consider relevant is the statement from which we intend to lead at evidence.” Most of the cases I have some experience with in disclosure problems are earlier generations of the material that was disclosed, but if they disclose the final deposition, they do not disclose the drafts behind it. Will that be included in the MOU?

Mr C.C. PORTER: I will let the director address the content of the MOU. I agree with the member absolutely and it is of course the case that the defence quite properly find that an important weapon in its arsenal in getting to the factual truth of the matter is the existence of prior inconsistent statements and that a variety of historical witness statements, whether they are signed or unsigned, represent very strong evidence of prior inconsistent statements. In my view it is quite proper that they be disclosed early to defence. Obviously, that causes difficulties for the prosecution. I do not mean simply in terms of the strength of a case, which becomes encumbered by prior statements, but difficulties in knowing and obtaining what were considered by police to be draft statements down the line. I will get the director in a moment to address how that issue has been addressed in the MOU or otherwise in his office.

The second point I raise here is that the same problem about prior inconsistent statements of course exists with respect to proofing of witnesses. One of the things the director is endeavouring to do is to proof as early as possible to allow for any statements that are at variance with the written statement that are given in the verbal proofing session to be offered to defence. A matter I have raised here with the member, which I think warrants consideration—I do not know whether he has views on it—is that the Crown Prosecution Service in the UK does not proof witnesses. It never proofs witnesses; in fact, it is strictly forbidden, as I understand it, under its system. There are variants of that —

Mr J.R. QUIGLEY: Some people call it polishing witnesses.

[Mr J.M. Francis took the chair.]

[12 noon]

Mr C.C. PORTER: Indeed, and no-one would ever accuse the defence of doing that! One of the issues that I think has to be addressed in the long and mid-term with respect to prior inconsistent statements is whether the Office of the Director of Public Prosecutions actually proofs witnesses or whether it does what is done in the Crown Prosecution Service and puts the witnesses on the stand cold and relies on the statement. It is not a matter that I have discussed with the director or the member, but I think it is a matter that warrants serious consideration.

Mr J.R. QUIGLEY: I agree, because it could result in a prosecutor being called, theoretically.

Mr C.C. PORTER: It might even ease the process of prosecutions, because at least with respect to inconsistencies between the verbal proofing session and the written witness statement, the need for any form of disclosure would be avoided because there would be nothing to disclose. I invite the director to comment on the issue of prior written statements and also the issue of proofing.

Mr J. McGrath: In relation to statements other than those that are relied upon in the brief, in the memorandum of understanding those statements would be delineated in the unused material, and it would be incumbent upon the prosecutor to draw to the attention of the defence counsel that those materials had been listed in the schedule of unused material. That would be a high priority that they would be disclosed and attention would be drawn to them.

In respect to proofing, in my view it is very important for a state prosecutor, in the preparation of a trial, to proof witnesses. It is a final form of disclosure to an accused person. One understands that there are numerous trials and, as they commence, witnesses deviate heavily from their formal statements, and trial time is lost and liberties can be put at stake. The proofing is the opportunity for the state prosecutor to eyeball the witness and to confirm, firstly, that what has been taken in that statement by a police officer is correct and, secondly, whether there is other material. What is crucial, member, is that that material is then disclosed. In relation to moving away from proofing, it should be considered, but there are strong merits in proofing witnesses and doing that very early to assist the process.

Mr J.R. QUIGLEY: I have one last question on this division. The Attorney General talked earlier about legal tourism. I think former Chief Justice Barwick said that when he was at the bar, Sydney was the most litigious city in the common law world. Having regard to the amount of economic activity in Western Australia and the amount of commercial litigation running in Western Australia, are there any unfilled positions at the office of the DPP, and are the structures of remuneration at the DPP sufficient to fill the positions?

Mr C.C. PORTER: Again, I will let the director address this in addition to what I will say to the member. When the additional lump sum funding came to the DPP, it was much needed. There were difficulties in filling positions, particularly at the higher levels of the office. What is cause for debate is whether that was because of some form of disparity between the wages that are able to be paid to litigators at the office of the DPP at, for instance, a level 7/8 or class 1 or class 3 level under the structures that are set in place in the public service and what they may be able to earn if they were litigating in other areas.

Mr J.R. QUIGLEY: On a Bell litigation!

Mr C.C. PORTER: Indeed. My experience is that many people choose to be at the DPP for reasons other than the salary, and they will never reasonably be able to gain parity with the salary of similarly qualified people. One of the conversations that I had with the director early on after his appointment was about the things that the director envisages need to be improved in the office—that is, staff retention. The way in which the class 1 and level 7/8 positions will be filled—historically that is where the difficulty has been in filling the positions, and some of that is because of movement to other parts of the profession—is to bring people along and have a career path for people. By that I mean that there needs to be some longevity in the office whereby people can safely go into a level 7/8 or class 1 position, in which they would be trying very serious matters and on the verge of their first homicide trial, having had experience in the office. It is difficult to find those people and recruit them into the office. The office has done a good job in finding people, but keeping them is the key. I think that now there are fewer unfilled full-time equivalent positions than there has been historically, although there may be a couple, but I will let the director answer that. Certainly, it seems to me that the issue is staff retention. Again, that is part of the director's wide-ranging brief for improvement of the office.

Mr J. McGrath: In respect to the FTEs that are outstanding in our office as noted at page 661, we currently have eight positions to fill. At the senior level, there are seven positions; they are mainly for a class 1 lawyer, which is the one above level 7/8. I anticipate that those positions will be filled from within the Office of the Director of Public Prosecutions because there is a large number of very good lawyers —

Mr J.R. QUIGLEY: Ready to push up.

Mr J. McGrath: — ready to push up. The crucial challenge really is to train and retain our current lawyer crop. What can be said about that is that every law firm in Western Australia has that very difficulty. It is the challenge of every managing partner. I am endeavouring to make the Office of the Director of Public Prosecutions an

attractive place to work and a challenging workplace. We are endeavouring to have a cultural shift in that respect. The future of the Director of Public Prosecutions lies in its younger lawyers, and I am confident that these vacancies at the senior ranks will be filled by those very people.

Mr J.R. QUIGLEY: The director has talked about the class 1 vacancies. What about further down the —

Mr C.C. PORTER: I will get the director to answer, but it appears to me, based on my experience, that the class 1 positions are more difficult to fill because someone with 30 or 40 jury trials under his or her belt is needed, whereas if people can be kept in the office for five or six years, they can be moved in that period through levels 4/5, 6/7 and 7/8 and up to class 1 and they can get that experience in that four or five-year period. Recruiting at the 4/5 and 6/7 levels is not as difficult because people at level 4/5 would not necessarily have done a trial and at level 6/7 they would be starting to do their first trial. People can get up to speed relatively quickly if they are recruited from commercial law firms or other terrible places like that! The difficulty, of course, is that we want to push people up, but we cannot push people up into a class 1 position unless they are ready to do an armed robbery trial or something of that nature. It is a matter of not forcing too much on people too early. But the director might have something to say about recruiting at that 4/5 level.

Mr J. McGrath: That is true. Historically, it is correct. At present we can attract very good lawyers at the level 4/5.

Mr J.R. QUIGLEY: They are all the questions that the opposition has.

The CHAIRMAN: I just want to clarify something that occurred before I took the chair. I understand that the Attorney General may have undertaken to provide a document.

Mr C.C. PORTER: I did.

Mr J.R. QUIGLEY: We can do that privately. I am happy with the Attorney General's indication that he is prepared to provide that to me privately at a later time.

The CHAIRMAN: Thank you. I understand that members are keen to move on, but I will allow one more question.

Mr P.T. MILES: I refer to the outcomes and key effectiveness indicators listed on page 661. I know that between the 2008–09 budget and the 2009–10 budget there has been a significant increase of 16 per cent in the timely lodgement of applications for confiscation in relation to declared drug trafficker matters. Is the Attorney General still trying to achieve a 100 per cent target or key indicator? Is that really achievable?

[12.10 pm]

Mr C.C. PORTER: I have been informed in writing by the Director of Public Prosecutions that significant improvements are expected over the next 12 months. I certainly take the director at his word on that. Maybe the director can explain why there has been a lag in that indicator and what is expected to occur over the next financial year.

Mr J. McGrath: We are aiming to designate the resources to ensure that the documents are dealt with in a timely way through proper management. We are very keen to hit the 100 per cent target at the time of the lodgement for drug trafficking matters.

Mr P.T. MILES: Most of the other targets we are looking at are in the 90 percentile range. It seems to be a pretty hard task to achieve 100 per cent.

Mr C.C. PORTER: Perhaps the director might give the member a brief explanation of what is being sought from his office with that key performance indicator. This is about the filing of documents. It is not impossible to achieve something close to perfection in those types of areas.

Mr J. McGrath: There are time designations under various acts for the lodgement of documents to get a declared drug trafficking. It is about the early preparation of documents, being aware of proceedings and filing the designated documents at the right time. It is a matter of proper management to file those documents, and it is a matter that is within the control of the Office of the Director of Public Prosecutions to meet that target. That is why we have determined that we wish to aim for 100 per cent.

The appropriation was recommended.

Division 53: Commissioner for Children and Young People, \$2 809 000 —

Mr J.M. Francis, Chairman.

Mr C.C. Porter, Attorney General.

Ms M. Scott, Commissioner for Children and Young People.

Mr P. PAPALIA: I would like to preface my comments by saying that the opposition intends asking only a very few questions on this division. That is not a reflection on either the Commissioner for Children and Young People or the interest that we have for her particular responsibilities, but we want to get to the Department of Corrective Services, which is a very large department, and a couple of other departments. Sadly, we have to move on. I refer to the significant issues impacting the agency, and the second dot point on page 668 of the *Budget Statements*. The government has identified the need for more effective collaboration and coordination in the delivery of services and programs. Having identified that requirement, what action is being taken? Is there a cross-departmental focus on trying to coordinate the provision of services? Is the government looking also at the potential impact of some of the other things that we discussed earlier, specifically young people, and how we might identify that in advance of changes to practices or legislation and be more effective in dealing with it?

Mr C.C. PORTER: I will let the commissioner give a more expansive answer.

Mr P. PAPALIA: I am talking about the disproportionate representation of Indigenous people, obviously.

Mr C.C. PORTER: It is a perennial difficulty for government. I will give the member an example of supervised bail. Supervised bail will involve the Department of Corrective Services, the court, the Aboriginal Legal Service and the Department for Communities. All four agencies will play a critical role in ensuring that someone who is arrested, charged and granted bail but who does not need to be remanded in custody will not be remanded in custody and that a responsible adult will be either found or provided. There has been a certain amount of correspondence recently between me and the president of the Children's Court, Peter Collins from the ALS and others about how to achieve that. We have achieved very good things in that area, yet we must do more in terms of coordination. My view is that we need to attack these things on a case-by-case basis. As an example in that area, co-location is a very important feature. If in our new regional youth justice facilities we are able to co-locate child protection workers alongside the Department of Corrective Services, youth workers and bail supervisors, that will be a huge step forward. We cannot merge the entire departments, but if we can have co-location around central points of service provision, that appears to me to be an important way forward. The member asked a question about how to achieve that more broadly. That certainly is within the commissioner's overarching ambit, and I will let her answer that.

Mr P. PAPALIA: Pre-empting the response, has the Attorney General considered widening it beyond the four departments to link the Department of Education and the Department of Health, and looking at a holistic as possible approach to deal with the issue in a whole-of-government response, particularly for disadvantaged and disproportionately represented Indigenous people within the justice system and, more widely, elsewhere?

Mr C.C. PORTER: As matter of practice over the past two years, I have found that co-location is a simple way to achieve really substantive results. When I say "simple" that does not mean that it happens by just having a polite word with my ministerial colleagues; there is often a lot of debate about how it might work. That is one practical way. How it might be done on a greater basis has lot to do with the Minister for Indigenous Affairs' portfolio and his committee. Another example that was raised recently is employment. We will provide employment programs and placements inside prisons and we will run training and skills programs. The Department of Environment and Conservation also runs Indigenous training programs, obviously outside prison. Four or five different employment and training programs for Indigenous people might be run. Throughout his adult life, an Indigenous person might meet five or six different agencies. Communicating to Indigenous people the availability of the programs and how to access them is about coordination. In my experience, we will only achieve meaningful steps forward by doing it one area at a time. It is such a big problem that trying to do it across the board, even in a portfolio area, is difficult. I have been tackling it on a piecemeal basis. It may be that the commissioner has a better answer to that question than I do because she has a wider ambit.

Ms M. Scott: I will reinforce what the Attorney General said in relation to juveniles in detention. Members are aware of the Auditor General's report that was tabled in Parliament in June 2008. As a result of that report, I wrote to the Director General of the Department of the Attorney General and the Commissioner for Corrective Services. We have had a very positive response to bringing together a wide range of government agencies to tackle the Auditor General's recommendations. That has been a very positive, concrete example. Some of the initiatives that the Attorney General has referred to, including the youth justice services, have come about as a result of that good collaboration. That is an area in which there has been a positive and practical impact and that has made a big difference. Western Australia is lagging behind the other states in the early years—from zero to eight years—of a child's life. I have referred to that in both my annual reports to Parliament.

Mr P. PAPALIA: As I said, I am not trying to be rude or anything, but we would like to move on if we can.

The CHAIRMAN: I am aware of that. The member for Southern River has a question.

Mr P. ABETZ: The final dot point on page 668 of the *Budget Statements* mentions significant resourcing issues that impact on the ongoing capacity of the commissioner to fulfil her statutory responsibilities, including extensive regional travel and so on. Could the Attorney General elaborate on that?

Mr C.C. PORTER: I will let the commissioner do that. There is never a head of a department who says that more funding is not needed. With respect to these pressures, the commissioner is right insofar as an enormous amount of travel is involved. When people often make comparisons with other jurisdictions, they forget that Western Australia is twice the size of western Europe, which causes difficulties for the prison and court systems and also for the commissioner. I will let the commissioner speak about those cost pressures.

[12.20 pm]

Mr P. ABETZ: I think it is 17 or 18 full-time equivalents. That seems to be quite a sizeable group of people to be working on this. I am wondering what the pressures actually are.

Mr C.C. PORTER: I will let the commissioner answer that.

Ms M. Scott: When I took up my position in December 2007, I was the first Commissioner for Children and Young People for Western Australia. I think that at that stage, looking broadly as what my functions and responsibilities were, \$2.7 million was a reasonable budget. Having been in this office for over two and a half years now, I can greatly appreciate some of the challenges that relate to the geography, and also some of the specific functions that I have—if we look at section 19 of the act, they are very broad. Travelling extensively, and giving priority particularly to Aboriginal children and young people throughout the state, is a challenge. At the moment, the budget is sufficient. I have had some preliminary discussions with the Attorney General about a review of that.

The appropriation was recommended.

Division 54: Office of the Information Commissioner, \$1 579 000 —

Mr J.M. Francis, Chairman.

Mr C.C. Porter, Attorney General.

Mr S. Bluemmel, Information Commissioner.

The CHAIRMAN: The member for Wanneroo.

Mr P.T. MILES: I refer to page 674 and the heading “Significant Issues Impacting the Agency”. The first dot point refers to the significant increase in applications for external review. Are any changes foreseen in assisting with the operation of the Freedom of Information Act 1992, particularly with regard to the political side of things versus the external? I know of people externally who have been trying to get hold of some information, but, because of the politics of the opposition in trying to jam up the system, they have been unable to get their freedom of information request through. Is there any possibility that there could be both a political channel and an external channel for FOI applications?

Mr J.R. QUIGLEY: I suppose that is an original question that has not been posed by the Attorney General!

Mr C.C. PORTER: I could not say hand on heart that I did not pose that question and was not expecting it! On various sides of our Parliament, there are strong views about freedom of information. If the member’s question is could we create a channel just for politicians to ask for information from other politicians, versus everyone else, the answer is no. I will allow the commissioner to make whatever comments he wishes. But I think that the problems have been a little overstated in terms of the office’s response. There is no doubt that there has been, if not an explosion, a rapid increase, in the number of applications by politicians apropos politicians. What the commissioner’s office does is deal with complaints. So, if a member of Parliament or a member of the public disputes whether a document falls inside the terms of a request, or disputes a refusal to hand over a document, and that person is dissatisfied, the commissioner deals with the complaint. The commissioner has found that there are a lot of complaints on hand, because the number of complaints received has spiked. But the commissioner has managed, for the first time in quite some time, through his diligence since being appointed—he is a very good commissioner—to get the number of completed complaints below the number of complaints received so that the backlog can be addressed. But we will not stop various people, whether they be journalists, public officers, citizens or members of Parliament, from making requests from members of Parliament. In those circumstances, there needs to be some realistic acceptance that when there is a doubling or a trebling in the number of applications, there will be a significant increase in the number of complaints, and they will take longer to deal with. I will let the commissioner speak about that. But I will say that, in my view, the commissioner within his limited budget is doing an extraordinary job in dealing with this matter. Finally, the issue that the member has raised—namely, people he has heard about who have made an application to an agency and the agency is not responding in a manner that the applicant thinks is timely—is not strictly speaking inside the ambit of the commissioner’s office. Obviously that is an issue that the commissioner deals with under his legislation, but complaints is the issue that is dealt with in the commissioner’s office.

Mr S. Bluemmel: Just to add to that, the external review or complaints function that I discharge is effectively a legal appeals function. I hand down decisions, they are legally binding, and the agency has to implement them; and there is then only a very limited right of appeal to the Supreme Court. The reason I want to remind everyone

here about that is that that means that my decisions have to be right. I have to make sure I get them right, because I am dealing with people's rights and obligations, and after me they may not get another go. Therefore, I cannot issue decisions off-the-cuff within a couple of days without going into the real issues that are before me. Only a very small proportion of issues come to me across the sector. About 12 000 FOI applications were made last year, and only about 180 of those came to me. Obviously, in terms of the number of matters that come to me, that is a huge spike. The average for the years before that was in the order of 90 to 100 appeals that came to me. Last financial year, 2008–09, there were 181 appeals, which was an increase of some 80 per cent. Obviously in an office where I have five people to assist me with decisions, that is very, very hard to absorb. We have gone down to a more historical—or something closer to a more historical—average. This year, we are probably looking at between 110 and 120 on forward projections. That is still a bit over, but through some of the things I have been able to implement in the office we have been able to get through those a bit more quickly. However, the act does require me to make decisions, where practicable, within 30 days. At the moment, anything that comes to me will wait anywhere between six and 12 months, unfortunately, just because of the backlog. We are slowly bringing it down, but it will take some time before we are back down to being able to resolve things within a month.

Mr J.R. QUIGLEY: I have just lost those figures, but there seemed to be a doubling in the matters for external review. Did I hear that correctly?

Mr C.C. PORTER: The external review can be broken down into citizens, prisoners, companies, media, members of Parliament, not-for-profit groups, and government agencies.

Mr J.R. QUIGLEY: We have not seen that breakdown. Is that in the annual report?

Mr S. Bluemmel: It will be in next year's annual report.

Mr C.C. PORTER: The total for 2009–10 was 18. I think that is complaints from members of Parliament.

Mr J.R. QUIGLEY: I am not interested only in members of Parliament. What I am concerned about is the number of external reviews where a decision for access is made in favour of the applicant. Would that be the majority of the resolutions? In other words, are the majority of the decisions in favour of access upon internal review, rather than for the application to be dismissed?

Mr C.C. PORTER: I will let the commissioner answer that, but I imagine that would be a hard thing to answer, because often it is the case that if there are 50 documents or 100 documents, or potentially 2 000 documents, for some documents, access will be granted upon appeal, and for other documents, access will not be granted. So it is hard to characterise what is a successful application.

Mr J.R. QUIGLEY: I am not saying total access, but even one document.

Mr C.C. PORTER: I will let the commissioner answer that. But, before he does, it is worth pointing out that the reason that this problem of backlog perhaps should not be overstated is that what has happened is that there has been a testing of the boundaries of applications, and of what is a proper and what is an improper application. So, for instance, applications that I have that ask for diary entries over three or six months, I have no complaint that those applications are made. But these are not applications that have been historical or usual. What the commissioner has done in cases like that is make a judgment about what is in and what is out and what is appropriate and what is not. That will stand to some extent as a precedent so that the number of applications of the type that are not appropriately based on a decision of the commissioner will obviously tail off.

[12.30 pm]

Mr J.R. QUIGLEY: I will cut straight to the chase, because that was a precursor question I asked, even though I have not got the answer to it.

The CHAIRMAN: Next we have a follow-on question from the member for Mindarie.

Mr J.R. QUIGLEY: It appears from statements in other jurisdictions that there has been no sufficient culture shift in agencies in favour of the presumption of access. That seems to be overloading some of the other systems in which agencies are still resistant to access. Is that the experience in Western Australia? Are we still having a little difficulty in bringing agencies to the barrier?

Mr C.C. PORTER: I will let the commissioner give his full and frank views about that. In my observation, as the minister responsible for the act and for the commissioner, there is no pattern of recalcitrance in agencies. The growth area has been in terms of members of Parliament, and I think that is a separate issue. The real question the member asks is whether we have recalcitrant agencies. I do not consider that to be the case. I will let the commissioner make his comments about that. The other thing I add—I invite the commissioner's comments—is that this is an area that is ripe for reform. Reforms will occur in this area. We are waiting to see what the commonwealth will do in terms of both privacy and freedom of information. The commissioner is presently conducting a review—\$200 000 has been allocated for that review. However, the commissioner will give the member his full and frank views on the current and future cooperative status of relevant government agencies.

Mr S. Bluemmel: To give the member some statistics from 2008–09 from my annual report of last year, of all applications made in that year across the entire sector—therefore not just appeals to me, but all of the 12 000—62.6 per cent resulted in full access being given, and 28.9 per cent resulted in edited access being given. That latter category is growing; they are documents given out but with portions —

Mr J.R. QUIGLEY: Redacted.

Mr S. Bluemmel: Redacted—that is right. Eight per cent were decisions to refuse access in total. Those figures are quite different for matters that come to me, because, obviously, they are a bit self-selected. The matters that come to me tend to be ones that have a bit more at stake: there might be some political issue or media issue and so on. Therefore, the figures in relation to me are quite different. In terms of my being able to say whether most of my decisions are in favour of disclosure or confirm non-disclosure, that is a bit difficult to say, and probably potentially misleading, even if I were able to give the member those figures. That is simply because during my handling of a matter, even though it is an appeals process and I can hear evidence under oath and so on, I undertake as much as I can by conciliation. Often a party during the conciliation process may disclose quite a bit more, and if the other parties still want the rest and to maintain their appeal with me, I have to make a decision that may look on its face that I was entirely against access; whereas, it is more accurate that during the conciliation process the other parties may have got 90 per cent of the documents they wanted, but on the last 10 per cent I found against them. Those figures therefore are not particularly meaningful.

In terms of the bigger question the member asked about a reluctance to disclose, I have been in the job now for more than a year and I can say that there is some of that, undoubtedly. However, I have not seen any deliberate effort to act in bad faith about that; that is, hiding documents, lying to me and those sorts of things.

Mr J.R. QUIGLEY: I accept that agencies are not acting in bad faith. I wonder whether the commissioner has perceived yet a cultural reluctance in agencies to disclose.

Mr C.C. PORTER: I am very happy to let the commissioner continue with that answer. I can only observe, with respect to the agencies for which I take ministerial responsibility, that, even with a litigious minister, the agencies on balance are forthcoming when it comes to FOI applications. I take FOI very seriously. But again I will let the commissioner speak about the attitude of the departments that he has come across in a year.

Mr S. Bluemmel: I should make it clear that I do not operationally report to the Attorney; I present those figures directly to Parliament and not to him. However, I agree with what is behind the member's question: in some places there is a culture of reluctance to disclose or to disclose fully. Encouraging agencies to disclose is something I have been trying to tackle in my term of office. Currently, it is a case of “if in doubt, don't disclose” in many cases.

Mr J.R. QUIGLEY: Yes.

Mr S. Bluemmel: Not always. Some agencies are very good, but a lot of them are in that grey area of “if in doubt, don't disclose.” I would like to turn that around so that it is a case of “if in doubt, disclose”. In fact the act contains immunities for officers of agencies who disclose provided that they are acting in good faith. If they disclose something and it turns out that it was exempt under the act, they are free from prosecution. Of course, what they are not free from potentially are career issues, shall we say. I do not think anyone has ever boosted their career by disclosing too much information in the public sector, but the converse is possibly true when someone's career may have taken a turn for the worse because that person chose to disclose in a grey area. I would like to turn that around. What I have been doing so far over the past year is go out and talk to agencies. I have talked to probably more than one thousand individuals now in the past year, including people in regions all over Western Australia, to encourage and to get that cultural change to happen.

The other thing that the Attorney mentioned is the FOI review. I have been given some funding to undertake a review of how well agencies are administering the act—not the letter of the act, but its spirit. That is something that I hope to present to the Speaker for tabling in Parliament in August this year. It is too early at the moment to tell the trends, but those questions the member has asked about the culture and the openness and readiness are exactly the questions I want answered in that review.

Mr J.R. QUIGLEY: Pending the tabling of that review, there are no more questions that the opposition has on this division.

The appropriation was recommended.

Division 55: Corrective Services, \$771 406 000 —

Mr J.M. Francis, Chairman.

Mr C.C. Porter, Minister for Corrective Services.

Mr I.D. Johnson, Commissioner.

Mr D. Creedon, Chief of Staff, Office of the Attorney General.

Mr I.A. Giles, Deputy Commissioner, Adult Custodial.

Ms H. Harker, Deputy Commissioner, Community and Youth Justice.

Ms J.T. Tang, Deputy Commissioner, Offender Management and Professional Development.

Mr G.A. Doyle, Assistant Commissioner, Corporation Support.

Mr J. W. Peach, Assistant Commissioner, Custodial Operations.

Mr P. PAPALIA: The minister last year very kindly accepted the proposition that we are constrained by time, that this is a large area to cover and that I had a number of questions prepared in advance. In the event that we do not get through them, the minister undertook to take them as read in for the purposes of providing information as supplementary information. I was wondering whether the minister would consider that again. The minister always has the option of not answering them in his own time. There is nothing tricky in the questions but some questions request a significant amount of data that potentially could not be provided today anyway. I first wonder whether the minister would consider that.

The other thing the minister undertook very kindly to do was suppress the natural enthusiastic inclination of government members of the committee towards shielding the minister, because he obviously did not really require it. Without wanting to suppress any real questions, again I ask whether the minister is willing to do that; it would be very helpful. I have 14 written multipart questions for the Department of Corrective Services, but there are a couple also for the Inspector of Custodial Services that we want to get through, too. I understand that the committee will take a lunch break as well.

The CHAIRMAN: I will deal with that issue, minister. Unfortunately, the member for Warnbro is not allowed to table papers or written questions.

Mr P. PAPALIA: No; no.

The CHAIRMAN: But outside the procedure of this committee —

Mr P. PAPALIA: Mr Chairman, this is an arrangement that occurred last year with the compliance of the minister involved.

The CHAIRMAN: I am aware of that, if the member will let me finish. Outside the arrangements of the committee, if the minister is willing to undertake that privately, obviously I will not allocate numbers to those questions.

Mr C.C. PORTER: I am, as long as the member is willing on a gentlemanly basis to agree not to bully my colleagues if they do not do the same for him!

Mr P. PAPALIA: The minister knows I would never bully his colleagues!

Mr C.C. PORTER: Excellent.

The CHAIRMAN: We will move on from that. I ask the minister to introduce for Hansard his advisers, please.

[Witnesses introduced.]

Mr P. PAPALIA: I refer to the major spending changes table on page 681 of budget paper No 2, and the first line regarding the state's only private prison, Acacia Prison.

Mr P.T. MILES: It is not private.

Mr P. PAPALIA: Okay—privately operated prison, Acacia. My question has a number of parts. Why did the contract exceed anticipated costs by \$1 million last financial year and again by \$1.542 million this financial year?

[12.40 pm]

Mr C.C. PORTER: This is the salary parity issue. Those cost increases relate to the fact that there are contractual obligations inside the Acacia prison services contract that require, if pay increases are granted to departmental staff outside of Acacia but inside the auspices of the department, those increases be reflected in the employment conditions of the contracted staff. Provision is made in the contract to maintain parity between the contractors' workforce and the general public sector workforce that I am in charge of as Minister for Corrective Services. Those payments are made to the contractor that relate to the proportion of wage increases above the consumer price index.

Mr P. PAPALIA: Can the minister confirm that in the out years it is expected that this contract will exceed its budget by up to \$10.6 million between now and the end of the term of government? If I am correctly reading it, is there more to it than just the equity between the private system and the public sector prison officers? Is it also related to the additional number of prisoners who have been placed in Acacia and are going to be placed in

Acacia? Are there any contractual implications if the department requires the contractor to take more prisoners over this period of time?

Mr C.C. PORTER: My understanding of the situation is that the line item that has been referred to is exclusively about wage parity issues. The principle behind that is that if wage parity is not maintained, employees at Acacia will be lost to the public system. We cannot operate the two concurrently. That being said, there are still significant savings per head for every prisoner that is domiciled at Acacia as compared with the public sector at large, but that line item is just about parity increases.

The second part of the question related to whether there is likely to be increases in the moneys flowing under the contract as the number of prisoners increases at Acacia with the expansion that we have planned. Yes; but my understanding is that that requires renegotiation of the contract above its peak of 1 000. That will not appear as —

Mr P. PAPALIA: What is the level? Is there a level at which it has to be negotiated?

Mr C.C. PORTER: That is right. Once the prison capacity is over 1 000, then the contract has to be renegotiated. Of course the extra wings that we are building at Acacia will take that prison population over 1 000.

Mr P. PAPALIA: In the interim, has there been any flexibility provided to the contract provider, Serco, with respect to obligations on it within the contract for prisoner engagement time and those sorts of KPI measurements? I know the minister is saying that this line item does not necessarily deal with that, but I think it is in the public interest with regard to the contract. Maybe there is another line item somewhere that might be more appropriate. Like all prisons, Acacia is overcrowded—what impact does that have on the contract? Is the company still required to meet all obligations or is flexibility provided? If flexibility is provided, what is that flexibility?

Mr C.C. PORTER: I may get Graeme Doyle to speak further to this, but that line item, as we discussed, relates to wage parity issues. It seems to me the question is generally does more money flow to Acacia by virtue of it having more prisoners in there —

Mr P. PAPALIA: Or are we asking them to do less for the same amount of money per prisoner; and they have got more prisoners so they get more money?

Mr C.C. PORTER: Or are there “shortcuts” in terms of what they are doing? My understanding is it is a definite no to the latter. It is the case that the more prisoners that go into Acacia, the more contract payments flow to them. That money appears as a line item inside the increases that were occasioned in the midyear review and Treasurer’s advance in the daily average prisoner population. They still receive money pursuant to their contract on a per head basis but this appears as a separate line item because it is in addition to the increased money that flows because of the increased population through the daily average prisoner calculation. I will get Graeme to add to that if I have said anything incorrect there.

Mr P. PAPALIA: Excusing the fact that this is probably the wrong line item, is the minister absolutely certain that there has been no reduction in the provision of contact hours, for instance, as a measure of provision of service? I note that there are significantly larger numbers in the prison but there is the same prison capacity. There has not been much in the way of expansion of workshops, educational facilities, or indeed the ratio of staff to prisoners, which is lower than the public system. Has there been no impact on the provision of that service?

Mr C.C. PORTER: I see the point the member is making. If I could perhaps answer it this way: it is undoubted that a range of prisons, including Acacia, are experiencing levels of pressure that they have not experienced in recent times by virtue of an increased population. That might mean adaptive changes in routine at Hakea or Acacia, or other prisons. In answer to the question, the prison receives a certain amount per head of prisoner which is meant to provide for certain services—from food and clothing to education, employment, training, and the provision of prisoner programs. My understanding is that none of those things are being cut back by virtue of the fact there are more prisoners. That would not make sense because a daily rate is still being paid into Acacia per prisoner to achieve a certain range of key performance indicators. It might be the case that the increased pressure in terms of sheer physical space in the prison has created some changes in routine—I do not deny that is a possibility—but I am not aware that any of those have significantly reduced any of the things that Acacia is required to provide to a prisoner pursuant to its contract. It is still doing all of the things it is required to do.

Mr P. PAPALIA: I refer to page 681, the fourth and fifth line items under “Major Spending Changes”. My question relates to the daily average prisoner populations. I have tried to extract an answer from the former Treasurer, who obviously was not across it enough—and that is no criticism of him. I would very much appreciate if the minister could explain how the daily average prisoner population is calculated; how that calculation is then used in projecting costs; and the budgeting process, if it is? Finally, why does that projection appear to indicate an expectation of a drop in prisoner numbers by around 220 this financial year, when the

prison muster has consistently grown from April 2009 until the start of this year, and now seems to have plateaued a bit?

Mr C.C. PORTER: This is an area that is not without its complications. Every time I explain it, I struggle to understand why it is done this way. Let me preface everything I am about to say by saying this is the way it has always been done.

Mr P. PAPALIA: I am not suggesting it is not; it is just I do not know how it works.

Mr C.C. PORTER: I appreciate that concession.

What occurs is that at a particular point in time an estimate is made of what the daily average prisoner population will be for the year that we are about to go into. That is taken in a very inelegant way by looking at a point in or about when the budget comes down in May, and it says that our daily average prisoner population now is what we expect it to be over the next 12 months. That is something of a legal or an economic fiction, if I can put it that way. It is a process of setting a base and then reimbursing for the increases that are expected but that we do not bother to try to quantify in May. The reimbursements will come with the *Government Mid-year Financial Projections Statement* and the Treasurer's advance. I accept it is the case—as did the Treasurer—that because of that way of going about calculating how much the system will require in the next year, and as we have had very large growth in the prison population, the amount required has increased. I will give members some examples that I think will help to clarify the situation. The daily average prison funding model has resulted in some pretty strong variations over the years. The total additional funding that occurred in 2003–04 was \$10.3 million; in 2004–05, \$18.5 million; in 2005–06, \$1.3 million; in 2006–07, \$9.2 million; in 2007–08, \$10.7 million; and, in 2008–09, \$15.7 million. It is, obviously, now a larger figure in the vicinity of \$49 million. It is always an underestimate.

[12.50 pm]

Mr P. PAPALIA: It is always an underestimate, so it is not an indication that the department expects measures it is taking now will result in a reduction of the muster by 220 by the end of the financial year.

Mr C.C. PORTER: No. It is purely mechanical, and it is simply the way that Treasury does it. It is not predicting what it thinks the daily average prisoner population will actually be throughout the 2010–11 financial year. It is just saying, as a fiction, that it will assume that it will be exactly as it is now; and, to the extent that that is exceeded, the process is through midyear review and the Treasurer's advance to recoup the additional expenditure. I would say that that may not be the best system in the world.

Mr P. PAPALIA: No; can I suggest, particularly in light of the past decade, that it probably does not really serve any purpose, or it certainly does not accurately predict what will be required.

Mr C.C. PORTER: No, but I add to that that one of reasons it has been done this way, I suspect, is that no-one has thought of a better system. That is because the growth in the prisoner population is lumpy. Although long-term trend lines can be drawn in a year and among seasons, there might be significant drops and significant increases at certain points in time. A trend line can be drawn, but drops and increases might occur sharply both ways, and, in effect, if we put it coarsely, it is so volatile over the course of a 12-month period that no-one thinks it is worth the effort to try to predict what it will be.

Mr F.A. ALBAN: Page 685 of the *Budget Statements* has a heading “Services and Key Efficiency Indicators”, which indicates that the net cost of service estimate for adult offender services for 2009–10 was \$515 million, up from the 2008–2009 actual of \$466 million, and projected to be \$529 million in 2010–11. Where do the increases come from? Does this represent value for money for the taxpayer, and could we redirect money from building projects to community-based projects?

Mr C.C. PORTER: That is a very good question, member. To be fair to other members, I will try to answer it as briefly as possible. Where does the growth come from? The member for Warnbro and I disagree on that issue of composition—it is very rare that I have the opportunity to put an alternative view.

Mr P. PAPALIA: What about every question time?

Mr C.C. PORTER: The member never asks me a question!

The member for Warnbro has the view that there are large pockets, or cohorts, inside the prison population that, in broad terms, perhaps could be better placed somewhere else. I take a different view, and the member for Mindarie agrees with that view. We have about 4 800 prisoners in the system at the moment. Who are they? What have they done? I have a very firm view—to a man and woman—that the prisoners in there, based on appropriate sentencing and criminal history and recognition of the offence that has occurred, should be there. In my view, there are not large pockets of that prison population who could appropriately go somewhere else. I know the member for Warnbro points to, say, fine defaulters in that regard, but I think that is an instructive category: if we consider fine defaulters, I think at the last count 18 people were in the prison system for that. If we take a snapshot look at the prison system —

Mr P. PAPALIA: I am focusing on, in particular, fine default that might lead to other convictions that ultimately result in, particularly, Indigenous people from remote communities being incarcerated on a cyclical basis because they do not have a licence at some stage or they lose it, and they then drive by necessity without one.

Mr C.C. PORTER: I do not disagree.

Mr P. PAPALIA: They have no capability to pay the fine.

Mr C.C. PORTER: I do not disagree that there is room for considerable reform to make sure that Indigenous people receive fewer fines in particular areas, and do not lose their driver's licence. But I do not think that that immediately translates to the proposition that the member put, which is that the fine defaulters in prison at the moment are either a large group or a large group who should not be there.

Mr P. PAPALIA: But those people I talked about are a large group, are they not?

Mr C.C. PORTER: Yes, but they are not in prison.

Mr P. PAPALIA: There are a few of them in Roebourne; I saw them when I was up there!

Mr C.C. PORTER: All I can do is give the member factual information. If we take a snapshot, as at 20 May—this is the most recent information available to me—18 people were in prison serving time for fine default alone; that is the only reason they were there. People who are serving fine default and other things —

Mr P. PAPALIA: I will concede that what the minister is criticising is legitimate when it is focused on criticising the nature of my question, which is constrained by having to write it down to try to extract that information from the minister.

The CHAIRMAN: The member for Warnbro will have the next question. This is not an opportunity to have an open conversation across the floor of the house without going through the Chair. I have been fairly tolerant, but the member for Warnbro has the next question.

Mr C.C. PORTER: There can be a misleading impression that those people who are serving time for fine default alone are people who are in prison for traffic offences and nothing else. The fines they have refused to pay—notwithstanding offers to put them on time-to-pay arrangements, and notwithstanding all efforts made to get fair payment of the fines—are for assault of a public officer; breach of bail; burglary; damage; damage to property; dangerous driving; being in excess of 0.08 blood alcohol content; extortion; misleading police; having no motor driver's licence with it being suspended; and possessing specified drugs—they were all individuals. Two people are in for drug possession, and another one is in for stealing as a servant. One is incarcerated for threatening to cause detriment; and one for unlawful common assault. I just do not accept that there is some cohort of prisoners who can be easily moved out of prison. If we look at the composition of the prison population, which we can do by way of pie charts or any other way that we want, the breakdown of the 4 840 people in prison as at 31 January 2010 is 18.6 per cent for break, enter and steal; 1.2 per cent for offences against property and the environment; 7.6 per cent for offences against justice and good order; 9.7 per cent for drug offences; 6.4 per cent for traffic offences, which will be very serious traffic offences; two per cent for immigration—an issue I raised recently—42.1 per cent for crimes against the person; and 12.1 per cent for robbery and extortion. In answer to the question of the member for Warnbro, I put an alternative view to the one that has been expressed that there is some easy cohort of prisoners who can be identified who should not be in prison: I think that that is not correct.

Mr P. PAPALIA: I will not pursue this now because it will soak up time, but I do not think I ever said it was an easy cohort to identify; I said that there are such people, and a lot of people agree with me, minister.

That aside, I would like to refer to budget paper No 2, volume 2, page 684, under the heading “Outcomes and Key Effectiveness Indicators”. How is the projected rate of imprisonment of 295 per 100 000 of adult population arrived at, which is up from the budget target of 230 per 100 000 of adult population at the last budget? How does that link to the projections for daily average prisoner population referred to earlier, if it does at all? Based on the dramatic change from last year's prediction to the actual result, why should we have any confidence in this figure? Is it another one of these ones that, historically, we just ignore and we provide because we have always done it?

Mr C.C. PORTER: The member has raised a good point, which, at its heart, is: if the department gives some kind of anticipation as to the daily average prisoner population next year, why is that not used as a basis for Treasury funding? The unfortunate argument is that that is just not how the Department of Treasury and Finance does it, as we have discussed. I will explain to the member how that figure is arrived at: that represents the midpoint between the high and low range of prisoner population projections for the end of 2010–11. The high range prisoner population projection is 5 736, and the low range is 5 009 as at 30 June 2011.

Mr P. PAPALIA: Is that for the end of the fiscal year 2010–11?

Mr C.C. PORTER: That is right—30 June 2010–11. This graph, which I helped develop with the department, has several lines on it. When I became minister, the ways the department was going about anticipating rises in the prison population were not as good as I would have liked them to be. I am not claiming that I have been some genius in it, but, together, we have tried to develop better modelling. The bottom green line is the lower bound projection for the prison population, and the lighter coloured line is the upper bound projection. That took into account natural rates of growth, growth in police—what we knew historically about the effect of growth in police—and legislative changes, including truth in sentencing, mandatory sentencing and basically everything that we could factor in. The member will see that the operational bed capacity is the maroon line and the actual population is the blue line, and both of them, it could be fairly said, represent a midpoint between higher and lower bound projections. Indeed, pleasingly, the operational bed capacity is now starting to exceed, relatively significantly, the actual population. I raise that diagram to show that what we have developed is a model that is working, I think, relatively well at this stage in being able to predict where we are at, but it is still very, very volatile.

The CHAIRMAN: I remind the minister that as members cannot table documents, it is very hard to incorporate a graph into *Hansard*. Please keep that in mind.

Meeting suspended from 1.00 to 2.00 pm

[2.00 pm]

[Mrs L.M. Harvey took the chair.]

The CHAIRMAN: Members, we have a quorum. We are on division 55. Member for Mindarie.

Mr J.R. QUIGLEY: At a law and order conference on the weekend the Chief Justice, when speaking of rates of imprisonment —

Mr P. PAPALIA: Excuse me; it is the line at page 684 of the *Budget Statements*, “Imprisonment rate per 100,000 adult population”.

Mr J.R. QUIGLEY: Yes; I am referring to the imprisonment rate per 100 000 population on page 684.

The Chief Justice said, in his address on Saturday at a conference at Notre Dame University, that by his reckoning of the rate of Indigenous imprisonment—he asked all attendees to bear this in mind when they went to bed—one in 12 Aboriginal males in Western Australia would be sleeping in a prison that night and that the Western Australian Indigenous population is becoming the most imprisoned Indigenous population in the world. First, does the Attorney General agree with the Chief Justice’s analysis of the situation; and second, what does he plan to do to correct it?

Mr C.C. PORTER: Is that analysis of the rate of Indigenous incarceration as a percentage of the total prison population?

Mr J.R. QUIGLEY: Of the Indigenous population; he said approximately one in 12 would be incarcerated.

Mr C.C. PORTER: In Western Australia?

Mr J.R. QUIGLEY: Yes.

Mr C.C. PORTER: I would have to look into how that figure is calculated. There is no doubt, and it has been a matter of some long and ongoing discussion, that there are high rates of Indigenous incarceration in Western Australia. But I think that one thing that needs to be borne in mind with respect to that level of incarceration is why it is the case. Again, the member for Mindarie has asked me what I am going to do about it, and a number of things are being done about it.

Mr J.R. QUIGLEY: We are in opposition; we cannot do it.

Mr C.C. PORTER: Indeed. When I was in opposition, the percentage rate of Indigenous incarceration increased from 34 per cent to 41 per cent. That goes to show that it is a very difficult problem to manage, because it is cross generational and cross portfolio. What I would caution as a starting position is that that has to be held in context to the facts that the reason why there is a high rate of Indigenous incarceration is the high rate of Indigenous offending. In a very interesting speech given by the President of the Children’s Court, His Honour Judge Reynolds, the point was made, specifically with respect to child offenders, that Indigenous imprisonment is the direct result of Indigenous offending. Whether the Indigenous persons are children or adults, the reason they are in jail is that a court, in determining that a sentence of last resort had to be used, had no alternative but to place those persons in prison. The member asks what we are going to do about it. I take that as a royal “we” in terms of the government. The things that can be done about it are to try to improve conditions in housing, welfare, education and health, as well as try to improve the programs available inside my two portfolios. Indeed, the programs available in my portfolios are going to be somewhat narrower than are those outside my portfolios. In answering an earlier question, I went at some length through all those parts of this particular budget that represent targeted spending in those communities in which we know that there are health, education and welfare

issues that increase the risks of offending. I put it to the member that in fact that sort of expenditure represents a far more serious treatment of the problem than what was experienced, with respect, under the previous government.

Mr J.R. QUIGLEY: In relation to both the Coroner's Court and freedom of information, the Attorney General wants to refer back to the period prior to his taking office. Looking forward, however, unless he is going to keep on pointing the finger backwards forever, the Chief Justice and, as I recall, the Commissioner of Police, Dr Karl O'Callaghan, asked what is the utility in imprisoning Indigenous people for driving under suspension when they can never get a driver's licence because of the standard questions on the licence form. For example, in the east Kimberley, Indigenous people are asked on the licence test to describe how to handle on and off ramps on freeways, when they will never see a freeway in their life. What is the point? What utility is being served by our society locking up Indigenous people for not having a licence, when they are driving in remote areas where they present no other problem to the community in terms of safety? They will just be locked up forever. That is a cohort the Attorney General challenged my friend from Warnbro to identify and it is the cohort that I have identified. What is the utility?

Mr C.C. PORTER: Again, there are two parts to that question: what is the utility of incarcerating Indigenous people per se and what is the utility of incarcerating Indigenous prisoners for that particular type of offence? I might just read the member a quick statement given that he has —

Mr J.R. QUIGLEY: Sorry, in relation to the Attorney General's first comment about the purpose of incarcerating Indigenous people generally, if they commit indictable offences of a serious nature, of course they are going to be incarcerated. I asked about a cohort.

The CHAIRMAN: I will just remind members that this is not a broad-based philosophical discussion. This is about division 55—the document that is in front of us.

Mr J.R. QUIGLEY: The rates of imprisonment.

Mr P. PAPALIA: Yes, it is flexible debate.

The CHAIRMAN: If the Attorney General is willing to take the question, it is fine.

Mr J.R. QUIGLEY: He has taken it.

The CHAIRMAN: I just want to remind members again that this is not a broad-based philosophical discussion. This is consideration in detail of division 55; Attorney General.

Mr J.R. QUIGLEY: Of a particular line item, being the rate of imprisonment per 100 000 of population.

The CHAIRMAN: Broadly speaking.

Mr J.R. QUIGLEY: No; I am speaking very particularly.

Mr C.C. PORTER: Madam Chair, I am very happy to answer the question —

Mr J.R. QUIGLEY: Thank you.

Mr C.C. PORTER: —because it identifies the rather simplistic approach that is sometimes taken in this area. The idea that I can decrease the rates of Indigenous incarceration as they exist in Western Australia at the moment through reform in that area—and I agree there should be reform in that area—is, with respect, simply ridiculous. The number of people who find themselves in prison for the reasons the member for Mindarie has just elucidated is very, very small indeed. And it will not make a major impact on the Indigenous imprisoned population. That is not to say that it should not be done. The reason it should not be done is, I agree, that the balance has not been properly struck in that area yet. The Minister for Indigenous Affairs and I have devised plans for regional and community Aboriginal licences in remote areas. Let me say, that is not going to be without complications. The fact is that a balance has to be struck between individuals driving without a licence, and the propensity of those people to fall inside the ambit of the criminal justice system, and also the purpose to be served in ensuring, for the safety and welfare of other road users, that those people are not driving without a licence. The member for Mindarie has suggested that it may be a matter of some simplicity to simply delineate those areas where it is safe to drive without a licence and those areas where it is not. Let me assure him, it is not as simple as that. If it were, he would have done it long ago. However, we will come up with a plan for remote and regional licences, but the idea that that plan will have a major impact on the rate of Indigenous imprisonment is simply a statistical nonsense.

Mr P. PAPALIA: It is just one cohort that he is raising; it is not the only —

Mr C.C. PORTER: Then he has come up with one idea that I agree with, so —

Mr J.R. QUIGLEY: But, in furtherance to that, at the same conference—at which, unfortunately, no government members were present—the President of the Children's Court spoke about his experience imprisoning Indigenous people who were in breach of restraining orders. He said that in these remote areas, a

woman gets a restraining order and then fairly soon invites the man to cohabit again. What with alcohol and a further assault, and given that she does not have the access or the wherewithal to have the restraining order lifted when she invites her partner back, there is that question of access to justice. The Attorney General could say to me that that is only a very small cohort of people who have been imprisoned for assault after a restraining order. But all these little cohorts make up the totality of this scandal we have in Western Australia, do they not? We have to attack all these little areas.

[2.10 pm]

Mr C.C. PORTER: There is no doubt about that. The President of the Children’s Court said in a speech that reads, according to my notes —

I must point out that the reason that such a high and grossly disproportionate number of Aboriginal children are sentenced to detention is simply and sadly that, as a matter of fact, they commit a high and grossly disproportionate number of the serious offences committed by children, which requires the court, when applying the law to the facts of the case, to impose the sentence of last resort, namely, detention. I am talking mostly about serious grievous bodily harms, with and without intent as a separate element; woundings; assaults occasioning bodily harm; aggravated robberies, including aggravated armed robberies; multiple burglaries; and stealing motor vehicles and driving recklessly.

The first point is that there is a tendency to put out the concept, which is not true, that the people who are imprisoned among those 4 800 and among the 200-odd in juvenile detention are there for matters of minor import, where the laws can be easily changed to ensure that they are not imprisoned. That is not the case.

Mr P. PAPALIA: No-one has said that. No-one on the panel on Saturday said that, but they all disagreed with the Attorney General about whether a substantial number of people are in prison who should not be there and who would be better off being dealt with in a more robust manner in the community if we provided proper resourcing and adequate alternatives to community corrections.

Mr C.C. PORTER: If the member wants to put specific comments to me as he has done, I am happy to address them. In fact, a lot of people take the view that the government takes—that the prison population at the moment represents people who deserve to be in prison. It is not something that I intend to shy away from. I do not disagree with the member for Warnbro that particular areas of law reform should be engaged in so that a better balance can be struck between community safety and the need to punish offenders. I would certainly identify regional licensing as one of those, and that is underway. I do not know whether I share the view of the member for Mindarie that there should be some form of relaxation of the level of imprisonment for breaches of restraining orders in regional, remote or urban communities.

Mr J.R. QUIGLEY: That is not what I advocated. I advocated access to have the order removed. And that goes back to legal aid.

Mr C.C. PORTER: I was interviewed recently by *Stateline* about the matter of Pickett. That was a matter, unfortunately, of a murder by a person who had breached a restraining order and who had previously breached a restraining order. I do not disagree, as I said in that interview, that modifications could occur to the very delicate issue of restraining orders. I do not disagree that all these areas are probably right for law reform. But I do not agree that if we make appropriate changes in the areas the member for Mindarie mentioned, they will have, either immediately or in the mid term, any significant impact on the prison population. Surely it is incumbent upon those who consider that there are alternatives to describe what the alternatives are, and that must be something more than saying that there needs to be “innovative community approaches”, because that is vague and fuzzy enough to be meaningless in the extreme. It is an easy thing to say in opposition or at a conference of one type or another, but it is very difficult to do in practice. Real inroads can be made in practical programs in the youth justice area in bail supervision, in finding responsible adults to dampen the growth in the number of juvenile remand prisoners. These are practical things that are being done. A vague statement is made about better community options but no-one actually delivers those with any specificity. The member has given me two, and I have said that they are right for reform, but they will not have an impact on the prison population. If members have ideas that are in excess of those that are already being done—I have gone back in the way we have spent money in really meaningful areas with really good improvements that can be progressively attained in health, education, social housing and welfare—I am very willing to discuss them, but members oppose have not presented them so far.

Mr J.R. QUIGLEY: The President of the Children’s Court advanced one on Saturday. I am sure he has advanced it to the Attorney General. He said, “I sit here sentencing Aboriginal children who switch off to me because I am a middle-aged white fellow. I would like Aboriginals to sit with me to communicate with the accused or prisoner before me. I would like mentors in the community.”

Mr C.C. PORTER: I have had these discussions with the President of the Children’s Court. First of all, as I understand it, he is a big supporter of the youth justice services we are now expanding in the Kimberley, and of

supervised bail. He is appropriately a supporter of that because it is working. Other things the President of the Children's Court mentioned is to be more expansive and accepting of programs for juvenile Indigenous persons who have come into contact with the prison system where those programs are delivered by the non-government sector. Again, balance has to be very carefully struck there because our government has responsibilities to the health, safety and welfare of children who come into the non-government sector as well as our own. The third thing the member for Mindarie mentioned is the idea that the sentencing process can be tailored to ensure it is more appropriate to Indigenous persons. The suggestion is a sound one in embryo, but where it has been instituted in this jurisdiction, and where we have gone through and looked at what has occurred in the Aboriginal community court, it has, far from being a silver bullet, produced worse results. I think that can be improved, but the member has now given me three suggestions —

Mr J.R. QUIGLEY: The Attorney General has been praised for continuing that because we do not know whether we are comparing apples with apples in Kalgoorlie.

Mr C.C. PORTER: Indeed. Again, that is a fallacy because I was very careful in that report to compare apples with apples. The one thing I asked was that we make sure that we look at a similar cohort of offenders who went through the Aboriginal community court —

Mr P. PAPALIA: The Attorney General raised that in Parliament and we listened to that when he answered a dorothy dixer.

The CHAIRMAN: This is an opportunity to ask questions, not to engage in ongoing debate. I have a list of people who are waiting to ask questions of the Attorney General. Member for Kimberley, do you have a further question on this issue?

Mrs C.A. MARTIN: I refer to some of the programs the Attorney General was talking about in the Kimberley to divert these young people from institutions. Is the government going to pay the communities? For 30 years I have been a part of this as well. I have watched it. Bail hostels have been established in the remote communities and the people there have been paid peanuts; the community had to contribute in part by providing community development employment program positions and things like that. The people most unable to provide philanthropy were asked to do so. Is the government going to pay them properly so that we are not imposing another level of responsibility without any resources or training? I know it costs \$100 000 a year in some cases to keep these people in custody. I am not saying to throw that at the community but I am asking: is the government going to do it properly? For 30 years it has not been done properly. If we keep trying to do the same thing for 30 years knowing it does not work, to me that is the definition of madness.

Mr C.C. PORTER: It is Einstein's definition of madness.

Mrs C.A. MARTIN: I know; he is a mate of mine!

Mr C.C. PORTER: The figure bandied around of how much it costs to incarcerate a person as \$100 000 is not accurate. I will not go into that detail because time is running short. To answer the member's question, what we are doing about expansion of regional youth justice services in the east Kimberley, the west Kimberley and the Pilbara is moving into communities government FTEs that were not previously there. Are we paying them properly? I believe we are. It seems to me that the member is getting at whether we engage enough with external providers and remunerate them well enough to ensure that the service is a solid one. The first part of the answer to that question is that this government, perhaps because of our philosophical heritage with respect to the viability of government services delivered in the private sector, is very keen to do that and we are doing that in this area more than we have ever done in the past. I will give an example of that. We have boosted the partnerships with external service providers, which has a really big effect in the enhanced delivery of services in the community and prison-based programs. One of the reasons we have been able to deliver more and more programs is we have had greater engagement of NGOs in the community.

[2.20 pm]

Mrs C.A. MARTIN: CDEP does not exist any more, which is a good thing.

Mr C.C. PORTER: Not-for-profit agencies are now delivering our moving on from dependencies program. One of the good things about those not-for-profit agencies is they have the flexibility to deliver the programs not only in prisons but also in the community. Are we engaging more with the not-for-profit NGO sector? I believe we are. I think the test of the fact that we are paying them a reasonable amount to engage their services is they are very keen to engage with us and provide the services, and it has to be that way. I see that as a very practical way to try to tackle the problem that we all agree exists. My level of frustration is that I hear the complaints about the problem in perpetuity. I rarely hear anything that resembles a high impact, sensible, practical solution, which is expressed in anything other than the most fuzzy and bizarrely vague terms.

Mrs C.A. MARTIN: In the places that I have been they have kept these young people away from the public because that is what they set out to do, basically. The infrastructure was appalling. Aboriginal affairs provided it.

There was nothing from the state government. It was always doing things on the cheap, which has been a concern to me for a very long time. We all know that remote Aboriginal communities have limited infrastructure and limited services, and we are putting kids out there. That is one of my concerns. The other concern is that if we do this on the cheap, we are never going to get real services. If we pay peanuts, we get monkeys. It is as simple as that. Is there a full commitment to see it through? I understand the argument about real wages and what the award says and that sort of thing. When we get these people out into these remote communities, near enough cannot be good enough. We have to ensure that there is a monitoring mechanism. I am asking the minister what that is. Firstly, once we get those kids out there, it is a closed shop. Secondly, they do not have any way of getting any complaint out because of the remoteness. Is there a mechanism to protect the rights and interests of these children as well?

Mr C.C. PORTER: Inside my portfolio area, I can say that in the east and west Kimberley and the Pilbara the types of services that we will start to roll out pursuant to this budget have simply never existed. In terms of professional staff, we will have a juvenile justice supervisor, an Aboriginal team advisor, a juvenile justice team coordinator, five youth justice officers, four Aboriginal support workers, one juvenile justice team Aboriginal support worker, one educational and vocational support worker and one community work supervisor in each of those areas. That is a substantial rollout of staff doing something that has been proven to work in Kalgoorlie and Geraldton. If I had to pick one thing that we could say we are doing in a practical sense to reduce Aboriginal incarceration, that is it. We can come up with other vague statements, more in the nature of complaints than a suggested solution, but rarely is there appropriate recognition of things that do work and governments doing the right thing; and this is one of them.

Mrs C.A. MARTIN: That is fine. Again, I come back to whether the rights and interests of those children are looked after, including their psychological needs. Most of those children have been traumatised at some stage in their life. Why are they in the system? It is usually about poverty again. Will there be psychiatric services for some of these kids? We all know that the majority of them are treading this really fine line between surviving for the day and not. Youth suicide is one of the scariest things in my community. When a kid is locked up, we know that there are problems. We know what happens when a child's freedom is taken away. That is why I keep coming back to the rights and interests of those children. We need somebody who can look after their psychological needs or deal with past traumas that have led these children to these places in most cases. Most of these kids are ex-welfare cases. That is what I keep coming back to.

Mr C.C. PORTER: I am happy to talk to the member personally about this at any time. I assure the member that this program has not been done on the cheap. In addition to those FTEs that I mentioned, there is a management structure with finance administration officers, clerical support and manager but there are also psychologists —

Mrs C.A. MARTIN: The minister did not mention that. That is why I brought it up.

Mr C.C. PORTER: I should point out that they will be fly in, fly out workers who will service all of these areas on a rotating basis. This is the full suite of measures in terms of delivering services to these communities.

The other point that the member raised very briefly is that it goes back further than my department alone can reach. I read out those things that are being achieved in this budget with respect to this problem. There is also the expenditure of \$5 million in royalties for regions funding in Roebourne for the Ngarluma Aboriginal sustainable housing process. That will have an impact on Indigenous welfare in that area, which is the only thing that will have an impact on rates of Indigenous incarceration in the long run. There is a tendency to gloss over the enormous amounts of expenditure and effort put in by successive governments and departments to try to tackle what is a very, very complicated problem. It is not cured by changing the laws surrounding licences.

Mr P. PAPALIA: My worst fears have been realised, and we are going to be really pressed for time. I make an undertaking not to make any philosophical statements to the minister. I ask him to do the same to me. If he can suppress the dorothy dixers, I would appreciate that. I will not ask any questions that are intended to create any sort of embarrassment. I am trying to illicit some information on behalf of the taxpayers of Western Australia.

The question I have relates to budget paper No 2, volume 2, page 681, the "Major Spending Changes" table, "Recruitment and Training". How many new prison officers will be recruited using the \$11.25 million allocated over the three years from last financial year? How many, if any, of these prison officers will be recruited from overseas? How many, if any, Aboriginal people applied to become prison officers in the past financial year? In relation to this question, how many Aboriginal applicants were successful?

Mr C.C. PORTER: They are the additional funds which total \$3.2 million, \$6 million and \$2 million. That will contribute to the cost of training 624 prison officers over the period 2009–10 to 2011–12. That will be delivered through 26 prison officer training schools. There will be eight in 2009–10, 14 in 2010–11 and four in 2011–12. As to the projected composition of those trainee places that may be Indigenous, I do not have that to hand and I am not aware that there are any specific targets. I can say that there are specific targets with respect to the new facility in Derby. One of my advisers can give the answer as to what that projected figure is. We are setting

ourselves a target in Derby of about 40 per cent Indigenous workforce in the prison. Obviously, it will be somewhat easier to recruit in that area.

Mr P. PAPALIA: I commend that. I convey to the minister a claim that was made to me. Perhaps he can look into it and let us know whether it is accurate. It has been suggested to me that 40 to 50 Aboriginal people applied to become prison officers in the past financial year as part of this new 300 recruitment drive, or whatever it is. The sceptical statement was that none of them was successful. I do not know whether that is accurate; it is a claim that was made to me. I am interested to find out whether numbers of that significance apply. Every time I talk to prison officers and superintendents, they suggest it is a cultural thing and not many people are interested in getting involved. That would suggest that we have had a good response but maybe our criteria prevent them from getting across the bar. Maybe there is an opportunity to look at that.

Mr C.C. PORTER: I am not certain as to the number of applications and acceptances or rejections in terms of the training schools. If that is part of the member's questions on that agreement —

Mr P. PAPALIA: The questions are the ones I read out. The information I just gave to the minister was anecdotal from a concerned individual who raised it.

[2.30 pm]

Mr C.C. PORTER: I will be able to access information about the Indigenous status of applicants and how many have been successful in recent training schools, for sure. I will undertake to do that to see whether or not there has been a disproportionate number of rejections and whether or not those rejections could be fairly avoided. One of the difficulties in this area is that there are certain minimum requirements that must be met, not dissimilar to, although not as stringent as, those for Western Australia Police. We are setting high targets in areas like Derby for Aboriginal employment; it is an important part of what we do. I would be distressed if there was an unfair level of rejection for recent training schools. I undertake to look into that and see whether it can be verified. The commissioner might just add something on that.

Mr I.D. Johnson: With the Derby project, we are going to run pre-employment training to make sure that we get job readiness specifically targeted at Indigenous people. We do realise, as the minister has already pointed out, that there are barriers if people have a criminal record and the like for eligibility to be a prison officer. We are mindful of that with the Derby project. However, because we want to achieve the targets we set, from a policy perspective within the department we are not going to preclude people just because they have a record.

Mr P. PAPALIA: That was another comment that was made.

Mr I.D. Johnson: Part of what we are about is rehabilitating people.

Mr P. PAPALIA: An observation was also made by the Commissioner of Police on the weekend that significant numbers of particularly Aboriginal males have records from when they were very young that pretty much lock them out of participation in society in a productive way in a lot of areas. He saw that as being counterproductive. It is an observation. We are very supportive of the Derby project and we were part of all of that, so it is not a criticism.

The CHAIRMAN: The member for Kimberley has a further question, but I am mindful of the time, and we have two more divisions to get through in 30 minutes.

Mrs C.A. MARTIN: Does the minister have the capacity to waive minor offences when people are applying for jobs? Does the minister have that right of waiver?

Mr C.C. PORTER: We have that capacity and we already exercise it. I would not have thought that the member for Kimberley, the member for Warnbro or me would be a huge distance apart in our views on how that should be relaxed. But it needs to be done cautiously, because we are all properly subject to public opinion on the prison system. If something goes wrong or badly wrong with a prison officer who has a criminal record and for whom we have relaxed the rules, there is a capacity if we go too far too quickly of bringing undone any future reforms we might wish to achieve in the area. As a minister I accept a certain degree of appropriate and cautious relaxation of rules surrounding criminal record in prison employment, and it should not be an absolute barrier. It is certainly not at the moment, particularly with respect to high targets like 40 per cent at Derby, and unless we are willing to relax that requirement we will not have any prospect of reaching that target. We are probably in agreement that is a rule that can be applied in a relaxed fashion.

Mr F.A. ALBAN: Under the fourth dot point on page 683 mention is made of a prison population of 4 886. Whenever incarcerations are quoted, there is always emphasis in the debate on the Indigenous component. I would like to know the proportions of other groups that make up this total population.

Mr C.C. PORTER: Given that time is running short and we have covered that in some detail, the point I seek to raise is that we have a high Indigenous rate of imprisonment. Making inroads into that Indigenous imprisonment or, indeed, the overall number of imprisoned persons requires identifying cohorts of people that we can prevent from going into prison in the immediate term or that we can remove from prison safely, having regard to

community safety and sentencing principles that say that sentences must reflect community expectations. Those cohorts are far from easily identifiable. I will be quick, but one issue I raise here relates to mental health issues. One of the ways in which we can measure people with mental health issues inside the prison system is by the type of medication that they are on. The statistics show overwhelmingly that those people inside prison who do suffer mental health issues are on medication for depression rather than any form of psychosis. There is inclination to think that, if someone is labelled, flagged or treated for a mental illness, that somehow identifies that person as a member of a cohort of prisoner who should not be there or who can be easily removed based on the premise that I have given. That is certainly not the case. The point that I will make very quickly is that that is a cohort of prisoners—those with some form of mental difficulties—that we can measure on medication. It is a very interesting difference between anti-psychotic medication and depressive medication.

Mr P.T. MILES: The minister referred to medication within the prison system. Does the prison system pay for that or is that claimable through some other method?

Mr C.C. PORTER: That is part and parcel of the requirements to ensure that prisoners are kept safely and humanely and according to appropriate standards. It is not merely a matter of trite anecdotal fact to say that many prisoners come into the prison system and receive better health treatment and diet than they do outside the prison system. Part of the reason that it costs such a large amount of money a year to have a prisoner incarcerated is because they are receiving a fairly high degree of quality health treatment. We set ourselves a standard that prisoners have to be treated in terms of health in standards commensurate with those in the community. They are best practice standards or average standards, if you like. All pharmaceuticals are paid for by this department. I think the bill for our ongoing health services to prisoners is \$28 million a year, so it is a substantial bill. No Medicare rebate applies to prisoners, so the commonwealth does not take a whip hand in helping us.

Mr P. PAPALIA: I refer to the “Service Summary” table on page 682 of budget paper No 2, volume 2. I assume that I will have to read in this question and hopefully the minister can get an answer back to me. Can the minister provide a breakdown of the amount of the money allocated to “Adult Offender Services” expressed both as a monetary figure and a percentage of the total amount that will be assigned for the cost of service provision at departmental headquarters; the cost of service provision in the state’s prison system, including details for amounts allocated to each prison—if possible, expressed as a monetary figure and percentage of the total; and the cost of service provision in community corrections, including detail of amounts allocated to each directorate—I understand that is what they are called? I would like the same information for “Juvenile Offender Services”, which is below that in the same table. If possible, I would like to get a breakdown of costs assigned to the departmental headquarters process, the cost associated with juvenile detention and the cost of service provision in community corrections.

The CHAIRMAN: Member for Warnbro, that is a very lengthy question.

Mr P. PAPALIA: Yes, it is.

The CHAIRMAN: I am wondering whether it would be more appropriate to place it on notice.

Mr P. PAPALIA: No, Madam Chair; we had this discussion earlier and I expressed my concern that we had a very compressed time for a large area for which we have a large number of questions. I canvassed with the minister whether or not I might be able to provide him out of session with the list of questions as supplementary and he would accept them as being read in or respond to them in that fashion. Yes, this is a long question. I suspect they will not be able to answer it right now but I am trying to get it on the record.

[2.40 pm]

The CHAIRMAN: There are two divisions to go and I am mindful of managing the time of the committee.

Mr P. PAPALIA: Bear in mind that we will drive how much questioning goes on in the other divisions.

Mr C.C. PORTER: I can get that level of detail for the member. Perhaps if he wants to ask subsequent questions, I can provide him with a brief breakdown, which might prompt any further inquiries that he has. This is a brief breakdown that is based on last year’s budget. I do not know whether these figures have been done for the current budget.

The CHAIRMAN: If the member has made an arrangement with the minister to have those questions answered, it is not appropriate, as part of this committee process, to read in an extremely lengthy question such as the member has just done. If the member has made an arrangement to have those questions answered by the minister, that is fine, but this committee is about —

Mr P. PAPALIA: I have just sat through some fairly lengthy discussions about opinions on different matters. I understand what the Chair is saying, but I do not think it will be too much of a problem for the minister to respond, as he was about to.

The CHAIRMAN: It is up to the committee to decide whether it wants to allocate time for the next two divisions.

Mr C.C. PORTER: I will give the member a basic breakdown. Corporate, which is, in effect, head office, to put it in a crude summary, was \$7.355 million last year; community youth justice was \$112.056 million; adult, which is all the adult prisons and detention centres, was \$225.445 million; professional standards, which is a sub-branch of corporate—this is an additional figure to the \$7.355 million—was \$4.513 million; offender management and professional development, which is all the prison programs and the delivery of those types of programs, was \$33.683 million; and corporate support was \$152.659 million, keeping in mind that inside corporate support resided the money that goes to the Acacia contract and the money that goes to the court security and custodial services contract and some other matters. I imagine that as well as the other issues the member has raised, we will be able to give him a breakdown of what it is anticipated to be over the next financial year and perhaps even a breakdown inside that. That at least gives the member a rough idea of the global budget, if he has any further questions, and of where the larger parts of it are going to.

Mr P. PAPALIA: A natural question to follow on—if the Chair indulges me—is: can the minister provide me with a breakdown of full-time equivalents within the headquarters of adult custodial and juvenile detention and within community corrections, as a reflection of where all the people are? Again, I understand that the minister cannot do that now.

Mr C.C. PORTER: I am sure that we will be able to provide that. In a recent report that we commissioned into community corrections services, one of the things that I asked the consulting group to do was to consider where FTEs are and where they might be moved to. It seems to me that there is room inside this and other departments to maximise the FTEs by moving them to where they are most productively employed.

The CHAIRMAN: With respect to the provision of information, minister, I need to clarify for this process whether that will be provided by way of supplementary information, as a question on notice or whether the minister will provide information to the member outside of this committee process.

Mr C.C. PORTER: The original agreement was that I would provide information outside the committee process, pursuant to the list of questions that the member would provide to me. If it is the case that a question —

Mr P. PAPALIA: I read that particular one in, if the minister is happy to answer that as a supplementary question.

Mr C.C. PORTER: My answer has not been fulsome in terms of the detailed question. If that question appears on the list, I will reiterate what I have said here and add any additional information that I can provide.

Mr P. ABETZ: On the very last line on page 681 of the *Budget Statements* is an item for royalties for regions and expanded youth justice services in the Kimberley and Pilbara. Could the minister please outline what these services involve? Is it part of the strategy of keeping people out of trouble in the first place, or is it a post-offending type of support service?

Mr C.C. PORTER: I thank the member. In deference to the questions that other members might have, this is something that we have gone over in some detail. I will simply say that it is meant to replicate the services that we have provided in Kalgoorlie and Geraldton. Those services have had a tangible, measurable impact on the rate of Indigenous incarceration.

Mr P. PAPALIA: A great Labor initiative.

Mr C.C. PORTER: I cannot think of another single program that has had as big an empirical impact on the rate of Indigenous incarceration as what we have done in Kalgoorlie and Geraldton. I am sure that rolling out those services across the state will make a substantial difference to the rate of incarceration when juveniles have been given bail but a responsible adult has not been found. It is more than just a supervised bail program. In those two areas, the increased number of juvenile justice team referrals increased very dramatically because there are FTEs on the ground ensuring that the appropriate services are in place for juveniles in terms of the diversionary orders that the police can give. I am very positive about that. It is an excellent way in which the royalties for regions money is being spent, because it targets a problem in the regions.

Mr P. PAPALIA: I have seen a business plan for rolling out youth justice centres in the Kimberley and the Pilbara that has identified an initial all-up cost in the first year of \$25 million, including capital works, with a recurrent expenditure of \$13 million thereafter. I understand that there is about \$13 million in the out years for operating the youth justice centres. Does this indicate that no capital works are needed to establish the facilities where all the participants will be placed, or will we have a bodgie version of Geraldton in the south east Goldfields?

Mr C.C. PORTER: No, it will not be bodgie. The basis upon which we planned for it was that we would lease the facilities, and so some of the funding that the member can see will be for the lease.

Mr P. PAPALIA: As long as the minister is not making Heather do it without enough money, because I would not want that to happen!

Mr C.C. PORTER: No, I can say that Ms Harker is pleased with the allocation. It seemed that ownership would have delayed the process. We have tried to hit the ground running by identifying the leases and getting going.

Mr J.R. QUIGLEY: I refer to page 684 of the *Budget Statements*. In relation to the prison population per 100 000, the minister said earlier that there abounds a view with which the minister does not agree; that is, there are people in prison who do not deserve to be there. That is something that the minister simply does not agree with. A necessary corollary, therefore, is that the minister thinks it is justifiable that we have the most imprisoned Indigenous population in the western world.

Mr C.C. PORTER: What I have said—I have said it consistently—is that, as the member would understand, sentencing in this jurisdiction is a sentence of last resort. As the president of the Children’s Court has pointed out, the reason that an Indigenous person or a non-Indigenous person ends up incarcerated is because the court, based on what that person has done, the person’s criminal history, the impact on the victim and the need to commensurately recognise the community’s view as to what is an appropriate sentence, has decided that there is absolutely no other option but imprisonment.

Mr J.R. QUIGLEY: Our Indigenous population is jailed at a higher rate than the Northern Territory.

Mr C.C. PORTER: We have a very, very efficient police service that is identifying and driving more and more people through the courts. Another cohort that has been identified is people who are serving terms of imprisonment of less than two years. That cohort was identified and, by implication, it is asserted that those people are in prison for minor offences or for offences that we might generally categorise as not warranting a term of imprisonment. In fact, I recall an article in *The West Australian* recently—the member might too—about a lady who had been assaulted in Carnarvon. She had received a terrible black eye. A 19-year-old man was sentenced to 12 months jail for bashing a woman during a brawl outside a Carnarvon hotel last month that left her with a punctured lung and other serious injuries. The fact remains that the average term of imprisonment in Western Australia is about 2.2 years.

[2.50 pm]

Mr P. PAPALIA: What was the maximum penalty for the offence for which he was charged?

Mr C.C. PORTER: I would imagine it is assault and bodily harm, which is 10 years, I think.

Mr P. PAPALIA: The Attorney General knows that the question I asked and the actual response he gave were in relation to those incarcerated for a sentence. Maybe I asked the wrong question, or maybe he got it wrong, but he knows what I am getting at—for which the maximum penalty was.

Mr C.C. PORTER: Yes, and I do not know whether that data is kept. We keep data for the actual length of imprisonment. I understand that the data that the member received was interpreted either wrongly by him or by my department, but it was an honest effort to give an honest answer. The point I am trying to make is that the average length of imprisonment is 2.2 years. To identify people as serving less than two years as somehow a cohort who should not be in prison does not recognise the fact that some people serve terms of imprisonment of eight months or 12 months for very serious offending. With respect to the member’s question—I do not intend to paraphrase it and give him some form of headline—the position remains that if people want to advocate for justice reinvestment and taking money that is otherwise allocated for the prison system and putting it into community-based programs, it is incumbent upon them to identify those people who can be safely removed from prison or safely not placed in prison in the first place, because that is the only way I can run a prison system with less money and less building. That, unfortunately, is a very difficult thing to do in the short term.

Mr J.R. QUIGLEY: The Attorney General referred to the conduct of Western Australian Indigenous people as the reason for their imprisonment rates. I understand him to be saying that Western Australian Indigenous people deserve to be the most imprisoned Indigenous population in Australia.

Mr C.C. PORTER: After years of cross-examining people and leading them into corners to get them to say things he wants them to say, the member for Mindarie gets lulled into a false sense of security!

Mr J.R. QUIGLEY: I have never done that in my life!

Mr C.C. PORTER: Whether one is Indigenous or non-Indigenous, one is imprisoned by a sentencing judge in open court, considering all the factors that are relevant. Given that that is the case, and bearing that in mind, all the people in our prison system have —

Mr J.R. QUIGLEY: Why do we have the highest rate in Australia?

Mr C.C. PORTER: There is a degree of caught criminality in Western Australia that is increasing as police technology and methodologies increase, and that is also having the fortunate and good side effect of decreasing

overall rates of crime on accepted measures. The way to reduce the prison population is not to stop investigating, charging and prosecuting crime.

Mr J.R. QUIGLEY: Is it not true that it states on page 684 at note 1 that the real reason for the increase in the prisoner population is the Prisoner Review Board?

Mr C.C. PORTER: Once again, the member is pointing to a statement and misrepresenting what it says. It is one significant reason for the increased rate of imprisonment, the change in outcomes being driven by the fact of a new chair of the Prisoner Review Board, but in that respect the chair exercises a judicial discretion to release or not release someone who is otherwise made eligible for parole by a court. In exercising her discretion, the present chair places particular emphasis on section 5 of the act, which provides that community safety is a paramount objective. In exercising her discretion in that way, she exercises discretion that is really beyond my comment, but to the extent that I have any comment, it seems to me that she is exercising her discretion sensibly.

Mr J.R. QUIGLEY: In view of the Attorney General's obfuscation, we surrender; there are no more questions.

The appropriation was recommended.

Division 56: Office of the Inspector of Custodial Services, \$3 051 000 —

Mrs L.M. Harvey, Chairman.

Mr C.C. Porter, Minister for Corrective Services.

Professor N. Morgan, Inspector of Custodial Services.

Mr B.J. Cram, Deputy Inspector.

Mr D. Summers, Director, Corporate Governance.

Mr P. PAPALIA: I refer to the last dot point on page 694, concerning the increase in prisoner numbers. I have a series of questions; I will ask them now because we are running out of time, and see if we can get through them. What kinds of resources are involved in the inspection of police lockups? Has the inspector done any assessment of what resources Western Australia will need to comply with UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment? Does the inspector view the current method of funding as adequate, noting that it is linked more to the number of prisons than to the number of people in them? Prisons such as Casuarina Prison now have double the prisoner population that they had in the past, and in my view there should be funding to deal with that rather than counting it as the same prison that it used to be.

Mr C.C. PORTER: I will give my views on those matters first and then pass the question over to the inspector. The second of the member's questions is about the UN optional protocol. He asked what extra expenditure might be necessary to bring the Office of the Inspector of Custodial Services into line. That is a difficult question to answer, but it is safe to say that OICS as it presently stands, in my view, is certainly already very close to being OPCAT compliant. My view is that what is required for the national preventive mechanism we have promised to establish through the commonwealth Attorney-General is very close to what we already do in Western Australia. That is not to say that there might not need to be some legislative changes or reconfiguration of the office, but it is very close to being OPCAT compliant at the moment. The commonwealth Attorney-General, in agreeing to sign the optional protocol, brought into place an Australian national preventive mechanism. It will not just be one national body; there will be a skeleton national body that will oversee all the state bodies. Western Australia's body is OICS. Whether it has a name change or legislative change, it is almost compliant. I invite the inspector's views on that.

As to the resources involved in inspecting police lockups, it is of course the case that OPCAT has a greater reach than that which is provided to OICS, and it may be that that requires some legislative modification, as well as funding issues. Until the New South Wales draft of the legislation comes out, we will not proceed with ours because it has to be at least harmonised throughout the jurisdictions, and New South Wales has agreed to take that on. I also invite the inspector's comments on that. I do not know whether it is fair to put the inspector in a position where he is asked to give an opinion on the way in which Treasury goes about its business, but it is obviously the case that with an increasing prison population, increased resources stress is put on the OICS. Equally, I do not think it is true to say that a 23 per cent increase in the prison population means that we must have a 23 per cent increase in funding. I will let the inspector give his views on each of those three matters.

[3.00 pm]

Professor N. Morgan: Thank you, minister. If I will work in the order the minister responded, I think he was absolutely right when he said it is compliant in terms of what we look at. The issue is what we do not look at, which includes mental hospitals, police lock-ups and so on. It is obviously a matter for ongoing discussion and further deliberation.

In terms of current funding adequacy, yes, the addition of extra prisoner numbers does add additional complexity and extra difficulty to the role. I do not have a particular position at this stage on the most appropriate funding model.

The CHAIRMAN: I am sorry, inspector, but we are out of time.

The appropriations were recommended.

Division 67: Environment and Conservation, \$186 503 000—

Mr P.B. Watson, Chairman.

Dr G.G. Jacobs, Minister for Water representing the Minister for Environment.

Mr R.P. Atkins, Acting Director General.

Mr J.R. Sharp, Deputy Director General, Parks and Conservation.

Mr A. Sands, Acting Deputy Director General, Environment.

Dr J.C. Byrne, Director, Chief Finance Officer.

Mr P. Dans, Director, Regional Services.

Mr G.J. Wyre, Director, Nature Conservation.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the chairman's intention 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. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which 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 committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the minister to cooperate with those requirements. 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. Only supplementary information that the minister agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

Would members ask their questions in a loud voice, please, as we have somebody here who is hearing impaired and Hansard is providing a real-time transcript for him.

Mr J.E. McGRATH: He was here last year.

The CHAIRMAN: I know he was, but I did not know whether the member was. I am glad that we have sorted that out.

Mr F.M. LOGAN: Before we get to the guts of division 67, which I believe is the one we will deal with first, I ask the minister where the director general is? Normally the director general attends these hearings. Is this another DG the government has got rid of?

Dr G.G. JACOBS: This is not starting very well.

Mr F.M. LOGAN: Answer the question. Where is he?

Dr G.G. JACOBS: I am carrying this portfolio for the Minister for Environment in the Legislative Assembly budget estimates and I believe that the director general is on leave.

Mr F.M. LOGAN: Does the minister believe that or is he on leave?

Dr G.G. JACOBS: I have been informed that the director general, Keiran McNamara, is on leave.

Mr F.M. LOGAN: It is an unusual time for him to take leave.

Mr M.J. COWPER: I will open the batting with some good questions. I refer to the line item “Bushfire Suppression” at page 817 under the heading “Major Spending Changes”. Given the favourable weather conditions, can the minister or one of his advisers give an update on whether the targets have been met this year for fuel hazard reduction?

Dr G.G. JACOBS: I thank the member for the question.

Mr M.J. COWPER: It is very dear to my electorate, as the minister would know.

Dr G.G. JACOBS: At page 817, under “Major Spending Changes” there is an allocation of \$16.36 million in the 2010–11 budget for bushfire suppression. I will come to the areas shortly. The funding for the expected full cost of bushfire suppression has been included in this budget, which is different from previous budgets. The previous practice was to have large claims, adding excess at the end of the financial year. There is a bit of planning in the bushfire suppression area. I am advised that 197 000 hectares is involved. The target is 200 000. We expect to reach the 200 000 this month.

Mr M.J. COWPER: That is commendable.

Mr C.J. TALLENTIRE: What is the connection between the number of hectares burnt and the effectiveness of a fire safety regime?

Dr G.G. JACOBS: As that is a technical question I will refer it to Mr Dans.

Mr Dans: Research over a number of years has told us that the closer we get to our nominal target of 200 000 hectares, the hectares affected by wildfire in the subsequent four or five years is generally less. That has been shown over a number of years of data.

Mr C.J. TALLENTIRE: What is the point in burning hectares that might be many kilometres away from human dwellings? It could be in isolated areas.

Mr P. Dans: We try to have a mosaic of fuel ages throughout the state forest areas. It is no good having low fuel buffers around town sites when fires can develop to extreme size and intensity a distance from town sites if fuel ages are too old. By having strategic low fuel areas, when a fire runs into an area of lower fuel there is generally a lesser fire intensity and it will allow safe suppression to be attempted. That is why rather than just focusing on fuel reduction around town sites we seek for that mosaic of low fuel areas throughout the whole state forest and parks landscape.

[3.10 pm]

Mr D.A. TEMPLEMAN: I refer to the section on major spending changes on page 817 of the *Budget Statements* and note that the previous budget showed that an estimated \$5.5 million would be spent on voluntary severances in 2009–10. In which areas were those severances offered, how many officers of the department took those severances, and why?

Dr G.G. JACOBS: I will refer that question to the acting director general.

Mr R.P. Atkins: The severances were across a broad range of our businesses. I do not have details of which business areas yielded which severances. I will ask Dr Byrne to go through the numbers in a moment in terms of total severances. I can say that there were a broad range of severances across the business.

Mr F.M. LOGAN: Further to that question—maybe this will help Mr Atkins—what Mr Atkins has just told the committee is not borne out by the figures in the budget papers. He said that there have been severances across various divisions and areas of the department. The *Budget Statements* do not show that at all. The figures are provided in the budget papers for 2008–09 and 2009–10 and the proposed figures are given for 2010–11, so effectively there are three years’ worth of FTEs, which would clearly show where those severances were occurring. Mr Atkins just told the committee that the severances were across a wide range of DEC, but the figures for all the divisions within DEC in these budget papers do not bear out what he has just told the committee, apart from one. I refer to the item on sustainable forest management on page 821 of the *Budget Statements*, where we see a reduction of 85 employees between the 2008–09 actual figure and the 2009–10 budgeted figure, only to have 88 employees probably being re-employed and continuing on in their employment under the 2010–11 budget target figure. What are the facts of the matter? The *Budget Statements* show on page 817, under major spending changes, that the department has spent \$5.547 million on severance pay. The acting director general cannot tell the committee where those severances have taken place but he did advise that they have been across the entire department. When we go to the budget papers and look at the entire department, that does not seem to be the case. It appears that there was an intended drop-off of 85 employees under sustainable forest management between 2008–09 and 2009–10 and then a re-employment of 88 employees between the 2009–10 budgeted figure and the 2010–11 budget target, in addition to the fact that in 2009–10 there were 324 people on the books in sustainable forest management. Can the minister advise what is going on? Where has that

money been spent? How many people have been terminated? Why is there such a disparity between the 2009–10 figures and the 2010–11 figures under the item on sustainable forest management?

Dr G.G. JACOBS: I thank the member for his very long-winded question. The advice I have is that it was a one-off allocation for the government's voluntary severance scheme. I cannot tell the member the range but I can tell him the number—52 DEC employees left under the 2009 scheme. That is the advice I have. I may refer the question to someone else if the member wants to know the spread of that, but I have no more information at my fingertips. I will refer the question to Dr Byrne.

Dr J.C. Byrne: I confirm that the number of voluntary severances was 52. The areas basically relate to the three per cent efficiency dividend. They are not in this year's *Budget Statements* but in last year's *Budget Statements*, through a number of areas where the three per cent efficiency dividend would be applied. The government's targeted voluntary severance scheme had the aim of achieving that three per cent efficiency dividend. Basically, the reduction is across those areas. With regard to the member's question about sustainable forest management, the 2008–09 actual figure was 326 FTEs, the 2009–10 estimated figure is 324, and the 2010–11 budget target is 329, which is a very small variation in numbers.

[3.20 pm]

Mr F.M. LOGAN: I have a further question. Despite the advice we have received from Dr Byrne, it still has not answered the question. Regardless of whether it was government policy on the three per cent efficiency dividend, and regardless of whether it was government policy to offer voluntary severance, the question was simple: where did the severances occur and how many people from each section of the department were offered and took voluntary severance? Despite Dr Byrne's protestations, the figures in this paper do not tally with what he has just told this committee, and neither do they tally with what Mr Atkins told the committee. Further to that question, I accept the fact that possibly only two people may well have lost their employment between 2008 and 2009. If we look under "Sustainable Forest Management" on page 821, we see that there were 326 FTEs in 2008–09 and the estimated actual of 2009–10 shows there will be 324 FTEs, which is a difference of only two jobs. Why was it planned that 85 employees would be taken out, because the budget target was for 241? In fact, in the proposed future budget target for 2010–11, why are we back to more than we had in 2008–09, with 329 employees? They are fairly straightforward questions. We know why the severances occurred—it was government policy—but where did they occur and how many FTEs were involved with respect to sustainable forest management?

The CHAIRMAN: Member for Cockburn, could you make your questions a little shorter please, because it is only encouraging the minister to give long answers.

Dr G.G. JACOBS: The member for Cockburn asked how many FTEs were involved. I said 52. If he wants a breakdown of where those severances occurred and in which areas, I am prepared to provide that information to him.

Mr D.A. TEMPLEMAN: This is quite remarkable. Given the number and the significance of the figure, that information about where these positions were cut should be available for the committee. That is the point of the question. If the minister cannot provide that information, I am quite surprised. If we are going to get them in a supplementary answer, it is a bit of a mockery of this process. Since I asked the first question, I would therefore ask that the minister provide the committee as supplementary information a breakdown of the positions of the 52 employees who were given voluntary severance and an explanation of those figures highlighted under "Sustainable Forest Management".

The CHAIRMAN: Minister, could you tell me what supplementary information you are going to provide?

Dr G.G. JACOBS: I am happy to provide the breakdown of the 52 positions to the member for Mandurah.

Mr F.M. LOGAN: The other part of that question asked for an explanation of those figures on page 821 under "Sustainable Forest Management". The minister has six advisers present. I understand he cannot answer those questions.

The CHAIRMAN: Members, we getting off the track here. I want to know what the supplementary question is and when we get that out of the way, the member can ask another question.

Mr D.A. TEMPLEMAN: The second part of the question —

The CHAIRMAN: I want to get the supplementary question done first. Could you read it out? We did not get the whole lot because he was interrupted.

Dr G.G. JACOBS: A lot of people are doing a lot of talking.

The CHAIRMAN: I just want you to talk at the moment.

Dr G.G. JACOBS: I am prepared to provide the breakdown of the positions of the 52 employees who received a voluntary severance and the role of those people. There was another part of the member for Mandurah's question.

Mr D.A. TEMPLEMAN: The question related to the figures highlighted by the member for Cockburn regarding the numbers under "Sustainable Forest Management" on page 821.

[Supplementary Information No B1.]

Mr F.M. LOGAN: I take the minister to the second last item under "Major Spending Changes" on page 817, "Salaries and Superannuation Escalation". He will see that the figure in the 2010–11 budget is \$760 000 and then it jumps in the out years to \$3 million, \$2 million and \$5 million. Why is there such an uplift?

Dr G.G. JACOBS: These are budget increases provided by the Department of Treasury and Finance for future pay increases and superannuation. Perhaps I could refer that to Dr Byrne for a little more detail if required.

Mr F.M. LOGAN: Through you, Mr Chair, it is just that the escalation is quite significant, particularly as it goes to \$5 million in the out years.

Dr J.C. Byrne: There are two factors that relate to the increase in provision for salaries and superannuation. One factor is that salary increases are progressive: four per cent this year, four per cent the following year and four per cent the year after. We have 12 per cent after three years but the figure is four per cent. That is one reason it increases. The other factor is that this government is increasingly funding the unfunded balance of the superannuation. There is a large unfunded liability. The government is increasingly funding that and part of that funding is built in there.

Mr C.J. TALLENTIRE: I refer to the line item on re-cashflow on page 817. I would like some details on each of the items that are listed there. What is the actual re-cashflow figure, especially for the 2010–11 budgeted estimate year if that is possible?

Dr G.G. JACOBS: I thank the member for Gosnells for the question. It relates to projects required to be cashflowed through the forward estimates. They are listed on that page. There is essentially a table. For the Burrup and Maitland Industrial Estates Agreement for 2009–10, the figure is a negative \$850 000 and for 2010–11 it is negative \$2.6 million. They have been recashflowed into 2012–13 and 2013–14, being \$1.05 million and \$2.4 million respectively. Is the member happy for me to go on?

Mr C.J. TALLENTIRE: I am especially interested in the Kimberley science and conservation strategy and also the low emissions energy development fund.

Dr G.G. JACOBS: The expenditure for the low emissions energy development fund for 2009–10 and 2010–11 have been recashflowed into 2011–12, totalling \$4.89 million. The amount allocated to the Kimberley science and conservation strategy in 2009–10 of \$694 000 has been recashflowed, totalling \$294 000 for this financial year coming, \$200 000 in 2011–12 and \$200 000 for 2012–13.

Ms A.J.G. MacTIERNAN: Could we have the figure for the Brookdale decommissioning? What was the figure and what is it now?

Dr G.G. JACOBS: The figure for the Brookdale decommissioning was \$2.2 million. That has been recashflowed from 2009–10 to 2010–11.

Ms A.J.G. MacTIERNAN: Has it been moved out one year?

Dr G.G. JACOBS: Yes, that is my reading of it.

Ms A.J.G. MacTIERNAN: Is there a reason for that?

Dr G.G. JACOBS: I will have to refer that reasoning to the acting director general.

[3.30 pm]

Mr R.P. Atkins: The reason for moving it out one year is that the site investigations and detailed site management plan that is currently under preparation is taking longer than was expected. When that plan is finished, it has to be presented to the Office of the Environmental Protection Authority. We expect to do that in the next financial year. Once it has been through the Environmental Protection Authority, then we will be able to proceed with the remediation works. Of those funds that have been cashflowed forward, \$2.2 million is for remediation works and it is proposed to do that work through the Water Corporation.

Mr J.E. McGRATH: I am interested in the level of financial support the government will provide for community organisations that are active in the many environmental and conservation programs at a local level. I refer to page 826, under "Details of Controlled Grants and subsidies". I wonder whether the minister can provide some details on the line item "Environmental Community Grants Program"?

Dr G.G. JACOBS: I thank the member for South Perth, and I am sure he will be actively involved in asking questions in and around the Swan River Trust as well. One of our election commitments was to provide \$6 million in environmental community grants and I will provide a breakdown for the member. The budget allocation of \$1.53 million includes \$1.5 million from the actual grants program, plus an additional \$30 000 under statutory condition of environmental approval for the Fiona Stanley Hospital project. These activities will be funded around those community issues that the member referred to: biodiversity, sustainable catchment management, wildlife carers, nature appreciation, regional parks and Bush Forever sites, and support for major conservation and environmental organisations. Applications are assessed on their projected benefits to the environment, and priority is given to projects sponsored by the community and not-for-profit organisations; however, local government is also eligible and is encouraged to apply for the funding. Grants will range from small amounts of around \$500 up to \$30 000. To give the member for South Perth an indication of how well these have been received, 280 applications were received in 2009 and, of these, 140 projects were awarded grants. A second round closed on 8 April, and is currently being processed. There has been another strong response, with 247 applications received. We think this is a very good project that involves the community. It is about culture change and getting people onboard with projects. I think it is a very good program.

Ms A.J.G. MacTIERNAN: I am trying to understand how the department brings to account its costs in restoring state forest that has been logged. First of all, I would like the minister to clarify that that comes under the “Sustainable Forest Management” area?

Dr G.G. JACOBS: Could the member give me a reference?

Ms A.J.G. MacTIERNAN: I refer the minister to page 821. We have just had quite long discussion about the sustainable forest management area. Does the work that is done by the department in restoring land that has been logged under the Regional Forest Agreement come under this item of the department’s expenditure?

Dr G.G. JACOBS: I might refer this detail to Dr Byrne.

Dr J.C. Byrne: Part of the restoration of the land is in sustainable forest management service and part is directly funded by the Forest Products Commission, which lets contracts to re-establish areas. Part is funded through sustainable forest management output in the *Budget Statements* and part by the Forest Products Commission. The Forest Products Commission makes a payment to Treasury for the value of the work that DEC provides to it, and that money is passed on by Treasury to the department as part of the appropriation for sustainable forest management.

Ms A.J.G. MacTIERNAN: I need to clarify this as I do not quite understand what the adviser is saying, because we are told by the Forest Products Commission that the basic act of the burns, for example, that are done in the restoration phase are costs that accrue to DEC. What percentage is covered by this agency and what percentage is covered by the Forest Products Commission, because it is not acceptable for this to be concealed? We need to know how we can bring this to account.

Dr J.C. Byrne: Some of the activities, for example, replanting trees, are done by the Forest Products Commission at its expense, whereas regeneration burning is done entirely by DEC. We can get figures for what the Forest Products Commission pays because it is a works program that we do for the commission. It pays the cost of the work program to Treasury, which passes on the money to us. We can get a breakdown for the member of what the costs of the work program are.

Ms A.J.G. MacTIERNAN: I need to clarify this. What is being said is that in work such as regeneration burns all the work that is done by DEC is paid for by the Forest Products Commission. Is this through a direct grant? I would prefer Dr Byrne not necessarily to be behaving as a minister, but behaving as a public servant because I am trying to find the truth here, not a justification. It is one thing to say that Forest Products Commission pays a generalised dividend and then Treasury gives money to the DEC. That is not what we are talking about. How do we find out how much it costs DEC to do the work that it does?

Dr G.G. JACOBS: I will refer that to Dr Byrne.

Dr J.C. Byrne: We can provide supplementary information because the member wants a fair bit of detail about the cost of the various components, and we can do that information by supplementary answer; that is, the cost of each component of the work that DEC does for the Forest Products Commission.

Ms A.J.G. MacTIERNAN: I would like that as supplementary information; that is, the costing of each item of work that the Department of Environment and Conservation does for the Forest Products Commission.

Dr G.G. JACOBS: I am happy to provide that.

[*Supplementary Information No B2.*]

Ms A.J.G. MacTIERNAN: As part of DEC outlining its work in this area, it knows that there are various blocks or coupes that are to be logged. Is a costing done? Does DEC have a schedule of work that it is going to do for

the Forest Products Commission, and is there a sub item of costing held against the work for that particular block?

Dr G.G. JACOBS: I do not have that detail myself. I refer that to Mr Peter Dans.

[3.40 pm]

Mr P. Dans: Yes, there are generalised local agreements between the local DEC and FPC representatives responsible for the actual harvesting operations in the various coupes in each of the forest regions. Those agreements, generally at senior officer level, work out the arrangements for the actual services the FPC wants from DEC—mainly in respect of karri regeneration burning and the post-harvest burning of jarrah. They are the main services we provide—although we provide some other aspects of the whole, complete harvesting operation that DEC is also involved in—and generally rates are agreed and arrangements are made on a coupe-by-coupe basis for that particular work.

Ms A.J.G. MacTIERNAN: I would not expect Mr Dans to have this information on hand, but could we have details of the work that has been agreed to be provided by DEC for FPC in relation to the Mundlimup forest in Jarrahdale? That is, the work that has been agreed to and the rate at which that work will be charged.

Dr G.G. JACOBS: I agree to provide that.

Ms A.J.G. MacTIERNAN: Thank you, minister.

[*Supplementary Information No B3.*]

Mr I.C. BLAYNEY: The second dot point on page 818 refers to the great western woodlands as being among the agency's priorities. What progress has been made in implementing this strategy?

Dr G.G. JACOBS: This area is in fact close to my heart because the great western woodlands area is almost entirely contained in the electorate of Eyre, which I represent. Essentially, there has been significant government recognition for developing and implementing a biodiversity conservation strategy for the great western woodlands and the government has committed \$3.8 million. It is about managing and protecting. The woodlands, as I have said, represent a very large area of my electorate. It is eucalypt woodland. It faces a range of threats. It extends over 16 million hectares.

Mr D.A. TEMPLEMAN: But the government is only spending \$800 000 over four years—according to the budget papers.

Dr G.G. JACOBS: Yes; I will talk about that shortly, if I may.

Mr D.A. TEMPLEMAN: Two hundred thousand this year and then \$300 000 and another \$300 000.

Dr G.G. JACOBS: Yes.

Mr D.A. TEMPLEMAN: If it were a high priority, I would have thought that the three-point-whatever million dollars the minister is referring to would appear in the budget papers as a priority; unless they appear somewhere else.

Dr G.G. JACOBS: The government has already committed to look at implementing a biodiversity conservation strategy. The reference that the member for Mandurah makes to figures in the budget is to do with the some of the development involved in looking at the development of the woodlands.

Mr D.A. TEMPLEMAN: Where is the other \$3 million? In his preliminary comments, the minister mentioned a \$3.2 million government commitment, but in the budget only \$800 000 appears. Where else in the budget does this priority appear? There must be other works budgeted for but not referred to in the budget as a line item—or am I reading it wrong?

Dr G.G. JACOBS: Yes.

Mr D.A. TEMPLEMAN: The member for Geraldton is asking a question that has clearly been prepared for him. Where is the priority for the great western woodlands—as per the dot point on page 818—in the budget? Eight hundred thousand dollars, but only \$200 000 will be spent this financial year. What that money will be spent on is the question that I think the member for Geraldton should be asking! We should be getting detail about where the rest of that \$3.2 million is that the government has committed to according to the minister's comments at the beginning of his answer.

Mr F.M. LOGAN: The member for Geraldton wants to know!

Dr G.G. JACOBS: Some capital works issues are included in the figure that the member has referred to and they are detailed on page 824 of the *Budget Statements*, and include—I will get to the \$3 million the member referred to in a minute—\$800 000 and \$200 000, \$300 000 and \$300 000 in the out years for the great western woodlands.

Mr F.M. LOGAN: That is only \$1.6 million. The member for Geraldton already has his media release ready to go on this!

Dr G.G. JACOBS: The advice I have is that the Minister for Environment is keen for there to be input into the strategy document being developed with stakeholders to ensure conservation activities. We obviously have some concerns about the interaction between conservation, pastoralism, mining, tourism, recreation, forestry and, indeed, Indigenous and local government interests.

Mr F.M. LOGAN: Where is the money?

Mr D.A. TEMPLEMAN: At the beginning, the minister championed the fact that the government was committed to spending \$3.2 million. All I am saying is that in the budget papers we see only \$800 000 over this budget year and the next two years after that. Where is the other \$2.4 million highlighted by the minister as the government's wonderful contribution to the great western woodlands? As we see it, there is only a line item for \$800 000 spread over the next three years.

Mr M.J. COWPER: That is page 824 and the Kimberley conservation strategy.

Mr D.A. TEMPLEMAN: No, no; it is the great western woodlands.

Mr F.M. LOGAN: You are in the wrong place, mate! You are lost.

The CHAIRMAN: Members, if you have any queries, you come through the Chairman and not have your own opinion on the side.

Mr M.J. COWPER: I was only trying to help my colleague.

Dr G.G. JACOBS: Thank you, member.

The commitment that we have made at the start is for \$800 000—that is, the \$800 000 in the budget. However, this government has made an overall commitment to a strategy and that is the figure that has been put on developing the strategy into the future.

Mr D.A. TEMPLEMAN: And how much is that? The minister said \$3.2 million.

Dr G.G. JACOBS: It is \$3.8 million.

Mr D.A. TEMPLEMAN: It is \$3.8 million; where is the \$3 million?

Dr G.G. JACOBS: We made a start, member for Mandurah.

Mr D.A. TEMPLEMAN: Yes, but the fact is that the government made a commitment. I know the Premier has said the forward estimates mean nothing; however, if the government has stated that it has made a \$3.8 million commitment, where is the other \$3 million? And what work will be done? What will the \$200 000 budgeted in this financial year buy the department in terms of its commitment to protecting the great western woodlands? The government cannot say it is the great protector of the great western woodlands and that it is investing \$3.8 million, but in the next three years spend only \$800 000.

Ms A.J.G. MacTIERNAN: In the next four years, because there is nothing in the final year.

Mr D.A. TEMPLEMAN: That is right. I think the minister is misleading the committee. The member for Geraldton asked the question and the minister —

Mr F.M. LOGAN: It is a good question.

Mr D.A. TEMPLEMAN: It is an excellent question; I wish that I had asked it! However, the minister championed the government's commitment of \$3.8 million—but there is not \$3.8 million in the budget papers!

Mr F.M. LOGAN: Is it under the bed?

The CHAIRMAN: One at a time, please.

Mr F.M. LOGAN: Where is the money?

Mr D.A. TEMPLEMAN: The member for Geraldton probably wishes that he had not asked the question.

Ms A.J.G. MacTIERNAN: Show us the money!

Dr G.G. JACOBS: The advice I have is that the recurrent expenditure for the great western woodlands nature conservation service—we are talking about recurrent and capital expenditure—for 2009–10 is \$400 000; for 2010–11, \$800 000 and —

[3.50 pm]

Mr D.A. TEMPLEMAN: Where are these figures?

Dr G.G. JACOBS: Under the total cost of service under “Nature Conservation”.

Mr D.A. TEMPLEMAN: Can the minister tell me the page number?

Dr G.G. JACOBS: It is page 820.

Mr D.A. TEMPLEMAN: The minister is now referring to page 820. What is the line item, minister?

Dr G.G. JACOBS: It is the total cost of service. There is \$124 083 000 in 2009–10 and \$131 451 000 in 2010–11.

Mr F.M. LOGAN: The item that the minister has taken us to, which is the total cost of services, is purely the overall global amount for nature conservation. If the policy that the minister has just referred to in answer to the very fine question asked by the member for Geraldton is so great and so important to the minister, particularly as it is in the minister's electorate, why is there not a specific line item that refers to it? The minister has just taken us to the global amount. We are being told to take the minister's word that the \$3.8 million genuinely is in that global amount. If it were such an important issue for the government, why was it not identified in these papers?

Dr G.G. JACOBS: Essentially, the investment of \$3 million is in that figure. The member talked about a global amount. Some \$800 000 is for some of the capital works in the out years. We talk about \$800 000 being spread out over the next year or two, and the \$3 million for the plan is under the total cost of service. The total cost is \$124 083 000, which will increase to \$131 451 000.

Mr D.A. TEMPLEMAN: It is very important for the member for Geraldton, in particular, to receive supplementary information that outlines exactly the balance of the government's commitment—we have the \$800 000 in the budget—of \$3.8 million and where that appears in the budget and a breakdown of what that will be expended on.

Dr G.G. JACOBS: I have the breakdown with me of the great western woodlands in the nature conservation service key efficiency. I am happy to provide recurrent versus capital expenditure over the years 2010 to 2013.

The CHAIRMAN: Could the minister say that again for the record?

Dr G.G. JACOBS: I have a table of the great western woodlands nature conservation service, which breaks up the spending between recurrent and capital expenditure in the out years of 2010–11, 2011–12 and 2012–13.

[Supplementary Information No B4.]

The CHAIRMAN: The Chair is allowed to ask one question. Try to stop me! The third dot point on page 819 of the *Budget Statements* states that the department will continue to undertake an active fire management program. Is there any increased funding to improve the prevention of fire in the budget? There was nearly a tragic incident in Little Grove, Albany. The fire did not start on Department of Environment and Conservation land but on City of Albany land. Is there any extra money in the budget for fire management burn-offs to prevent a lot of these problems from happening in places such as Little Grove, Albany?

Dr G.G. JACOBS: Sorry, Mr Chairman, I am being pedantic. Which line item is it in the budget?

The CHAIRMAN: It is the third dot point on page 819, which states that the department will continue to undertake an active fire management program with an emphasis on maximising the achievement of its annual target for prescribed burning. I am talking about prevention measures that can be taken to prevent a disaster from occurring in regional areas in particular.

Dr G.G. JACOBS: Thank you, Mr Chairman. I will give you some of the text that I have been provided with for the third dot point and I will defer to Peter Dans, the director of regional services, to provide more detail. DEC will continue to undertake an active fire management program. The department maintains an annual prescribed burning target of 200 000 hectares, as I said previously, in the south west of the state. The target has been adopted in accordance with the findings of the 1994 ministerial review on prescribed burning. The target figure represents approximately eight per cent of the lands managed by DEC in any one year. The department has approximately 240 full-time equivalents in the south west of the state. During the bushfire and prescribed burning season this figure is supplemented by 60 employees.

The CHAIRMAN: My question was whether there was any additional funding.

Dr G.G. JACOBS: As I have said, we have burnt 192 000 hectares. We have obviously carried that through with the funding that we have already had in place. I defer to Peter for further detail about funding for the active fire management program.

Mr P. Dans: There is not a new stand-alone allocation in the budget for fire prevention. I should probably point out that our fire program is delivered across three services: nature conservation, sustainable forest management and parks and visitor services. Those three key services contribute to the total spend on fire management. With respect to the question about prescribed burning, I can tell members that last year DEC spent about \$8.7 million on prescribed burning over the whole state, not just in the south west land division where we had that 200 000-hectare target. In the year to date, about \$7.6 million has been expended on prescribed burning. Again, that is

across the whole state. It varies from year to year, depending on the seasonal conditions and on when we undertake the burns. We will undertake the prescribed burns when the appropriate conditions arise. If that happens to be on a Saturday or a Sunday, we are obliged to pay the penalty rates to our people who are involved in the burn, as well as the contractors for helicopter ignitions and so forth. There is no specific growth in the budget other than the across-the-board growth for salary escalations that were referred to earlier.

Mr M.J. COWPER: I refer to parks and visitor services on page 821 of the *Budget Statements*, which is the management of land and waters dealing with public involvement, visitation and appreciation of the natural environment on lands and waters managed by the department. I note that the Department of Environment and Conservation does a very good job of managing our state forest in the south west in particular. The year before last there was a very interesting situation in my electorate. The previous Minister for Water Resources wanted to stop the general public from visiting Logue Brooke Dam. As a result, I understand that DEC has teamed up with the Department of Sport and Recreation. Can the minister please explain what initiatives DEC has undertaken in conjunction with other government departments to look at this very good issue of unlocking 60 per cent of the state's forest so that it can be accessed by the people of Western Australia?

Dr G.G. JACOBS: I thank the member for Murray–Wellington for the question. I have been quite closely involved with the issue of Logue Brook Dam. This government committed to opening Logue Brook Dam, which we have done. As the member has shared with us, there have been some issues about having done that. It is a popular recreational area but some individuals have been quite ungrateful because they have not looked after parts of the area, such as the shore banks and the surrounding region. It was the member for Murray–Wellington who told me—before I met the Friends of Logue—about the issue of littering and the need to look after that area. We have recognised that in the budget by committing some funds—I need to look up the exact amount—to provide some DEC services to look after the Logue Brook region. There are some facilities in that area, but they are not of great quality. There will be an investment of \$150 000 from the 2010–11 parks improvement program to commence an upgrade. The project includes the planning and development of formal day use and camping facilities, such as picnic facilities, toilets and camping sites.

[4.00 pm]

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

Mr M.J. COWPER: Has there not been some further investigation by a parliamentary committee?

Dr G.G. JACOBS: I will refer that question to Mr Sharp.

Mr J. Sharp: A parliamentary committee is examining the use of water catchments. That committee is looking at the whole issue of access to water catchments for recreational purposes. That committee will be reporting in the near future—I think the understanding is next month. In relation to the general spend, the member raised the issue of forests. There is an allocation of about \$10 million towards capital improvements of facilities in forests. That has been added to by an allocation of \$5 million this year. So there will be \$15 million for that purpose. The additional funds are directed towards improving camping and caravanning opportunities in forests and other natural areas managed by the department.

Mr M.J. COWPER: I look forward to that report.

Dr G.G. JACOBS: In reference to the whole question of the dual use of catchments, that issue is difficult to deal with as the Minister for Water—that is, to what degree does the recreational use of catchments used for human potable water services impact on the water body? That is a difficult question, and the Standing Committee on Public Administration, chaired by Hon Max Trenorden, an upper house member and a former member for Avon, took upon itself the task of exploring what recreational activities can take place on a water body, what potential pollutants that activity may create for that water body, and what we need to do to make that water body potable. We have, obviously, a responsibility to protect public health, but also to look at the possibility of dual use. What we have in Western Australia at the moment is all or nothing.

Mr F.M. LOGAN: Point of order, Madam Chair. This is a response that is appropriate to the division on the Water Corporation and the Department of Water. It has nothing to do with the question that was asked.

Mr M.J. COWPER: I am referring to service 3, which deals with the management of lands and waters, and public involvement.

Mr D.A. TEMPLEMAN: The member asked about a parliamentary committee. The answer is yes, a parliamentary committee is investigating the issue. The question was answered. The minister is actually wasting time, quite frankly.

Mr M.J. COWPER: The member is actually interjecting on my point of order.

Mr D.A. TEMPLEMAN: The member knows the answer.

The CHAIRMAN: Would the minister please resume his answer, but can he wrap it up, please? I sense that we should move on.

Dr G.G. JACOBS: Sure. This is essentially involved in the discussion that we are having today, because we are talking about the management of the environment, and about how recreational activity within a water body may impact on that water body.

Mr M.J. COWPER: That is a good answer.

Mr D.A. TEMPLEMAN: I refer to page 818 and the heading “Significant Issues Impacting the Agency”. The last dot point on that page relates to the government’s commitment to protect the outstanding natural values of areas including the Kimberley and the great western woodlands. In light of the international ecological tragedy that is occurring off the coast of the United States in the Gulf of Mexico with the Transocean *Deepwater Horizon* rig, what measures would the minister require the department to take, in the event that an event of a similar scale, or a smaller scale, were to occur in the Kimberley region of Western Australia, to ensure the protection of that significant area of the state? I am aware obviously that there are drilling rigs in commonwealth waters. There are also drilling rigs that are either currently operating in this state or are proposed to operate in this state. Therefore, the minister’s department would have a direct interest in the provision of all possible safety measures if a catastrophic event such as the one we have seen unfold off the coast of the United States were to occur here. I am interested in the minister’s comments about the department’s readiness for any such event, given that in the Kimberley region a significant amount of coastline is either inaccessible by land or problematic in terms of access. Is the minister confident that his department would be able to respond appropriately to any such disaster?

Dr G.G. JACOBS: I thank the member for Mandurah for the question. The short answer to the member’s question is that there is a draft Kimberley conservation strategy—it is being completed—to provide information on ecologically sustainable development and conservation initiatives. I would think that —

Mr F.M. Logan interjected.

Dr G.G. JACOBS: The member for Cockburn does a lot of talking, but he —

Mr D.A. TEMPLEMAN: This is probably a question that the acting deputy director general can answer, but I am concerned, and want to be assured, that should there be some sort of disaster—it may be on a smaller scale than what we are seeing unfold in the gulf area of the United States—there is confidence in the department to be able, in its role and under its responsibilities, to respond to such an event. We all recognise that the Kimberley is a significant area for its biodiversity and uniqueness. It is also an area that is coming under increasing pressure for development. Firstly, I want to be assured, through this estimates committee, that the minister is asking the department to ensure that it has in place measures to respond immediately if an event of that nature were to occur, of whatever scale it might be. So, firstly, has the minister required the department to do that, given what is unfolding in the United States? Secondly, what assurances can the minister give this committee and the people of Western Australia, and ultimately the people of Australia, that this pristine area will, in fact, be protected and can be protected by the department in its responsibilities and roles? That is the crux of the question.

[4.10 pm]

Dr G.G. JACOBS: That is a very fair question, particularly with the disaster that has occurred in the gulf in the United States. The conservation strategy talks about it being ecologically sustainable. I believe that with those sorts of guidelines, it can be ecologically sustainable. By including conservation initiatives, a strong emphasis is put on looking after the area.

Mr D.A. TEMPLEMAN: The minister has missed the point. He is talking about the current process in this state. As we are seeing in the Gulf of Mexico, those values would be destroyed and potentially decimated if a major spill were to occur off the Kimberley coast. I do not want to know about the strategy pertaining to what we have and the uniqueness of it. I want to know what the department’s role is and what direction has been given to the department to ensure that it is ready to respond to an event, such as a major oil spill. It is no use saying that we know it is a biodiversity hot spot. What response mechanisms does the department have in place should such an event occur? Referring to strategies does not mean anything. That is what we know about what exists in terms of biodiversity in the area. If an oil spill were to occur 10 kilometres off the Kimberley coast and the oil wash up into areas that people cannot get to because there are no roads, what is the readiness of the department in its role? That is what I am interested in.

Mr M.J. COWPER: We do not have oil rigs 10 kilometres off the coast.

Mr D.A. TEMPLEMAN: We do actually. Oil could reach the coast within days. What does the department have in place, as directed by the minister of the day, to be able to respond? Every country around the world that is allowing oil rigs off its coast should be doing this. They should be asking, “What do we have in place in case it happens here?” What is happening in the United States is a disaster. We do not want it to happen in the

Kimberley, but if it were to happen, are we ready to respond? That is the question I am asking. I am not asking about a strategy for a particular area.

Dr G.G. JACOBS: The member for Mandurah, as the previous Minister for Environment, would be very conscious of what I mean when I refer to ecologically sustainable development. I will ask the deputy director general to respond to the question about an emergency plan. Obviously, we would have to be very conscious of ecologically sustainable development. Having an oil well plonked in the middle of Camden Sound would not happen, because we are being ecologically responsible in its development. I will ask the deputy director general to comment about what is in place for an emergency response.

Mr R.P. Atkins: First and foremost, oil spills are handled under state legislation for which the Department of Transport is the lead agency. Waters outside state waters are handled by commonwealth legislation and are a commonwealth department responsibility. With the Montara incident, the state agency provided support to the commonwealth agency in terms of near-shore monitoring and standby readiness for oiled animal recovery response. We also provided people to assist the commonwealth in monitoring areas further out.

Within the state, there is a state emergency plan under which there is a WestPlan oil spill response plan, which, again, is led by the Department of Transport. The role of the Department of Environment and Conservation is, first and foremost, to provide environmental advice on oil spill clean-up strategies, the use of dispersants versus containment and so forth. The oil spill coordinator provides support to the incident controller.

The other part of the department's role is oiled animal recovery response. The main role for oil spill containment and control rests with the Department of Transport. It is brought together under WestPlan. It was brought into action for the Montara incident for which the state provided support to the commonwealth. Thankfully it was not needed, because the oil did not come within state waters. Installations within state waters have to go through an Environmental Protection Authority assessment and are regulated under strict ministerial conditions applied by the Environmental Protection Authority.

Mr D.A. TEMPLEMAN: Through you, minister, to the acting deputy director—I am not sure how long he has been in the position of acting director general. Has the minister specifically required the department to provide reports about this readiness issue, given what occurred last year in the seas to the north and the recent spillage problem in the US? Has the acting director general received any direction from the minister about readiness?

Mr R.P. Atkins: The department has not received any specific direction. The department did, during the Montara incident, keep the minister regularly informed on the progress of what was happening with the spill, the commonwealth's strategy to contain it and also the department's preparedness to respond if called upon. Post-Montara all the agencies involved in the state emergency plan, led by the Department of Transport, reviewed the state's readiness to respond to incidents in the future in the light of the Montara experience.

Mr C.J. TALLENTIRE: My question refers to paragraph 3 under "Explanation of Significant Movements" at page 820. It refers to the creation of the Camden Sound marine park. It is stated in the budget papers that it is proposed to be established in the 2010–11 financial year. I turn then to budget paper No 3, page 97, and ask the minister why we do not see any allocation for funds to protect the Camden Sound marine park? There are no funds for enforcement in that first year; that is, 2010–11.

Dr G.G. JACOBS: Before I ask Mr Sharp to provide some details, I advise that this government was very keen to establish the Camden Sound marine park. It is proposed to be established in 2010–11. It will take the total number of bio-regions with marine services to nine, representing 47 per cent of the marine bio-regions in Western Australia. We think that is a very important initiative. I will ask Mr Sharp to provide some of the details the member asked for.

Mr J. Sharp: The planning for the marine park is underway and an indicative management plan, as required under the act, is being prepared. That plan will then be released for three months for public comment before the plan is finalised. At the time of finalisation of the plan, which will become the plan for the marine park, which is required for its gazettal —

The CHAIRMAN: Mr Sharp, would you speak into the microphone?

Mr J. Sharp: At that time, as has always been the case, cabinet will consider the release of the final plan, which becomes the plan for the marine park. A budget is developed at that time.

Mr C.J. TALLENTIRE: Can the minister outline the no-take area that will be in the Camden Sound marine park?

Dr G.G. JACOBS: I ask Mr Sharp to answer that.

Mr J. Sharp: As indicated, the indicative management plan is still being prepared. That plan will indicate how the park is to be zoned, including whether there will be sanctuary zones and what they will be. It has not been released yet, because it has not reached that stage. When it is released for public comment, the plan will indicate what the zoning scheme will be, as is required for consideration by the public.

[4.20 pm]

Ms A.J.G. MacTIERNAN: I refer to page 823 of the *Budget Statements* and the very brief reference under the item headed “Coordinate the Response to Climate Change”. I note that there is not a great deal of detail. If we could just put aside the low emissions energy development scheme funding, could the minister tell us what this area of the department is actually doing? Has a plan been developed for the reduction of greenhouse gas emissions? What are the actual activities of this department? Has it produced a strategy for the reduction of greenhouse gas emissions yet? One was started, but we have not actually seen one. Can the minister tell us what has actually been done with the creation of strategies, where those strategies are at and when they are likely to be seen by the public?

Dr G.G. JACOBS: Before I refer the question to the acting director general I can say that, essentially, the climate change adaptation and mitigation strategy will be the major project of and principal expenditure for 2010–11.

Ms A.J.G. MacTIERNAN: Is that not underway already?

Dr G.G. JACOBS: The funding for the Office of Climate Change finishes in 2011–12. No funds have been allocated to the OCC beyond this period.

Ms A.J.G. MacTIERNAN: Is that because we think that climate change will be solved by then?

Dr G.G. JACOBS: Not at all; funds were only committed for five years.

Mr D.A. TEMPLEMAN: What the minister is saying is that there is no further commitment after 2011–12.

Dr G.G. JACOBS: What I said was that the climate change adaptation and mitigation strategy is the next major project of and principal expenditure for 2010–11.

Ms A.J.G. MacTIERNAN: Can the minister tell us what has been the project for 2009–10? What strategies has the department worked on over the past 18 months?

Dr G.G. JACOBS: I am carrying this division on behalf of the Minister for Environment, so for the detail of that strategy I will refer the question to the acting director general.

Mr R.P. Atkins: The work that has been going on up to now has largely been around a coordinating group of a range of agencies scoping out the issues relating specifically to adaptation and mitigation for climate change in Western Australia. That work has culminated in the preparation of an adaptation and mitigation strategy, which is nearing its final drafting stages, when it will be ready to be presented to the minister. It is anticipated that the strategy will be released for public consultation later this calendar year. The plan is to have it go through a consultation phase before the end of this calendar year with a view to finalising it early in the 2011 calendar year.

Ms A.J.G. MacTIERNAN: I think Mr Atkins made a similar comment last year. Has this been put back a year?

Mr R.P. Atkins: It has taken longer than planned to do. As we can all appreciate, climate change, and particularly the adaptation and mitigation strategy for Western Australia, is a particularly complex issue, and it has taken longer than expected to actually pull all those issues together.

Ms A.J.G. MacTIERNAN: We could not move too quickly, could we? I also referred to the greenhouse gas emissions strategy. The department is showing leadership, albeit not speedy, on a strategy to reduce greenhouse gas emissions. Where is that strategy up to?

Mr R.P. Atkins: Part of the greenhouse gas strategy, of course, is associated with greenhouse reporting and greenhouse emissions mitigation. That was largely taken over by the commonwealth’s initiative to have an emissions trading scheme, which obviously has not come to pass under the commonwealth Parliament, so that is a complication for where we were going with the greenhouse strategy. Part of the emissions work is handled through the industry regulation program and will also be part of the adaptation and mitigation strategy. There will be emissions mitigation in that strategy.

Ms A.J.G. MacTIERNAN: So there is no WA greenhouse gas emissions strategy. Is there no document that we can look at that is the WA greenhouse gas emissions strategy?

Mr R.P. Atkins: Not at this stage, no.

The CHAIRMAN: Members, I just need to remind you that if we stop now and change divisions, we would have 20 minutes for each of the remaining divisions.

Mr D.A. TEMPLEMAN: Can I make a suggestion, Madam Chair? I have discussed this matter with the senior member of the government in this committee hearing. The opposition will have no questions for the Zoological Parks Authority, so we would be happy to let the people who are here for that division go. However, government and opposition members do have questions for the Botanic Gardens and Parks Authority, the Swan River Trust

and the Office of the Environmental Protection Authority. I suggest that we let the Zoo people go and that at 4.45 pm we stop and go on to those last three divisions.

The CHAIRMAN: Certainly. I need to put the question on the relevant division if those witnesses are to leave.

Mr D.A. TEMPLEMAN: Yes. Just on that point, I again congratulate the chief executive officer and the staff of Perth Zoo. As a former minister, I follow them very closely. We should be very proud of Perth Zoo's achievements and the work done by the zoological gardens staff and the volunteers who support Perth Zoo. Whilst we do not have any questions for them, it is important that the committee acknowledges the work of the Zoological Parks Authority and that we continue to make that a very important asset for the City of Perth and Western Australia.

Mr J.E. McGRATH: As the senior member of the government for this division, I discussed this issue with the opposition. As the member for South Perth, I point out that Perth Zoo is actually in the City of South Perth and not the City of Perth, although residents from all around Western Australia and in fact the world are invited to our Zoo! We are very happy for the Perth Zoo people to be excused; we will not have any questions for them.

Consideration of division 67 suspended.

[Continued below.]

Division 71: Zoological Parks Authority, \$10 668 000 —

The appropriation was recommended.

Division 67: Environment and Conservation, \$186 503 000 —

The CHAIRMAN: We are now back to division 67. I call the member for Cockburn.

Mr F.M. LOGAN: I take the minister to page 819 of the *Budget Statements* and refer to the outcomes and key effectiveness indicators. In particular, I refer to the bottom of the column and the item headed "Outcome: Emissions and discharges meet acceptable criteria". I draw the minister's attention to the decrease in the number of exceedences of approved environment criteria by regulated activities from the budgeted figure of 60 to the estimated actual figure of 25 in 2009–10, and the slight increase in the national environmental protection measure exceedences from 20 to 24. The notes on the following page indicate that the companies have all been good boys and industry has really performed much better in practice than it was thought it would, and that it has been a bit dusty up in Geraldton because of a large sand pile. This probably relates more to the item on environmental regulations on page 822 and the efficiency indicators, which show a decrease in the funding for each air monitoring station from the 2008–09 actual figure of \$468 000 to the current budgeted target of \$363 200, which is a drop of \$105 000. Is that really the key to the fact that fewer exceedences of emission levels in and around Western Australia have been recorded by the department? The fact is that the department is spending less money monitoring the exceedences by companies. Is it not that the companies are being much better boys and not putting out as much emissions but that the department is spending less time monitoring them and, consequently, we have fewer exceedences of accepted levels?

[4.30 pm]

I will give one example. In my electorate of Cockburn, Cockburn Cement is covering thousands and thousands of homes in the southern suburbs with lime dust and cement dust. It is eating through people's cars, tin roofs and the tiles of their houses and windows and causing nosebleeds in children. Children have to play inside rather than outside because of the dust and the odour. When we asked DEC in Kwinana about these very things that are in this budget paper and whether it has monitored the huge increase in dust emissions in Cockburn Cement, its response was that it does not have any monitoring stations around Cockburn Cement. All three that are there belong to the company or are leased by the company. When we asked DEC whether it has taken any information from those monitoring stations and correlated it with the increase in the number of complaints, it said that it had not even looked at the data. When we asked why, it said that it has been very busy preparing the new licences for Cockburn Cement. That is an example of what we have in these budget estimates figures—a decrease in the expenditure on monitoring the emissions of companies and, consequently, a decrease in the number of breaches of emission guidelines.

Dr G.G. JACOBS: I would be very wary of looking at the figure related to the average cost per air monitoring station and saying that, because that figure has gone down, we are doing less of it or not doing it as well or ignoring it. Air monitoring is an issue that is very close to my heart, being from the town of Esperance. We had ongoing issues of monitoring when it came to lead and now we have ongoing issues of monitoring when it comes to nickel. It is very important that that monitoring continues. Fortunately in my area those nickel pollution values are going down. We are all very happy with that. I believe that there has been a concentrated effort in monitoring those air pollutants in that region.

The member makes the assumption that the number of exceedences is down because we are not looking at it as well and we have fewer machines, so that is why the cost per station is down. I would suggest that DEC might be

doing it better because, as happened in my town, there were very few monitoring stations and now there are multiple monitoring stations.

Mr F.M. LOGAN: That is probably where they all are—down in the minister’s electorate.

Dr G.G. JACOBS: The lead pollution issue was a very significant environmental issue in my town affecting children with lead poisoning. That is very serious.

Mr F.M. LOGAN: I put it to the minister that it is very serious that lime is being inhaled by children in my electorate.

Dr G.G. JACOBS: I am not discounting the cement and lime issues in the area that the member is talking about. However, I will refer the question to the acting director general to provide some of the specifics. I warn the member that just assuming that the average cost of air monitoring stations is less means that we are doing less and we are turning a blind eye to it is not the case from my Esperance experience.

Mr R.P. Atkins: The member referred to the number of exceedences of approved environmental criteria by regulated activities. This refers to exceedences of licence conditions and contaminated sites criteria. As such, it is related to the issue that the member just raised in his question. The second indicator, the national environmental protection measure, is related to the item on page 822. Those indicators are taken from 13 ambient air monitoring stations deployed around the state and are reported against those stations in accordance with the national environmental protection measure. They are general ambient monitoring stations. They are not there specifically to target industry emissions. Industry emissions are dealt with differently under licence conditions and under a range of monitoring regimes required under conditions of licences and are funded by the licensed industries. Those exceedences are shown in those first indicators I referred to. The ambient national environmental protection measure indicators are more general indicators of air quality in urban environments. That work is carried out by the DEC air quality management branch.

Mr M.J. COWPER: I, too, have a keen interest in this question. My concern relates to not only the air but also the water in and around Alcoa, and Kemerton specifically. I am aware that a regulation 17 application has been going since 2002 at the big industry in Wagerup. I would be very keen to know where these air stations are located that may be operated by DEC. By way of supplementary information, I would be keen to know where these air monitoring stations are and, if there are any water monitoring stations, where they are also.

Dr G.G. JACOBS: There seems to be a combination of questions on air quality plus water quality monitoring from the member for Murray–Wellington. I do not want to be pedantic but is it in reference to the same question, the same page and the same point?

Mr M.J. COWPER: Yes, page 822, “Average Cost per Air Monitoring Station” under “Efficiency Indicators”. I know that there are some monitoring stations in and around Wagerup and Kemerton. As the minister would be aware, it has been an ongoing issue for many years. I am keen to know where DEC fits into the whole scheme of monitoring these big industries.

Dr G.G. JACOBS: I will provide the locations of those air monitoring stations that DEC has jurisdiction over.

The CHAIRMAN: Do we have supplementary requests for information out of that?

Dr G.G. JACOBS: Yes.

The CHAIRMAN: Minister, was that the title of the supplementary information you have agreed to provide?

Dr G.G. JACOBS: Yes.

[Supplementary Information No B5.]

Mr F.M. LOGAN: Further to that question, I would ask the minister to provide that supplementary information to me as well. In addition, following on from what the member for Murray–Wellington highlighted about those air monitoring stations, I believe that the department also has mobile monitoring equipment because our government purchased it. I would like to know where that has been located over the past couple of years. Are any of those monitoring stations located in the Kwinana area, particularly around Cockburn Cement? Can I have that information by way of supplementary information along with the other information from supplementary information B5?

[4.40 pm]

Dr G.G. JACOBS: Does the member for Cockburn want information on the sites in and around the area he is talking about?

Mr F.M. LOGAN: No, I would like to know about the mobile monitoring sites. The member for Murray was referring to the stationary ambient monitoring sites, and that is what Mr Atkins referred to. I would like to know where the mobile monitoring equipment has been used.

Dr G.G. JACOBS: And the schedule thereof?

Mr F.M. LOGAN: And the schedule thereof over the past 12 months, particularly if it has been in and around the Kwinana area and Cockburn Cement.

[*Supplementary Information No B6.*]

The CHAIRMAN: I remind the member for Cockburn that he will be provided with the previous supplementary information as a matter of course.

Mr I.C. BLAYNEY: I refer to “Asset Investment Program” on page 824 of the *Budget Statements*. Can the minister outline some of the major projects included in the 2010–11 allocation?

Dr G.G. JACOBS: The asset investment program includes the conservation parks infrastructure and roads initiative funded through royalties for regions investing in low-cost caravan and camping sites in parks, environmentally and culturally sensitive tourist ventures through nature bank programs, improved safety and road access in parks—which in my experience is an important issue because the number of road accidents, crashes and rollovers in my region in parks, national parks and conservation parks is quite high—and upgrades to park infrastructure at key sites. Then there is a “Rediscovering our Parks”, development of pre-visit and onsite visitor information, visitors facility upgrades at Lesmurdie Falls, including new picnic shelters, upgrades to car parking at Woodman Point, development of a new camping area at Dryandra Woodland, development of Peak Charles National Park campsite, day-use and walk trail—an area that is close to my area—visitor facility upgrades at D’Entrecasteaux National Park and the Walpole winter wilderness, redevelopment of Sugar Loaf Rock at Leeuwin–Naturaliste National Park, the planning and development of Logue Brook Dam day use and camping facilities, which I mentioned in an answer to the member for Murray–Wellington; improvements to recreation facilities within the Gnaragara and Pinjar pine plantations; conservation works to Mermaid Tree and Prince Regent Nature Reserve; and also some visitor facilities upgrades at Shell Beach, Karijini National Park, Geike Gorge and Hangover Bay in the Namburg National Park to cater for an expected increase in visitors when Indian Ocean Drive is completed.

Mr D.A. TEMPLEMAN: On the same page, 824, on the question from the member for Geraldton relating to the conservation parks infrastructure and roads line item and the \$20 million from royalties for regions, I ask: exactly what will that money be spent on and where, given that this is usually core business for the department and it seems that royalties for regions is bailing out the department in one of its core areas? I ask further to that: does funding for the Peel regional park appear in that line item, and, if not, does that mean that the Peel regional park, once again, is not funded by the department?

Dr G.G. JACOBS: Member for Mandurah, the royalties for regions list that I have just outlined refers to \$5 million over the four out years and it does not appear to include the member’s region. I am sorry.

Mr D.A. TEMPLEMAN: Can the minister confirm that the establishment of the Peel regional park, once again, has not been funded in this year’s budget? I need a yes or no.

Dr G.G. JACOBS: I cannot see the area that the member is referring to in the list I have before me.

Mr D.A. TEMPLEMAN: Through the minister to the acting director general, is there funding in this budget for the establishment and management of the Peel regional park?

Dr G.G. JACOBS: Not in the list that I have. I defer to Jim Sharp for detail; perhaps he will be able to shed more light on the issue. From the list in front of me, it does not appear that the member for Mandurah gets a guernsey.

Mr J. Sharp: In relation to the first question, a number of sites are being looked at in terms of the conservation parks infrastructure and roads program, and the caravan and camping site includes Gooralong Brook, which is in the Serpentine National Park. These are areas that are heavily degraded and provide an opportunity to meet that need where there is a shortfall in low-cost camping sites, which has been identified by a select committee of the Parliament. It also deals with making opportunities available for private investment to approve facilities in a number of parks, as well as specific road access issues that are included in the ongoing program at Kalbarri and Karijini. There is no budget item for the Peel regional park.

Dr G.G. JACOBS: The member for Mandurah may guide me on the geography, as this might be close to him—I refer to Yalgorup National Park and Tim’s Thicket.

Mr D.A. TEMPLEMAN: That is a national park south of Mandurah, yes.

Dr G.G. JACOBS: It is close to Peel, but it is not in Peel?

Mr D.A. TEMPLEMAN: Minister, the Peel regional park comprises areas of land identified for conservation and recreation protection. Currently the park has not been established because there has been no allocation of funding. I am interested in whether an allocation has been made in this budget. I take it from the responsible

officer, Mr Sharp, that the answer is no and there is no allocation of funds in this budget, once again, for the establishment of the Peel regional park.

Mr F.M. LOGAN: Through the minister, I will pick up on what Mr Sharp said. With that \$20 million allocated out of the royalties for regions slush fund, did the department ask for that money and did it have a specific list of areas where it believed that \$20 million should be spent? That is, it identified \$20 million, asked for \$20 million, and the Nationals gave the department \$20 million, or was this simply, “Here is \$20 million, DEC, go and spend it in these areas”? If it is the former, I would like to know exactly where is that \$20 million going to be spent? It can be provided by supplementary information.

Dr G.G. JACOBS: I will defer to Mr Sharp, but the list I have in front of me refers to low-cost, in-park camping grounds, as well as roads and park visitor infrastructure. These are important regional initiatives.

Mr F.M. LOGAN: They may be, minister. I am trying to find out whether the department —

Dr G.G. JACOBS: This is not about, “Here is some money; go and think up some ideas to spend it on”!

Mr F.M. LOGAN: That is the question I am asking the minister: did the department identify specific needs with a total global value of \$20 million and go to the Nationals seeking that money out of the royalties for regions fund or did the Nationals, out of the goodness of their hearts, give the department \$20 million?

[4.50 pm]

Dr G.G. JACOBS: Needs were identified, and in 2010–11 —

Mr F.M. LOGAN: Which was it? Did the department seek that money?

Dr G.G. JACOBS: Specific needs had been identified, including, I should say, Cape Le Grand National Park and Wharncliffe Mill near Margaret River. They have been identified in the 2010–11 budget. The budget also provides \$800 000 for Karijini National Park, and Kalbarri National Park was also identified.

Mr F.M. LOGAN: They are all core expenditures. The point the member for Mandurah is making is that those expenditures were the normal part of the department’s core business and expenditure.

Mr D.A. TEMPLEMAN: There would have been a line item for it in last year’s budget.

Mr F.M. LOGAN: That is right. We could refer to previous budget papers. I am just asking the minister a question that he has not answered. Did the department bundle all that up into \$20 million worth and ask for that money through royalties for regions funding, or, as I said, did the National Party just give the department \$20 million? Just answer the question.

Dr G.G. JACOBS: I refer the member to the \$12.65 million for the road improvement program. That is there before the member. To suggest that —

Mr F.M. LOGAN: Some of it is for its core business. Where did this money come from?

Dr G.G. JACOBS: It is not true to say that we have put that money in and walked away from our other responsibilities in this area. I refer to Mr Sharp for some further comment.

Ms A.J.G. MacTIERNAN: While you are doing that, can the minister clarify that the total appropriation includes the royalties for regions money?

Dr G.G. JACOBS: Where is the member referring to?

Ms A.J.G. MacTIERNAN: The total departmental appropriation for capital and recurrent expenditure. Does the \$186 million include the royalties for regions funding?

The CHAIRMAN: Can we manage one question at a time? Mr Sharp.

Mr J. Sharp: As was indicated previously, there is a base capital budget for works in parks of around \$10 million a year, which includes visitor infrastructure and roads. They are indicated as line items. These items, which are picked up under the conservation and parks infrastructure and roads initiative, would not have been funded through the core budget allocation at an average of \$10 million a year over the next four years. Those projects were identified in relation to specific issues such as the need for additional low-cost camping and caravanning sites, which has been identified, as I said, through a select committee and other processes as a need, as those sorts of low-cost camping opportunities are lost to the public.

Mr F.M. LOGAN: Through the minister, Mr Sharp has explained exactly how the money is being spent. It is part of the normal core business. What we are trying to find out, through Mr Sharp, is why normal core business is now being funded out of royalties for regions funding. Did royalties for regions offer the department the money or did the department ask for it? That is all I am trying to find out.

Dr G.G. JACOBS: Again, there is enough evidence in the budget that we obviously continued doing work in and around tourism. There is plenty of evidence of that. The member's inference is that because we have received royalties for regions money, we are now pulling away from all the other things that we have done.

Mr F.M. LOGAN: This is a serious question and I hope that the minister takes this seriously. This is a budget line item —

Dr G.G. JACOBS: I take seriously everything the member says.

Mr F.M. LOGAN: Good; I am glad that the minister does. He should give a serious response to my question. This line item is specifically set out in the budget and we are asking the minister a specific question about it. If the minister does not know the answer to it, he should pass it on to a member of his department. The department is telling us today that its core business is now being funded by royalties for regions. The minister can understand why we are asking this question. A commitment was given to the public of Western Australia about how that royalties for regions funding would be spent. We have clear evidence today, in these budget papers, that it is being spent in a different way. What I am seeking from the minister, and through him from his department, is whether the department asked for that money specifically to fund what we now know is the core business of the department, or whether the Nationals and Treasury just gave a dollop of \$20 million to the department to be spent. It is a serious question. It is a line item, and we want the answer.

Dr G.G. JACOBS: The line item has been provided for the member. It is one of the functions that we are providing in the provision of tourism and tourism facilities, including parks —

Mr F.M. LOGAN: We want to know about the money in the budget papers.

Dr G.G. JACOBS: It is not the only thing the Department of Environment and Conservation does in the development of these parks.

Mr F.M. LOGAN: Answer the question. How did the money get into the budget papers? We do not want the minister to tell us how the department spends it; we know how it spends it. How did the money get in the budget papers? You are the acting minister. Answer the question.

Dr G.G. JACOBS: There is an appropriation of \$5 million over the next four years for one of the many things that the Department of Environment and Conservation does for tourism and parks and for the provision of facilities. To suggest that this money was thrown at DEC and that it pulled back from all its other core responsibilities is, I believe —

Mr F.M. LOGAN: That is not the question I put to the minister. It was a very simple question. If the minister cannot answer it, let Mr Atkins answer it. Did the department seek the funding or was the money allocated through the royalties for regions funding by Treasury? It is simple. Just answer that.

Dr G.G. JACOBS: If the acting director general is prepared to answer the question, I will let him answer the question.

Mr R.P. Atkins: Clearly, I do not know the answer to the question, but I can say that that money is aimed at developing tourism facilities in regional areas and it was provided to the department specifically for enhancing tourism development rather than general park management.

The CHAIRMAN: I draw members' attention to the time, before we continue on this topic any further. The member for Armadale is on the list for the next question.

Ms A.J.G. MacTIERNAN: My next question is very simple and it relates to Araluen Botanic Park. Will the minister explain the items on page 817 of the *Budget Statements* and the allocation of \$1.6 million in each of the next three years as a transitional arrangement for the Araluen Botanic Park?

Dr G.G. JACOBS: I thank the member. This was a spending change. Obviously there is now a transitional management plan in place to transfer the management of Araluen Botanic Park from the WA Planning Commission to the Department of Environment and Conservation. It is a major spending change and it is noted on page 817 at the bottom of the table. Does that answer the member's question?

Ms A.J.G. MacTIERNAN: I want to know what is happening. Is the minister saying that Araluen Botanic Park will now be managed by DEC?

Dr G.G. JACOBS: If the member will forgive me from reading from the sheet, in January this year the Minister for Environment and the Minister for Planning announced that the management of the Araluen Botanic Park near Roleystone would transfer to DEC from the WA Planning Commission. The answer is yes.

Ms A.J.G. MacTIERNAN: What happens to the funding from 2013–14? What happens in the final year? Does the funding run out?

Dr G.G. JACOBS: The member will notice the dash. I cannot answer that question.

Mr C.J. TALLENTIRE: I refer to the reference to the waste avoidance and resource recovery account on page 822 of the *Budget Statements*. It states that \$11 million will be deposited into the account. On page 826 we can see the expenditure from the account. In the 2010–11 budget estimate there is only \$9 million. Where is the other \$2 million going?

[5.00 pm]

Dr G.G. JACOBS: I had noticed that, and I thank the member for Gosnells for drawing that to my attention. There is an explanation for the \$2 million. I will ask Mr Robert Atkins to provide that.

Mr R.P. Atkins: That is found at page 826, under “Details of Controlled Grants and Subsidies”. The amount of \$9 million is the expected expenditure from the fund for the strategic waste initiative and community grants programs only. The fund is also used to fund the support services for the Waste Authority. So, probably about another \$4 million is the cost of providing the support for the Waste Authority itself, in terms of the waste management branch, for policy development and program administration.

Mr C.J. TALLENTIRE: Can I have information on the actual balance of the waste avoidance and resource recovery account?

Mr R.P. Atkins: We expect at the end of the financial year that it will be \$15 million.

Mr C.J. TALLENTIRE: I refer to page 820. At the top of the page it refers to the percentage of waste in the metropolitan area diverted from landfill through recycling. Can we have a percentage breakdown of the amount of inert and putrescible waste, and an indication of how the actual amounts are consistent with the anticipated reduction in waste volumes.

Dr G.G. JACOBS: Mr Atkins.

Mr R.P. Atkins: I have a graph that shows the trends in both inert and putrescible, and total waste, which I am happy to provide now. I can provide the actual numbers that the member is looking for as a supplementary.

[Mr A.P. O’Gorman took the chair.]

Mr C.J. TALLENTIRE: As far as the trend goes, are we on track to meet the budget projection, or have people been pulling back on their waste because of the additional levy?

Mr R.P. Atkins: There has been a decline in waste to landfill since the increase in the levy on 1 January 2010. I appreciate that there has been only one quarter of returns since 1 January, obviously, but there has been a significant downturn in waste going to landfill. So obviously the economic incentive to divert waste from landfill is having an effect.

The CHAIRMAN: Minister, was there an agreement to provide supplementary information?

Dr G.G. JACOBS: Yes.

The CHAIRMAN: May I have the details of that supplementary, please?

Mr C.J. TALLENTIRE: It was with regard to the percentage breakdown of inert and putrescible waste, and the amount that is projected to go to both those waste streams in future years. It is on page 820, the first line item at the top of the page.

[*Supplementary Information No B7.*]

The appropriation was recommended.

Division 70: Swan River Trust, \$12 179 000 —

Mr A.P. O’Gorman, Chairman.

Dr G.G. Jacobs, Minister for Water representing the Minister for Environment.

Mr R. Hughes, General Manager.

Mr M. Cugley, River System Manager.

Mr J. Wong, Chief Financial Officer/Business Manager.

[Witnesses introduced.]

The CHAIRMAN: The member for Gosnells.

Mr C.J. TALLENTIRE: My first question relates to the declining budget of the Swan River Trust, from \$13 million in 2009–10 to \$12.1 million in 2010–11. Where is the revenue stream that was anticipated would come from the Burswood gambling facility?

Dr G.G. JACOBS: The Burswood stream is within the \$17.181 million total cost of services in the 2010–11 budget estimate column.

Mr C.J. TALLENTIRE: Where is that actually identified in the budget papers? Surely if money is coming from a particular entity, it should be a line item.

Dr G.G. JACOBS: I am advised that is not necessarily the case. It is treated as income, and essentially it is contained in that figure.

Mr F.M. LOGAN: That is unacceptable. In division 70, we have total appropriations. We are dealing with part of an appropriation bill. The appropriations come from the state government. There is, as the member for Gosnells just asked, a significant portion of money coming in from a source external to government. That makes up the budget of the Swan River Trust. If the minister is indicating to this committee that that money comes under “Cost of Services”, “Expenses”, that is unacceptable. The minister should not layer a budget paper like that. It is unacceptable. The minister cannot do that. How can expenses be inclusive of an income stream?

Dr G.G. JACOBS: I draw the member for Cockburn’s attention to page 854 and to the heading “Income”. Under that income stream, there is sale of goods and services, grants and subsidies, and other revenue. For grants and subsidies, there is an amount of \$4.946 million. The trust’s appropriation is augmented by \$3 million under the state agreement act for the Burswood Island casino. Electronic gaming machine levies are made available, subject to the Burswood Park Board’s consideration, for a range of programs to manage and protect the Swan and Canning Rivers. That is where it is accounted for.

Mr F.M. LOGAN: It may well be in the budget papers under “Cost of Services”, “Expenses”. But the line item that the member for Gosnells is looking for is wrapped up in the “Income Statement (Controlled)”, on page 854, under “Grants and Subsidies”, of \$4.946 million. How much of that has been drawn from the Burswood Casino funding?

Dr G.G. JACOBS: It is about \$3 million. By way of detail, of the \$4.946 million, \$3 million is from Burswood, and \$1.946 million is from natural resource management funding.

Mr F.M. LOGAN: That is fine. Most other budget papers have things like that, particularly if they are so important, specified in the budget papers. It would probably be appropriate that the Swan River Trust do the same.

[5.10 pm]

Mr D.A. TEMPLEMAN: Further to that, can the minister confirm that there is in fact a net reduction in the Swan River Trust’s budget of approximately \$1.7 million?

Dr G.G. JACOBS: Is the member for Mandurah referring to the difference between the actual figure of \$13.215 million for 2009–10 and the estimated figure of \$12.179 million for 2010–11?

Mr D.A. TEMPLEMAN: Yes. It is approximately \$1 million. Can the minister confirm that there is a reduction in the Swan River Trust’s budget of approximately \$1 million?

Dr G.G. JACOBS: The figures indicate that. Seriously, there is a consideration; that is, very late in the 2009–10 budget cycle, \$1 million was dedicated to an oxygenation program. Obviously, that infrastructure will come on stream within the next few months. It actually looks worse than it is, because \$1 million —

Mr D.A. TEMPLEMAN: Do I smell a dead cat here?

Dr G.G. JACOBS: No, the member does not smell a dead cat. It was always predicted that a question would be asked about the difference between the figure for the 2009–10 financial year and the 2010–11 financial year, because it looks as though the government is not looking after the Swan. There is an explanation; that is, the oxygenation program of \$1 million was not planned, but was added.

Mr F.M. LOGAN: Further to that, the minister might be able to explain that by way of the oxygenation plant being at the bottom of the list under “Major Spending Changes”. However, how does it explain the further \$2 million drop in the out years to 2011–12? What is that money being spent on? Will it be spent on more oxygenation plants?

Dr G.G. JACOBS: I will ask Mr Hughes to reply to that question.

Mr R. Hughes: The drop really is reflective of the fact that the new state NRM money that was received by the trust—\$3.2 million over two years, being 2009–10 and 2010–11—finishes, so our core funding does reduce in the out years.

Mr J.E. McGRATH: My question refers to page 848, “Significant Issues Impacting the Agency”. Can the minister tell me what the government is doing to prevent the level of nutrients and contaminants entering the Swan and Canning Rivers from small and medium-sized enterprises?

Dr G.G. JACOBS: What was the reference page?

The CHAIRMAN: Page 848. Which dot point, member?

Dr G.G. JACOBS: As Mr Hughes said, the \$3.19 million is state NRM funding —

Mr J.E. McGRATH: I am referring to the heading “Significant Issues Impacting the Agency.

The CHAIRMAN: It is the second dot point under that heading.

Dr G.G. JACOBS: It is in and around the Swan Canning water quality improvement plan. An amount of \$3.1 million has come from NRM funding to implement that. We have partnered with Perth Region NRM to provide \$250 000 to assess the compliance of small and medium-sized enterprises with environmental legislation, including the Environmental Protection (Unauthorised Discharges) Regulations 2004. It will provide funding for 800 onsite inspections of small and medium enterprises that will be undertaken by Perth Region NRM with the support of local government and the Department of Environment and Conservation. Inspectors specifically look at the use, storage and disposal of all types of solid and liquid materials that are undertaken on each premises. Inspectors will have the opportunity to educate and work with owners and operators to improve the environmental performance. We do not want the waste tipped into the river. The areas of highest priority are Welshpool and Kewdale, which are light industrial precincts, the Mills Street main drain sub-catchment of the Canning River and the Anvil Way drainage basin. In May the minister announced that \$250 000 would be allocated to the Perth Region NRM industry project to enable a further 800 inspections to be carried out in other than light industrial precincts. It is a good program because we do not want these products getting into the river.

Mr J.E. McGRATH: I am interested in this subject. Minister, I would like to know, and maybe the CEO can advise the committee through you, whether the main contamination of the Swan and Canning Rivers is coming from the small and medium-sized enterprises. Are they responsible for just a small component of the contamination? Where do the small and medium-sized enterprises fit into the grand scheme of our efforts to keep the Swan and Canning Rivers healthy?

Dr G.G. JACOBS: I will ask Mr Hughes to answer that.

Mr R. Hughes: I cannot give the member a direct proportion of contribution, but it is certainly a significant contribution. The reason that we are allocating money to Perth Region NRM is for it to focus on this. It goes more generally to the point that we take a catchment-to-coast approach, so rural sources and the hinterlands and the urban sector—parks and gardens and the small to medium-sized enterprises—are delivering nutrients as well. We do not have a licence to discharge industrial wastes into the river. Through this process we are looking at people who are perhaps not aware of their obligations under laws such as the Environmental Protection (Unauthorised Discharges) Regulations 2004, or who are being lax in their waste management. This process is about members of the Perth Region NRM going out in the first instance and talking to these people without adopting a regulatory approach. Members of this group ask these people whether they are aware of the sorts of things that they should be doing under the waste disposal practices that are available. If they come across bad behaviour or breaches of the law, they will be reported to local government in the first instant and then to the Department of Environment and Conservation.

Mr J.E. McGRATH: I have a further question.

The CHAIRMAN: Before the member for South Perth goes ahead, I will explain that the only member who can ask a further question is the member who asked the question in the first place. If other members wish to ask questions on the same issue, they need to get on to the speaking list and make a note if they want to go back. We can go back and forth; it is not a problem.

Mr J.E. McGRATH: Will the contamination coming from small and medium-sized enterprises be coming through stormwater drains or seepage into the groundwater?

Dr G.G. JACOBS: I will ask Mr Hughes to answer that question.

Mr R. Hughes: We are certainly aware of specific instances in which an individual operator might be taking advantage of a nearby stormwater drain and disposing waste directly into that drain. There would be other cases in which industries are disposing of waste into the soil, which, of course, will enter the groundwater. Again, that might be intercepted by nearby stormwater drains.

Mr D.A. TEMPLEMAN: Mr Chairman, can I ask a question? It relates to what we have been talking about.

Mr F.M. LOGAN: Can I briefly ask this question?

The CHAIRMAN: The member for Cockburn has the call and he can ask what he likes.

Mr F.M. LOGAN: I have two questions actually. One refers to the question the minister answered on oil spills.

Mr D.A. TEMPLEMAN: No, not that one. Have there been any prosecutions through the river protection notices; and, if so, how many?

Mr F.M. LOGAN: The act has been in place —

Dr G.G. JACOBS: Who is asking the question?

Mr F.M. LOGAN: I am asking the question. The act has been in place for two years. How many prosecutions have occurred?

[5.20 pm]

Dr G.G. JACOBS: I am advised that there was none.

Mr F.M. LOGAN: Okay. That got that out of the way.

Mr D.A. TEMPLEMAN: None? No prosecutions?

Mr F.M. LOGAN: No prosecutions. I will go on to the further question I was going to ask. I take the minister to the bottom of page 847 of the *Budget Statements* and to the major spending changes. I want to get an answer from the department. There is additional funding of \$1.75 million under the healthy rivers program for 2010–11, \$250 000 for the monitoring of and reporting on dolphins floating upside down off the lawns of the Nedlands council, and \$1.946 million for state natural resource management, but there is nothing in the out years. That is the money for this year. The Swan River Trust might not spend all those funds and might roll them over into the out years. The Swan–Canning river system is an important icon for Western Australia. The Swan River Trust talked in the *Budget Statements* about the pressures on the Swan River and the impacts on it, such as the 21 million-litre sewage spill earlier this year. Why have no funds been allocated in the budget after 2010–11 to look after and improve our icon, the Swan–Canning river system? There is funding for this year and nothing at all in the out years. There is no line item at all in the *Budget Statements* on any new moneys to be spent. Did the Swan River Trust put up any requests for new money; and, if so, why did it not get any? Is the Swan River Trust going to spend any extra money on the Swan River apart from the three items listed in the *Budget Statements*? For that healthy rivers program, will any of that money be spent on monitoring what happened with the 21 million-litre sewage spill into the Swan River?

Dr G.G. JACOBS: I do not think the member can ask the Swan River Trust whether it asked for some money; I do not think that is possible. I would say that the money into the out years is a matter —

Mr F.M. LOGAN: This is a committee; we can ask anything we like.

Dr G.G. JACOBS: It is a matter of policy for government. Mr Hughes cannot answer it, but I will. Money into the out years is a matter of government policy. There is the healthy rivers action plan. As the member has seen, there is an allocation of \$1.75 million under that item. There is some other money. The five-year, \$40 million plan was released in August 2008 with an aim to protect the environmental health and benefits of the Swan and Canning Rivers by improving water quality. There is also a proportion of the levy that the Burswood Park Board receives—we talked about this—which is expected to amount to \$3 million and which will be directed mainly towards this action plan for the river. Without trying to put responsibilities onto other jurisdictions, there are some other issues, such as an additional \$320 000 of funding from the federal government arising from the Caring for our Country fund. That is yet to be confirmed but it is very likely.

Mr F.M. LOGAN: That is not in here.

Dr G.G. JACOBS: It is very likely. I am just giving the member an idea that this is not the beginning and the end of all the funding into the future for the river.

Mr F.M. LOGAN: Further to that question, there are two things I must put to the minister. The first is that this is Parliament. The minister will not dictate to Parliament on the questions that will be asked of departments. He is the minister and this committee can ask whatever question it sees fit on the *Budget Statements*. The minister should not come in here and think that he can tell us exactly what the department will and will not answer. I am asking the department why there is no new funding in budget paper No 3 for looking after the Swan River. The minister referred to possible streams of funding that may come from other sources. That is not what we are here to examine today. We are not interested in that at all today. We are seeking from the minister and the department the answer to why no new items were sought from Treasury that would form part of this budget paper. There is nothing in here. Secondly, was any money spent or will any money be spent out of the first line item—the healthy rivers program—on monitoring the impacts of the 21 million-litre sewage spill that occurred earlier this year?

Dr G.G. JACOBS: The member for Cockburn asked a direct question to the agency that I am representing; that is, did it make its request for moneys known?

Mr F.M. LOGAN: Yes.

Dr G.G. JACOBS: I believe that any requests for money come through the minister and are part of government policy. I take exception to the member directly asking the agency whether it asked for money.

Mr F.M. LOGAN: The minister should not dictate what Parliament can and cannot do. This is Parliament; it is not government.

Dr G.G. JACOBS: However, in deference to some of the questions —

Mr F.M. LOGAN: We can get this sorted out by the Procedure and Privileges Committee if the minister likes.

Dr G.G. JACOBS: — because I am keen that the member gets some information about funds going forward for that very important icon, the Swan River, I will ask Mr Hughes to make some comments about the funding for the Swan River moving forward.

Mr R. Hughes: I will start with the last part of the question on the impacts of the storm. The main impacts were particularly in the upper Canning but also the upper Swan, with the delivery of a massive amount of organic material into the river, which was added to by the sewage spill that occurred when the pump stations failed because of lack of power. We monitor the oxygen levels of the Canning River very closely, which was really the critical issue at that point. When all this organic material was delivered into the river, the oxygen levels crashed to very low levels. We monitor them on a weekly basis. In fact, we can monitor certain sections of the Canning River 24 hours a day. That is ongoing. As soon as that impact occurred and power could be restored to the two oxygenation plants that operate in the upper Canning, those plants were running at full capacity for 24 hours a day until the oxygen levels were restored to suitable levels. In terms of the ongoing impacts of that event, we are well and truly across that. Those key issues have returned to normal and we are still, of course, responding to the cycles of the river in terms of oxygen levels. Those plants are operated as needed.

Mr F.M. LOGAN: Mr Hughes just spoke about oxygen levels, but is the impact of the organic material that came into the river system being monitored as well? I am asking about the impact not just on the oxygen levels, but also of the 21 million litres of sewage that went into the water. That ends up all over the place. Is that being monitored?

Mr R. Hughes: One of the critical impacts, of course, of sewage entering the river is the delivery of pathogens and the suitability of the waterway for primary contact. The Department of Health takes responsibility for that. A certain number of days after that event, having done the monitoring to check the levels of pathogens, it reported that it was suitable for primary contact, so, yes, that has been dealt with. The Department of Health continues to monitor various key sites around the river and will report on whether they are unsuitable for primary contact, especially after storm events. I will make some further comments about the budget. To reinforce what the minister said, I note that the healthy rivers action plan is probably the critical vehicle by which we deliver funds for water quality of the river. That \$40 million action plan will continue to be rolled out in the years to come. The other thing that does not appear in the budget papers—I understand it is not a state budget delivery item to the trust—is \$2.5 million of new funding to the trust, on which we are finalising negotiations with the federal government, with \$320 000 appearing in the 2010 budget and the remainder appearing in the 2011–12 and 2012–13 financial year budgets. That will boost the capacity of the trust to continue to deliver those programs.

[5.30 pm]

Mr F.M. LOGAN: That does not answer the question; that is, beyond those three items, there is no new funding in these budget papers. I assume, then, that either the trust requested no new funding or the government just did not have any funding. The government does not just turn around in cabinet and say, “I know, the Swan River Trust needs some money; here, have it.” A request goes through the budget request process and, obviously, there is no sign of that in these papers, or it was rejected and there is no new funding beyond the three that are there.

Dr G.G. JACOBS: The money is moving forward. The member can see that we have a heart for the health of the river, but moneys moving forward into the out years are part of the budgetary process.

Mr F.M. LOGAN: There is no new money allocated for the out years; that is the whole point.

The appropriation was recommended.

Division 69: Office of Environmental Protection Authority, \$12 275 000 —

Mr A.P. O’Gorman, Chairman.

Dr G.G. Jacobs, Minister for Water representing the Minister for Environment.

Ms M.J. Andrews, Acting General Manager.

Mr C.J. Murray, Director, Assessment and Compliance Services.

Mr D. Foster, Acting Director, Strategic Policy and Planning Services.

[Witnesses introduced.]

Mr D.A. TEMPLEMAN: Is the director general of the EPA on leave?

Ms M.J. Andrews: I am the acting general manager, which is also the CEO of the new office of the EPA.

Mr C.J. TALLENTIRE: Is the chairman unavailable?

Ms M.J. Andrews: The chairman does not usually attend estimates hearings.

Mr C.J. TALLENTIRE: My question relates to the general budget for the agency, but more specifically to staffing levels. I refer to the top of page 842, “Environmental Impact Assessment and Policies” and “Environmental Compliance Audits Division”. The text following those line items indicates there is growing demand for the agency’s services, yet we see a decline in funding for the agency in the coming years, starting with \$13.430 million and decreasing. How can that be when the agency is anticipating a rising demand for its assessment and policy development and environmental compliance delivery?

Dr G.G. JACOBS: I suggest to the member for Gosnells that we are talking about \$13.43 million as distinct from \$13 million, \$13.245 million after that and then \$13.478 million, which is higher than the figure in 2011.

Mr C.J. TALLENTIRE: In the face of growing demand for services, there is no indication of any decrease in the number of projects. In fact, the opposite is presented. Large numbers of project proposals continue to be submitted. There is a growth in the number of projects being presented.

Dr G.G. JACOBS: As the member for Gosnells will understand, this is obviously a new organisation. He is comparing a 2010–11 figure with an office that had not been in existence previously. But from all the accounting and back-casting done, if the member will excuse that expression, in fact we have a benchmark to compare it with. The accountancy and the financial advice is that the total appropriation of \$12.275 million represents a 4.9 per cent real increase. It includes \$650 000 for a new project tracking system, \$1 million for seven FTEs for major project approvals—the allocation due at the end of this year has been continued—and \$450 000 for new positions, including the office of the general manager. The budget includes a total of 94 FTE staff.

Mr C.J. TALLENTIRE: The minister did not answer the question. How will this agency deal with its increasing workload? The second dot point on page 842 indicates that the agency will more efficiently manage its workload, but there is no indication of what the projections are for that workload, other than a general indication that there will be an increase in the workload.

Dr G.G. JACOBS: Yes, there are large numbers of project proposals, and they continue to be submitted. There will be an obligation, as it says here, for the office to improve its processes and more efficiently manage the workload. It will seek to do better project tracking, and provide guidelines to assist proponents to do things better. I believe that the origins of this office came from: “Let’s do things more efficiently; let’s look at reform in processes to try to deliver these impact assessments and compliance audits efficiently.”

Mr C.J. TALLENTIRE: The government’s response is to increase the number of employees in the Office of the Environmental Protection Authority by five from the number in the previous year. How will that deal with this growth in demand and the growing community expectation for quality assessment?

Dr G.G. JACOBS: I will ask Michelle Andrews to make a few comments.

Ms M.J. Andrews: As the minister indicated, the Office of the EPA was set up at the end of November as a dedicated office to the Environmental Protection Authority to focus on the primary responsibilities of the EPA around environmental impact assessment, statutory environmental protection policies and guidance for proponents and industry in the environmental impact assessment process. We are reforming our management processes, which will be improved by the project tracking system that is being funded for next year and improving the guidance for proponents that informs the assessment process. We are also providing greater certainty around the time lines. A draft time line document has been published in the past month for public comment. We are reforming our processes to improve the certainty, the time lines and the predictability of the environmental impact assessment process, which will also deliver better environmental outcomes and earlier advice into the strategic planning processes in the state.

[5.40 pm]

Mr C.J. TALLENTIRE: I have already referred to the third dot point. It talks about reducing the number of environmental issues under appeal. How will that improve the quality of environmental assessment?

Dr G.G. JACOBS: In and around ministerial decisions on appeals?

Mr C.J. TALLENTIRE: The minister is saying that he is going to reduce the number of things going to appeal. How will that improve the quality of assessment? How can that be done in an objective scientific way when it is based on the analysis of a ministerial decision? It is down to ministerial discretion.

Dr G.G. JACOBS: The advice of the independent Appeals Convenor is that a significant number of appeals against recommendations of the EPA are on technical rather than substantive matters. One of the positives for creating a separate office is that the new agency will focus on the effectiveness of its processes and decisions, including the recommended conditions of the proposal. It is about doing things better. The Office of the EPA has indicated that it wants to improve its condition setting by learning from the outcomes of the appeals process so that we can get some effectiveness in that. If they are on technical rather than substantive matters, we need to address that and not have those technical matters frustrate the process. On the last point, we think that is a positive and practical step towards greater certainty, rigour and time lines. Most of the issues that I have in the

area of water relate to applications for allocation of licences. If the miners know the guidelines for water applications in the Pilbara, that stops a lot of toing and froing on technical issues because the guidelines are out there so they know what we are looking for.

Mr C.J. TALLENTIRE: Based on that final part of the minister's answer, how many of the 82 staff will be engaged in impact assessment work and how many will be engaged in policy development work?

Dr G.G. JACOBS: There is a breakdown in the papers somewhere. There is a breakdown of how many people are involved in environmental impact assessment and how many people are involved in environmental compliance audits.

Mr C.J. TALLENTIRE: The minister was making the point that the policy work would assist the big wealthy mining companies in their development of projects. He said that the policies would be a guidance to them. Could the minister separate who will be working on assessment and who will be working on policy?

Dr G.G. JACOBS: As the paper says, 82 people will be working on environmental impact assessment and policies.

Mr C.J. TALLENTIRE: What is the breakdown of that? Who is doing policy and who is doing assessment? It is essential. The minister has just said that the policy work guides these companies that have their multimillion-dollar projects and they need this assistance from the EPA to get their projects through the assessment process rather than waiting to find out details when the assessment process is being undertaken.

Dr G.G. JACOBS: Forty-eight people will be working on assessment and 25 on policy.

Mr F.M. LOGAN: I go back to what we were just talking about. What issues are driving the department in terms of its workload? Page 842, under "Significant Issues Impacting the Agency", states —

- Large numbers of project proposals continue to be submitted for environmental impact assessment by the Office.

On page 843, under "Explanation of Significant Movements", note 2 states —

... the total number of environmental assessments and policies developed is not expected to vary significantly.

On one page it is saying that large numbers of proposals continue to pour into the department and then on page 843 it basically shows the same numbers and says they are not expected to vary significantly. The reason I ask this of the minister is that, clearly, the new tracking project system to which the note refers is meant to increase the efficiency and the response times of the department. Note 2 states —

The increased unit cost from the 2009–10 Budget to the 2010–11 Budget Target is due to the additional resources provided for corporate costs associated with the new agency and a new project tracking system ...

If that is the case, why is there an increase to 82 full-time employees on environmental impact assessment policies as opposed to the 77 who have been employed for the past two years? We are putting more money into providing more efficient systems for delivering quicker outcomes and we need to have more employees to do it, do we?

Dr G.G. JACOBS: I have been advised that we should probably pick the member up on the fact that "large numbers of project proposals continue to be submitted" does not necessarily mean the same as "increasing number of project proposals being submitted". Large numbers of project proposals continue to be submitted for environmental impact assessment by the office while at the same time the total number of environmental assessment policies developed is not expected to vary significantly. The number of proposals is large already and will continue to be large.

Mr F.M. LOGAN: It could be a question of semantics but I would say that is a contradiction in terms.

Dr G.G. JACOBS: The member picks me up on semantics all the time, so it is fair —

Mr F.M. LOGAN: That is a contradiction in terms. Why are there more employees when we are putting more money into the efficiency of the department?

Dr G.G. JACOBS: Michelle is happy to answer some of those questions in good faith as we want to provide information, not try to fudge it.

Mr F.M. LOGAN: Just provide the information; do not worry about good faith.

Ms M.J. Andrews: When the Office of the EPA was set up in November, 88 staff moved over from the Department of Environment and Conservation. They were existing staff, existing positions, conducting the services that are now within the Office of the EPA. Six additional positions have been created that are required to run a separate agency. That includes me, an executive assistant, a legal officer, a ministerial liaison officer and

a financial officer—those sorts of corporate support functions. They are the additional positions that have been established and funded through the current budget process.

Mr M.J. COWPER: In the spirit of cooperation, I will defer my question so we can move to the next division.

The appropriation was recommended.

[5.50 pm]

Division 68: Botanic Gardens and Parks Authority, 15 769 000 —

Mr A.P. O’Gorman, Chairman.

Dr G.G. Jacobs, Minister for Water representing the Minister for Environment.

Mr M. Webb, Chief Executive Officer.

Mr I. Biddle, Business and Finance Manager.

[Witnesses introduced.]

The CHAIRMAN: The member for Mandurah.

Mr D.A. TEMPLEMAN: I refer to the second dot point on page 832, the five-year management plan for Kings Park and Botanic Garden for 2009–14, and on behalf of the member for Armadale I ask whether the minister can confirm whether the Kings Park Botanic Gardens and Parks Authority is looking to develop a regional park as part of its overall strategy in the area of Hamel or develop any other regional area for a new botanical park?

Dr G.G. JACOBS: I will provide a general answer and then I will refer to Mr Webb. With the five-year management plan for Kings Park and Botanic Garden, the public consultation process underpins the management of Bold Park and Kings Park and Botanic Garden, and both management plans are on track. The focus for the next Kings Park plan will be the celebration and recognition of the value of the state’s botanic garden in its fiftieth anniversary in 2015. I will ask Mr Webb to comment on Hamel.

Mr M. Webb: In Western Australia there is only one botanic garden, Kings Park and Botanic Garden. In contrast, many other states have a number of botanic gardens. Since 2000 the authority has been keen to establish a number of regional botanic gardens. A report was done in that year that identified not locations but key criteria under which regional botanic gardens might be established. We are in informal contact with two groups, if you like, to consider regional botanic gardens, and neither of those involve Hamel.

Mr D.A. TEMPLEMAN: What are those two groups?

Mr M. Webb: The discussions have been only by telephone at this stage. One is through the University of Western Australia, which is keen to look at a regional botanic garden for research, and the other is through a not-for-profit group that is keen to look at a regional botanic garden in one of the mining areas of Western Australia.

Mr C.J. TALLENTIRE: I refer to the service summary table on page 831. There is a very large discrepancy between the 2009–10 budget figure of some \$18 million and the actual figure of \$25.9 million. Could we have some explanation for that substantial discrepancy?

Dr G.G. JACOBS: There are issues of money and some baseline expenditure was brought forward, so I ask Mr Webb to go through those with the member by way of explanation for the \$25.93 million and the \$16 million total cost of services.

Mr M. Webb: If I understand the question correctly, we brought forward a sum of money from the 2010–11 financial year to expend on works in the 2009–10 financial year. Those works have largely been completed and most of the money will, in fact, be spent in this financial year; however, there may be some small amount of works that will not be finished this financial year and that money may have to be carried over into the next financial year. I can outline those projects, if you like.

Mr C.J. TALLENTIRE: Yes, please.

Mr M. Webb: The major funding was \$4.087 million on the Fraser Avenue ceremonial walk. There were public and safety asset initiatives, including irrigation repairs and replacement, roof repairs and unsafe lighting replacement. Also, paths and trails were repaired following the January 2009 bushfire. For those works nearing completion the sum expended to date is \$2.597 million. In the case of a new project in Kings Park called the Rio Tinto Naturescape we are currently undertaking some works of a recurrent nature, mainly engaged in the landscape design and design of a new building.

Mr F.M. LOGAN: I draw the attention of the minister and the CEO to page 830 under “Item 161 Capital Appropriation” under “Capital” in the “Appropriations, Expenses and Cash Assets” chart, which indicates a budget estimate of a capital appropriation of \$2.932 million. It is also referred to later in the budget papers under capital appropriation, but there is no correlation between that money and how it is to be spent. I presume it is

being spent on the new works that are highlighted above it. This question is for the purpose of the budget papers so that people can read them accurately. There does not seem to be any correlation; it is simply a lump of money allocated and there is no reference back to how that \$2.932 million is spent. The budget papers have to be clear so that everyone can follow the course of the money.

Dr G.G. JACOBS: Basically, this is a capital appropriation table for new works and how that is funded. I will ask Mr Webb to walk the member through that.

Mr M. Webb: The sum of \$2.932 million is made up of expenditure on the next stage of the biodiversity conservation centre in Kings Park. The second part of that, in the amount of \$1.935 million, is on the nursery depot redevelopment, which comes to a total of \$2.932 million. In addition, we will be funding it through an internal fund and balances of about \$0.585 million.

Mr D.A. TEMPLEMAN: Given the time, hopefully there will be some very quick answers provided to these questions. I refer to the sixth dot point on page 832, which refers to Indigenous heritage and the desire by Nyoongah elders for a high-profile statue. Has the minister indicated her reaction to that request and is there a plan to support the request by the Indigenous elders who I understand advise the board? I would like to know the minister's view on those requests. I am sure that Mr Webb can answer the second question, and I would like a very brief comment on the health of the transplanted boab.

Dr G.G. JACOBS: The BGPA is seeking support from both government and non-government sectors for the new proposal that the member for Mandurah talked about. The member asked about the minister's view. I do not know the minister's view as we sit here today, but I am sure that the request will get some positive consideration.

Mr D.A. TEMPLEMAN: It has been on the books for a while. When I was a minister, a request came through. I failed dismally in implementing it!

Mr M. Webb: The boab has currently lost all its leaves as it is too cold, but it is really healthy and there has been active root growth. All the rot that was on it has been cleaned up and we are very confident that it will continue to remain healthy and produce new leaves later this year.

Mr C.J. TALLENTIRE: I have a quick question regarding the fifth dot point on page 832, where mention is made of a private consortium that will be involved in a development at the botanic gardens at Kings Park. Who are the private individuals in that consortium and what control does the government have over them?

Dr G.G. JACOBS: The advice I have is that the consortium includes representatives from a range of community groups including the Healing Hearts Foundation, SIDS and Kids, the Compassionate Friends of Western Australia, Soroptimist International of Western Australia and the Association for Services to Torture and Trauma Survivors.

Mr C.J. TALLENTIRE: Are these organisations providing funding?

Dr G.G. JACOBS: I will work through some of these and then answer that question for the member. The consortium has raised over \$1 million for the place of reflection, and will provide path upgrades, a boardwalk, a pavilion, lighting and an upgrade to existing toilets and the precinct. Works are expected to be documented for tender in July–August 2010 for completion in early 2011.

Mr C.J. TALLENTIRE: Will there be Rio Tinto or Wesfarmers logos on this?

Mr M. Webb: There will be no naming rights attached to this particular facility.

The appropriation was recommended.

Meeting suspended from 6.01 to 7.00 pm

[Mr J.M. Francis took the chair.]

The CHAIRMAN: Before I read out the initial statement, I understand there may be a desire among committee members to change the order of the divisions that we deal with this evening. My understanding is that there is a desire to start with division 39, Fire and Emergency Services Authority. If that is the case, I require a motion to be moved and a resolution from the floor. Are you happy to move that, member for —

Ms M.M. QUIRK: Girrawheen—the north side of the river, Mr Chairman!

The CHAIRMAN: The member for Girrawheen has moved that we proceed with divisions 39, 38 and 35; in that order.

Mr R.F. JOHNSON: Can I suggest, though —

The CHAIRMAN: I am sorry, before I finish putting the question.

Mr R.F. JOHNSON: We need a time limit somewhere because I assume there are members who want to get on to police and road safety at some stage. I think we should therefore have a maximum time on FESA.

The CHAIRMAN: I think I will deal with that issue separately to this resolution, if I can finish.

Mr R.F. JOHNSON: Okay.

Question put and passed.

The CHAIRMAN: We will start with division 39 and it will obviously be up to the committee to determine how long we remain on this division.

Division 39: Fire and Emergency Services Authority of Western Australia, \$24 544 000 —

Mr J.M. Francis, Chairman.

Mr R.F. Johnson, Minister for Emergency Services.

Ms J. Harrison-Ward, Chief Executive Officer.

Mr F. Pasquale, Executive Director Corporate Services.

Mr C. Hynes, Chief Operations Officer.

Mr J. Butcher, Executive Director, Strategic Policy and Executive Services.

The CHAIRMAN: This estimates committee will be reported by Hansard staff, and the daily proof *Hansard* will be published at 9.00 am tomorrow.

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; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It is the intention of the chairman 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. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which 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 committee clerk by Friday, 11 June 2010 so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers and, accordingly, I ask the minister to cooperate with those requirements. 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. Only supplementary information that the minister agrees to provide will be sought by Friday, 11 June 2010.

It will greatly assist Hansard if when referring to the program statement volumes or the consolidated account estimates, members give the page number, items, program and amount in preface to their question.

I now ask the minister to introduce his advisers to the committee.

[Witnesses introduced.]

Mr R.F. JOHNSON: They are the only ones who may be speaking, if I ask them to speak. The other members present are advisers to me.

The CHAIRMAN: The first question is from the member for Balcatta.

Mr J.C. KOBELKE: I would like to get some clarification from the minister of the emergency services levy. I refer to the regulatory fees and fines under "Receipts" on page 502 of the cashflow statement. They go from almost \$180 million in 2009–10 to \$218 million in 2010–11, an increase of 21 per cent, or \$38 million. However, they do not match with items in other places in terms of the increase in the ESL. Is the minister able to give us a breakdown of that increase, which is quite huge; that is, what component is from the ESL and what are the other components of fees or fines?

Mr R.F. JOHNSON: Is the member talking about the line item on regulatory fees and fines?

Mr J.C. KOBELKE: Yes, under "Receipts" on page 502.

Mr R.F. JOHNSON: Is the member referring to \$179 691 000 under the 2009–10 budget?

Mr J.C. KOBELKE: Yes.

Mr R.F. JOHNSON: Is the member seeking—correct me if I am wrong—some clarification on the 2009–10 estimated actual and the 2010–11 budget?

Mr J.C. KOBELKE: I will repeat it. The increase is \$38 million, or 21 per cent. I would like a breakdown of the components of the increase in the emergency services levy and other areas where there are increases to give that \$38 million increase.

Mr R.F. JOHNSON: I will ask Frank Pasquale to give the detail on that one so that it is quite clear.

Mr F. Pasquale: In answer to the first part of the member’s question, the regulatory fees and fines represent all of the emergency services levy; therefore, there are no other funding sources in that line item. For the explanation on the increase from the 2009–10 estimates, on page 493 of the budget papers there is a significant list of major spending changes. In the main the shift in funding represents the recognition of additional capital funding for local governments, emergency service volunteers and vulnerable remote communities, improved community information and warning mechanisms —

Mr J.C. KOBELKE: Minister, I do not want to interrupt the adviser because what he is saying is true and I want that, but it does not answer the question. The question I am going to is about the increased receipts, and then if I get a chance I will follow through to the expenditure.

Mr R.F. JOHNSON: By “increased receipts” does the member mean increased receipts from the emergency services levy?

Mr J.C. KOBELKE: I want clarification. The line item is “Regulatory fees and fines”, which suggests it is predominantly from the emergency services levy, but there may be other components of that. What I am seeking is confirmation that it is totally made up of ESL increases, or whether it is ESL plus other parts; and, if so, what are the other parts?

Mr R.F. JOHNSON: They are totally ESL increases.

Mr J.C. KOBELKE: So the increase in the ESL is \$38 million or 21 per cent, even though the representative household increase is only supposed to be 18.5 per cent.

Mr R.F. JOHNSON: That is correct.

Mr J.C. KOBELKE: I do have questions to follow up, but other members might want the opportunity to ask a question and I will come back to this.

Mr R.F. JOHNSON: Can I clarify that? The average increase in the levy is \$28—or we think it is \$27 now.

Mr J.C. KOBELKE: I suggest that is not correct. That is a representative household; it is not the average. The average increase is 21 per cent. In fact if it is a \$38 million increase, it is a straight off 21 per cent increase. But the representative household takes one of the subgroups, which is a representative of households.

Mr R.F. JOHNSON: I will ask Mr Pasquale to explain that in more detail.

Mr F. Pasquale: The increase in the emergency services levy budget is correct, as the member stated. That translates to an average increase in the residential charge in the metropolitan area of \$28. Because of movements in gross rental value—GRV—there is not a direct correlation between the two figures.

Mr J.C. KOBELKE: Yes, because we said it is residential; whereas the total also takes in commercial —

The CHAIRMAN: I am happy for the member for Balcatta to ask as many further questions as are reasonable, but I cannot allow him to directly ask a question of an adviser. I ask the member for Balcatta to direct that question through the Chair, and I ask that he ask it again.

Mr J.C. KOBELKE: I think I have clarified with the minister that all of the \$38 million is due to the ESL. That was the point on which I was seeking clarification.

Mr R.F. JOHNSON: Yes, it is. However, I further clarify that \$28—or \$27, as we believe it is now—is for residential; whereas the extra increase in percentage terms, which the member for Balcatta is referring to, includes commercial properties. Commercial properties are, of course, very different from residential properties, as the member for Balcatta would know very well.

[7.10 pm]

Ms M.M. QUIRK: Can I clarify, minister, that the increase in the emergency services levy is not just due to an increase in the gross rental value, for example, and that the minister is also raising the cap on the levy to the set amount for the cap? In other words, this rise is not just attributable to moves in the value of property, but the minister has also physically increased the rate.

Mr R.F. JOHNSON: That is absolutely right.

Ms M.M. QUIRK: What is the rate now, minister?

Mr R.F. JOHNSON: It supports the additional funding. The ESL figure in the budget papers before us is not just in relation to the GRV, it is also additional funding for things that we need desperately —

Ms M.M. QUIRK: We understand that, minister. I am asking whether the minister has done a calculation on how much additional revenue the Fire and Emergency Services Authority would have received if it was just received naturally through the increase in GRV as opposed to raising the cap.

Mr R.F. JOHNSON: It does not actually work that way, but I will get Mr Pasquale to explain in detail so that the member for Girrawheen understands completely.

Mr F. Pasquale: The rate in the dollar that the member is referring to is just a mechanism on what rate needs to be struck to raise the amount of levy that has been declared. It is only based on how we, in effect, cut the pie. The increase that has been reflected in regulatory fees and fines is what has been used to determine the rate. The rate in the dollar will collect that amount of money. It does not mean just because GRV goes up that automatically the ESL budget goes up. That is taken into account, but it is budget driven. The budget is approved and then the rate is determined; not that the rate will go up because of GRV and that means that extra revenues will be raised. It is not about extra revenues. The ESL will be raised based on what the expenditure requirements are, and then the rate is determined.

Mr M.J. COWPER: In a similar stream to the questions asked by other members, by way of supplementary information can we have a breakdown of the increases, say, in matrix form that shows the various ESL categories 1, 2, 3 et cetera? I have not seen it in the budget papers here. It would be very handy. Certain areas of Western Australia, as the minister well knows, are levied at different rates. I am particularly interested in my constituents, many of whom are farmers, so I can actually identify what the increases are across the various categories.

Mr R.F. JOHNSON: I will not give an answer by way of supplementary information because it was actually gazetted last Tuesday evening. It is now a public document.

Mr M.J. COWPER: It is gazetted?

Mr R.F. JOHNSON: Yes. The member will be able to see all that information.

Dr M.D. NAHAN: I refer to “Major Spending Changes” on page 493 of the *Budget Statements* in reference to employment of additional firefighters. Can the minister explain how many additional firefighters FESA will recruit and where they will be located?

Mr R.F. JOHNSON: There are various aspects here. Obviously our government recognises how vital it is for FESA to be well resourced and how the roles and the delivery of emergency services in both metropolitan and regional areas have expanded significantly. These increased demands have occurred due to a number of factors and have not been accompanied by an appropriate increase in career firefighter numbers. The government has approved a \$128 million package over the next four years. As part of this package we are investing nearly \$27 million to increase the number of career firefighters by an additional 102 personnel. FESA will recruit an additional 22 in year one, 26 in year two, 25 in year three and 29 in year four. The staff will be allocated to operations, specialist and technical areas in regional WA, and training. We are covering the whole spectrum of WA, including training.

Mr M.J. COWPER: What is the attrition rate? The minister said he expects 25 additional firefighters—what has the attrition rate been in recent times? I know we suffered substantially during the boom. During the global financial crisis people have probably been trying to get back into the service. Are there any trends that might be significant?

Mr R.F. JOHNSON: I am advised that we are very much below the average rate of attrition. It seems that most people who want to become firefighters stay firefighters. The attrition rate is less than three per cent, which is commendable.

Mr M.J. COWPER: It used to be zero once.

Mr R.F. JOHNSON: Just to clarify: if there is any attrition, then we hold additional schools and additional training and take on a few more recruits.

Mr M.J. COWPER: Are the figures the minister is stating actually 25 “additional” firefighters?

Mr R.F. JOHNSON: Yes.

Mr J.C. KOBELKE: The minister answered a question about career firefighters. Could the minister also give the number of additional community fire managers and community emergency service officers who will be employed in each year?

Mr R.F. JOHNSON: I anticipated this question. The answer is 20 over three years.

Mr J.C. KOBELKE: Can the minister not say how many each year and which category they go into, or has that not been allocated yet?

Mr R.F. JOHNSON: I will ask Ms Harrison-Ward to answer that question.

Ms J. Harrison-Ward: As the member would be aware, there are partnerships with local government. It really depends on the negotiations with the respective local governments. I have probably got around 15 requests from various single local governments or combined local governments asking us to consider going into partnership with them on community emergency service officers. Where we put them will depend on the risk factors across those local governments.

Ms M.M. QUIRK: Can the minister explain to us the distinction between community fire managers and community emergency service officers?

Mr R.F. JOHNSON: I will ask Ms Harrison-Ward to answer that one.

Ms J. Harrison-Ward: The community emergency service officers that I have just spoken about are partnership agreements on basically a 50–50 basis with respective local governments. They focus on assisting the local governments to manage and administer their volunteer network, bushfire brigades and SES volunteers. In some local governments they are also appointed as the chief bushfire control officer; sometimes they are not. They deal more in an operational, hands-on approach as opposed to the community emergency management officers who are spread throughout the state to assist local government with their emergency management responsibilities under the Emergency Management Act. They will assist local government in emergency management planning and help them establish local emergency management committees and recovery committees et cetera.

Mr R.F. JOHNSON: Those people are based throughout the regions, obviously.

Ms M.M. QUIRK: I ask the minister about risk assessment. When was the last risk assessment done for the state?

Mr R.F. JOHNSON: Which page is the member talking to?

Ms M.M. QUIRK: I am talking to the second bullet point, third line down on page 494—“meeting the increased demand for online services capability and capacity”.

Ms J. Harrison-Ward: That is online.

Ms M.M. QUIRK: Bullet point 1, line 3 on page 494—“enhancing both the Fire and Emergency Services ... and multi-agency major incident management”.

Mr R.F. JOHNSON: The major incident management is being —

Ms M.M. QUIRK: No; I am asking about risk assessment, minister.

[7.20 pm]

Mr R.F. JOHNSON: The member is asking about that dot point line and I am going to give the answer to that dot point line.

Ms M.M. QUIRK: Only if it includes something about risk assessment; otherwise, do not bother, minister.

Mr R.F. JOHNSON: Where does it say “risk assessment” in that dot point? It does not say that.

The CHAIRMAN: I am trying to be as generous as possible, but I am also a bit lost as to the member’s question now. Can I ask the member to rephrase the question?

Ms M.M. QUIRK: I refer to the first dot point on page 494, line 7. It states —

... further demand to develop emergency services in vulnerable remote communities.

That will do. When was the last risk assessment done for the state? I think the minister will find it was November 2009.

Mr R.F. JOHNSON: Is the member is talking about vulnerable remote communities?

Ms M.M. QUIRK: Yes.

Mr R.F. JOHNSON: I thank the member; that is a different line from what she first quoted. I will give her an answer to that question. The government is committed to supporting the Fire and Emergency Services Authority to boost front-line emergency services throughout the state and enhance FESA’s capacity in high-risk areas. That is what we are talking about. FESA will be allocated \$40 million over the next four years to provide emergency vehicles, equipment and facility upgrades for local governments, volunteers and vulnerable remote communities. As part of this funding package, FESA will establish first-response fire and emergency services capability in eight remote Indigenous communities over four years. This will include the provision of a firefighting appliance and garaging facility for each of the selected communities. The selected communities will include those that

have a multifunctional police facility. As part of this process to increase fire management capabilities in vulnerable remote communities, FESA has conducted a pilot project, working closely with local government and a number of remote Indigenous communities in the Kimberley, to build their emergency management capacity. An effective local emergency management structure and specific training has been developed to facilitate community inclusion, increasing knowledge capacity and risk awareness. This work has been a necessary step towards increasing emergency management capabilities in these communities, and addresses the requirements of the Keeping Our Mob Safe strategy. In due course, the same structure, training and procedures can be deployed to other remote communities throughout the state. That is the answer to the question the member asked.

Ms M.M. QUIRK: Was the identification of those vulnerable communities done by way of risk assessment? When was the last risk assessment done for the state? If those vulnerable communities are in the Pilbara or Kimberley, when does the minister anticipate having career firefighters in those regions?

Mr R.F. JOHNSON: I will give the member the same answer I gave Hon Ed Dermer, which is that that is all being undertaken at the moment. Those facilities and capabilities are under consideration at the moment. Until the outcome of that is known, I cannot say that it will happen tomorrow. All that work needs to be done before we can state exactly where those areas will be facilitated.

Ms M.M. QUIRK: In fact, if we go by the forward estimates, we would not anticipate anything for the next four years.

Mr R.F. JOHNSON: No, that is not true. We are dealing with this year's budget, as the member knows.

Ms M.M. QUIRK: The forward estimates go up to 2014, minister. There is no reference to it for 2014.

Mr R.F. JOHNSON: When the Labor Party was last in government, it did exactly the same thing. It dealt with the year's budget and had forward estimates. That is exactly what they are—estimates. This time next year there may well be a different figure in the line for 2011–12 from what is in that line today. It happens under this government and it happened in the previous government.

Mr J.C. KOBELKE: I refer to the item "Net Cost of Services" under "Expenses" on page 493. The net cost of services is down \$7 million for 2010–11 on the previous year. Clearly, according to that line, the government is withdrawing its contribution, which is being covered by the increase in the emergency services levy. Are there any other figures to indicate that it is not the fact that the government has reduced its contribution to net costs of services?

Mr R.F. JOHNSON: The actual for 2008–09 was \$224.383 million; in the 2009–10 budget, it was \$233.001 million and the variance is \$8.618 million. The increase of \$8.618 million reflects —

Mr J.C. KOBELKE: Minister, I am talking about the net cost of services, which goes from \$38.612 million to \$31.666 million, a reduction of \$7 million. The government is putting \$7 million less into FESA.

Mr R.F. JOHNSON: No, it is not.

Mr J.C. KOBELKE: That is what the figures say. I am asking if there are other figures that tell a different story.

Mr R.F. JOHNSON: I will ask Mr Pasquale to deal with that one.

Mr F. Pasquale: The net cost of services is obviously a reflection of the difference between total expenses and total income, so we need to look at the expenses and the income together. The income under net cost of services also includes other income, not just emergency services levy income. It obviously does not incorporate government income as well. In specific response to a member's question, when we refer to item 69 and the amount appropriated to deliver services, that is the government's operating recurrent contribution to FESA's operation. It appears from the estimated actual for 2008–09 that there is a significant reduction compared with the forward estimates. The reason for that reduction is that in 2008–09, there is some \$18 million in supplementary funding, which is provided on an annual basis to recoup expenses associated with the natural disaster relief arrangements and other unbudgeted expenses. It is a normal practice that occurs every year, which is why it is not reflected in the forward estimates. In addition to that amount appropriated to deliver services, the government also makes a contribution for the emergency services levy it pays on its own property.

Mr J.C. KOBELKE: That is \$2 million, is it not?

Mr R.F. JOHNSON: No, it is \$14 million for government properties.

Mr J.C. KOBELKE: Has it been \$14 million for some years? Has that gone up?

Mr R.F. JOHNSON: It started at \$9 million when the levy first started, and it is up to \$14 million now. In all that time, I would say —

Mr J.C. KOBELKE: What was the contribution by government to government property in 2009–10?

Mr R.F. JOHNSON: My advice is \$12 million.

Mr J.C. KOBELKE: That is what I was saying. The increase is \$2 million, but the government has actually taken \$7 million out of the budget. There is a \$2 million increase in government expenditure elsewhere, and the government has taken \$7 million out.

Mr R.F. JOHNSON: Not at all; I think Mr Pasquale clarified that position. I would have thought that as a former minister, the member would know exactly what he was talking about.

Mr J.C. KOBELKE: I do, and I think he has confirmed what I said: that in the net cost of services, the government is going to fund \$7 million less in 2010–11 than it did in 2009–10. Just above that, under “Capital Appropriation”, in 2009–10 there was \$27.761 million and in 2010–11 it is zilch. Again, is that not the government withdrawing or stepping back and putting \$27.761 million less into FESA than in previous years? When that is added to the \$7 million below, we get \$35 million, which is close to the extra the government is taking from the emergency services levy. Basically, the government is pumping the ESL so that there is less money from the consolidated fund going into FESA.

Mr R.F. JOHNSON: No, the member is wrong, and this goes to the heart of the member for Girrawheen’s multitude of press releases, including the one that went out last Friday. It was so wrong that the journalists would not run the story. I have the press release. Once we explained what the story was, they knew there was no story. I thank the member for the question. I would like to give further confirmation as to why the journalists did not run the story, and why the member for Girrawheen was so wrong in her press release, as she is very often. The member asked a question in Parliament last week, and then issued a media statement that claimed that the state government was reaping an additional \$24 million in revenue from the emergency services levy and reducing the state government’s contribution by \$28 million.

[7.30 pm]

Ms M.M. QUIRK: I was wrong—it is \$38 million!

Mr R.F. JOHNSON: These are completely unfounded, outlandish and totally wrong claims. I will clear up the member for Girrawheen’s confusion and set the record straight, which I love doing. Over the past two years a debt reduction strategy, begun by the now opposition, reduced the Fire and Emergency Services Authority’s outstanding debts. That happened when the member for Balcatta was the minister.

Mr J.C. KOBELKE: I am well aware of it.

Mr R.F. JOHNSON: The member knows all about this.

Mr J.C. KOBELKE: I am well aware of it.

Mr R.F. JOHNSON: The member should be aware of it, and he perhaps should advise his colleague sitting next to him, because she is obviously not.

In the 2008–09 budget, the previous Labor government paid \$32.9 million to reduce FESA’s debt through a cash surplus. Our government supported this strategy, and in 2009 we totally wiped out FESA’s debt with a further payment of nearly \$28 million. We did that last year. That was to pay off FESA’s debt. Obviously, as a statutory authority, it runs up debt and it manages its own affairs in many respects, as the member for Balcatta knows only too well. Therefore, that funding has been removed from the budget process—of course it has; once the debt is paid off, money should not be left in there but should be used in other areas. That means that, collectively, FESA’s loan repayments have now been reduced by \$7.5 million a year—a great achievement. In turn, the amount of the emergency services levy required to be collected by FESA to repay the loans has been reduced by \$7.5 million, which is a plus for the Western Australian community. Finally, FESA’s asset investment plan is funded, as the member knows, through borrowing and internal balances, hence why there are no capital appropriations allocated in the out years. The member knows all that though, I am sure.

Mr J.C. KOBELKE: The minister has not answered the question. If the minister looks at last year’s budget, there was a commitment of \$27.7 million to capital; this year there is zilch, so the government is putting in \$27 million less. If we consider that the government has collected \$38 million by hitting people through the ESL, it has reduced its recurrent expenditure by \$7 million and it has reduced its capital by \$27 million, where does the rest of the ESL go? If we look at the recurrent expenditure, it flatlines. The expenditure has not been increased there in terms of the government’s contribution.

Mr R.F. JOHNSON: The member for Balcatta should know better because he is a past minister in this area, and I would have thought he would have known better. I can excuse the member for Girrawheen for not knowing about this.

Mr J.C. KOBELKE: But the minister cannot answer the question.

Mr R.F. JOHNSON: I can answer the question. The member said that we have reduced the amount of government input last year—that is incorrect.

Mr J.C. KOBELKE: No; I said that in 2010–11 there is \$27 million less capital.

Mr R.F. JOHNSON: We have put in nearly \$28 million to wipe off the FESA debt—to wipe it off. The former government started it—congratulations; I think it was a good move that I would have supported—but in the past year we put in \$28 million to wipe the rest of that debt off, which was necessary. The member cannot say that because we did that last year, there should be \$28 million in there this year.

Mr J.C. KOBELKE: But the government has a major capital spend, and it is not contributing to that capital spend out of the consolidated account; it is contributing to it out of the ESL.

Mr R.F. JOHNSON: No, that is rubbish!

Mr J.C. KOBELKE: Why did you put the ESL up 30 per cent in two years? Where is that money going? The government has increased ESL by 30 per cent in two years, which whacks ordinary mums and dads, whose money the government is spending instead of putting in government money.

Mr R.F. JOHNSON: The member knows that capital has always been funded through borrowings.

Mr J.C. KOBELKE: And contribution from CRF, plus the cash carryover that the department has, and it juggles those around.

Mr R.F. JOHNSON: Statutory authorities, of which FESA is one, manage their own affairs, as the member knows. They are allowed to borrow money and they are allowed to keep money on the sale of property to reinvest in further properties in their assets. That is the way FESA is, and the member knows that only too well. The ESL was originally introduced for advancing —

Mr J.C. KOBELKE: Yes, but with an undertaking that it would not be used to milk ordinary families so that the government could put in less. This government is milking ordinary families and it is putting in less. That is the outcome.

The CHAIRMAN: Member for Balcatta, if you have further questions, I am going to ask you to seek the call. I am going to move on to the next member on my list. The member for Geraldton has the call.

Mr I.C. BLAYNEY: I refer to page 493, under the heading of “Major Spending Changes”, which has a line item of “Improved Community Information and Warning Mechanisms”. Could the minister advise us how effective Western Australia’s new StateAlert system has been over the fire and cyclone season, and what future plans FESA has developed to improve community information and warning mechanisms?

Mr R.F. JOHNSON: I thank the member for his question. As members know, WA has its own purpose-built StateAlert system, which has worked very well. It has been extremely successful in boosting community safety. FESA and WA Police jointly funded and developed StateAlert over the past five years. In fact, I launched a trial of StateAlert last August, and it was fully operational for the start of the 2009–10 bushfire season. StateAlert had its first activation for a cyclone at Derby on 16 December 2009, when 5 455 SMS messages were sent. Since its first activation, StateAlert has been used on a further eight occasions, including during the Toodyay and Badgingarra fires, with more than 20 000 messages in total sent out. The funding boost provided for in the 2010–11 budget will enable the ongoing maintenance of StateAlert and hardware upgrades, as well as the provision for sending emergency warnings to location-based mobile phones. In addition to StateAlert, the first phase of the implementation of the “Prepare. Act. Survive.” strategy over the bushfire season has been extremely well received by the community. Once the final report of the Victorian bushfire royal commission is released in July 2010, any recommendation in it will be considered prior to the 2010–11 fire season.

FESA now has key responsibility for community warnings, and, accordingly, during the fire season FESA’s public information system was activated 118 times, compared with 49 times in 2008–09, and 48 times in 2007–08—an increase of more than 140 per cent. I suggest that most people would say that that was very successful. The number of bushfire advice alerts and warnings distributed by FESA more than tripled to 550 from 177. The number of times that FESA provided public information on behalf of either the Department of Environment and Conservation or local government increased significantly from 19 last season to 77 this season—an increase of 305 per cent. It is working and it is working well—it is doing the job that we wanted it to.

Mr P.C. TINLEY: I am obviously fairly new to this whole estimates process, so maybe the minister might be able to guide me. I refer to the only bullet point on page 495. The first line refers to “Consolidating and coordinating emergency management in Western Australia”, and it follows on from the general heading of “Significant Issues Impacting the Agency”. The preparation for the 2011 Commonwealth Heads of Government Meeting in Perth is referred to. Will there be a budgetary impact from FESA’s general preparations for it; and, if so, can the minister point me to where it might be listed?

Mr R.F. JOHNSON: That is a good question. Obviously, there will be budget implications from that, but we are not talking about next year; we are talking about the year. We will have to know exactly what FESA will have to do and what it will have to be prepared for. FESA is working with the Department of the Premier and Cabinet at the moment, as are the police. Anybody involved in the emergency services area in relation to CHOGM is

certainly part of the planning process at the moment. Once the plans have been finalised, we will know what the funding implications will be.

Mr P.C. TINLEY: CHOGM is next year, but there is nothing in the forward estimates about provisioning for, preparing for and being available to support CHOGM.

Mr R.F. JOHNSON: Because things are still in the planning stage, it would be irresponsible to put things forward. The commonwealth is playing an integral role as part of the across-government facilities that will be needed to not only ensure security through policing but also prepare for any firefighting or emergency evacuations and such that may need to take place. They need to be prepared for all of that. The commonwealth is working very closely with the Department of the Premier and Cabinet, which is obviously working with Western Australia Police, the Fire and Emergency Services Authority of Western Australia and other agencies as well, I presume. I cannot put a figure in there without knowing roughly what the outcome is going to be. We all assume that the commonwealth will come up with some funds to assist with the security and other areas of emergency services in Western Australia when the Commonwealth Heads of Government Meeting takes place.

[7.40 pm]

Mr P.C. TINLEY: Funding aside—that is dollars, which can be easily inputted—and correct me if I am wrong, FESA has a slightly underdeveloped training regime. FESA's recruiting is three per cent down; is that right?

Mr R.F. JOHNSON: No, not at all.

Mr P.C. TINLEY: So FESA is fully stocked?

Mr R.F. JOHNSON: We could always do with more, but we have a full complement at the moment. Where did the member get the three per cent figure?

Ms M.M. QUIRK: That is the attrition rate.

Mr R.F. JOHNSON: The attrition rate is less than three per cent. We are recruiting additional firefighters. As we lose some, we recruit more. In fact, in the budget, we are covered for additional career firefighters and other fire officers and full-time equivalents for the next three years.

Mr P.C. TINLEY: The personnel management required in the lead-up to one of these large events is not insignificant. Has the government, in its allocation in the forward estimates for personnel, made provision for an increase in FTE for support? If it has not, is it going to draw those additional career officers from the regions or from other services?

Mr R.F. JOHNSON: No, we will not need to do that. To give the member some comfort, I will ask the chief fire officer, who is the appropriate person, to answer that particular query.

Mr C. Hynes: Over a number of years, we have been developing our special risk capability, including urban search and rescue and chemical, biological, radiological and nuclear capabilities, and our partnerships with ChemCentre. That development has been quite pronounced over four to five years. We have a number of well-trained specialist officers. Within this budget allocation, some extra officers will also be recruited and trained. We also have arrangements with other jurisdictions to supplement our capability, and that works quite well and has been working quite effectively for a number of years through rock-solid memorandums and agreements between state jurisdictions.

Mr R.F. JOHNSON: As an ex-Army member, I think the member will be aware that there may well be the use of some armed forces people at that particular event.

Mr M.J. COWPER: I cannot tell the minister how pleased I am to see on page 497 the allocations for appliances and a new fire station in Australind. There are fantastic people in that area. I note that it will come under the auspices of the local FESA branch in Bunbury, which does a fantastic job. I note also on page 499 that a regional office at Manjimup is to be established at a cost of \$6.8 million. I am interested to know what is in store for, and the reason for putting, that regional facility at Manjimup. I also note that the one at Midland will be closed and there will be a rationalisation of resources to where they are most needed. I would like to hear some of the minister's comments in relation to those.

Mr R.F. JOHNSON: In relation to Manjimup, obviously the state government has acknowledged the rapid development of the Western Australian South West region, which currently supports 177 fire and emergency services brigades and units, 14 State Emergency Service units and a volunteer emergency services unit. Because of the rapid growth in that area, we have to follow suit and make sure that the facilities, the personnel, the firefighting equipment, the firefighters, the SES volunteers and everybody else are placed in areas of need. The member talked about the new FESA facility in Manjimup. That has been located in Manjimup as an integral part of supporting the South West region, which is obviously prone to bushfires. FESA believes, and I agree, that it is essential that we have the support facilities in that area by locating a regional office there and all that is necessary to go with that. We will be moving fire officers and personnel down there as we take on additional

firefighters, as outlined in the budget, to ensure that there is backup for our bush fire brigades, local government representatives, volunteer firefighters and SES volunteers. I do not know what we would do without all our volunteers, quite frankly; they do a fantastic job.

Mr M.J. COWPER: Given that there are a number of volunteer bush fire units in that area, will a training facility be incorporated in that \$6.8 million allocation? I know from firsthand experience, having been in the Walpole and Denmark area for many years, that the spread of training opportunities has not been what it could have been. I wonder whether there is scope in that \$6.8 million allocation for some increased training for people, particularly those along the south coast.

Mr R.F. JOHNSON: There is no scope for a training facility as such, but there certainly will be increased training opportunities. An integral part of the FESA unit in that area will be to ensure that there is adequate training for all our firefighters and SES volunteers. There will not be a training ground as such, like the one at Forrestfield.

Mr M.J. COWPER: I note that the Midland facility will be closed. What is the rationale behind that?

Mr R.F. JOHNSON: It is a district office, not a regional one. At one time there were some thoughts about closing Belmont and keeping Midland open. The rationale in FESA is that Belmont was a much better location for a 000 redundancy facility, so it was decided to keep Belmont going and to close the Midland one.

Ms M.M. QUIRK: I refer to the first dot point on page 494, which refers to increasing capability and capacity, and also to budget paper No 3, which deals with the regional communications project.

Mr R.F. JOHNSON: Which line is the member talking about?

Ms M.M. QUIRK: I am talking about the fourth dash point under the first dot point on page 494. Perhaps if the minister listens to the question, he need not worry too much about that.

Mr R.F. JOHNSON: I would like to know what the question relates to.

Ms M.M. QUIRK: The question relates to the emergency radio network. I want to know about progress on that and also how that meshes in with the new regional communications project that will be managed out of the Department of Commerce. How far advanced is the government with the Western Australian ERN? Does the initiative of the Department of Commerce overtake that; and, if not, how do they interrelate with one another?

Mr R.F. JOHNSON: I will ask Mr Pasquale to give the detail that the member is seeking.

Mr F. Pasquale: There are a number of elements to that. As the member may be aware, in the capital works projects there is the Western Australian emergency radio network, which is a \$20 million project. That project had a bit of a delayed start of some 15 months, but we are now well and truly into that project. The member will see in the capital works plan that it is intended for that program to be completed and for the infrastructure to be in place next year. In relation to how that relates to the police regional radio network, FESA, together with Western Australia Police and the Department of Corrective Services, put in a joint submission that will see FESA take part in the regional radio network. Its longer term strategy will see that the Western Australian emergency radio network has the capability to be interoperable with the regional radio network.

[7.50 pm]

Ms M.M. QUIRK: Can the minister explain to me the process by which the regional communications project will proceed? What is the time frame? What are the terms of reference? Who will in fact be running that?

Mr R.F. JOHNSON: It will be difficult for me to answer that question precisely because the Department of Commerce is coordinating all of that, as the member is probably aware. I know \$120 million has been allocated; \$80 million is for the regional radio network and \$40 million is for the mobile phone capability, particularly in the black spot areas, if I can call them that, where mobile phones drop out and where emergency services are not adequately covered. Out of the \$80 million, as far as I am aware, there is an element for police, an element for the Fire and Emergency Services Authority and an element for the Department of Corrective Services. The police were going to do their own, FESA was going to do its own and the corrective services department was looking at doing something as well, so I approached FESA about nine months ago because I could see no sense in having three sets of towers and facilities. It made much more sense to me to have one facility that would service all those areas of emergency services—namely, police, corrective services and FESA. I asked FESA to talk to the police and to corrective services to try to ensure that we had an integrated type of system that will facilitate all our emergency service areas. That has taken place over the past nine months. The money is coming from the royalties for regions program, so the government decided that the Department of Commerce will coordinate all that and ensure that police, FESA and corrective services are integrated. Other agencies may be able link in to that at some stage as well, such as the Department of Environment and Conservation. Rather than have separate facilities, it makes much more sense to have one major facility. If there are 20 bands on one particular radio network, the police can have so many, FESA can have some, corrective services can have some, and so on and so forth. It makes much more sense to do that than to simply put an extra bit on top for

mobile coverage. Therefore, I think we have saved taxpayers' money overall by looking at that, planning that and actually doing that. I am sure the member will agree that this government has taken this area very seriously, whereas the previous government did not allocate one cent to a regional radio network.

Ms M.M. QUIRK: That is not true minister, but I will not argue.

Mr R.F. JOHNSON: The previous government issued about five press releases!

Ms M.M. QUIRK: Given that this, as the minister said in his explanation, is about managing emergencies and he is the emergency services minister, I am at a bit of a loss as to why the minister would abrogate that responsibility to the Department of Commerce. Is it not true that this is more about getting mobile phone coverage in the regions than it is about having a coordinated radio network between all the various agencies?

Mr R.F. JOHNSON: The simple answer is no, but let me explain why I say no. There is only \$40 million that will take care of the inefficiencies in the mobile coverage in those areas. Two-thirds of the entire allocation—\$80 million—will be spent on emergency services in all regional areas where there is currently inadequate cover. I think the member should applaud us rather than condemn us.

Ms M.M. QUIRK: The minister is surrounded by experts—there are experts sitting at the back of the chamber—and I do not understand why the minister is abrogating this role to the Department of Commerce which, frankly, is not expert in emergency management. What is the time frame?

Mr R.F. JOHNSON: The Department of Commerce will simply coordinate the funding for this project. It will not necessarily organise the building of the towers and so on and so forth. The department will coordinate with the police, the Fire and Emergency Services Authority, the Department of Corrective Services and anyone else that the government feels should be involved in this area.

Ms M.M. QUIRK: What is the time frame? I draw the minister's attention to the fact that the Department of Commerce's digital economy branch will manage the overall project. I am concerned that all the emergency service experts will be sidelined.

Mr R.F. JOHNSON: Not at all. The member for Girrawheen is absolutely wrong. All our experts, as the member calls them, and I accept they are experts, will play an integral role in working with the Department of Commerce to ensure that we get the most beneficial coverage in all those regional areas through the regional radio network system.

Mr M.J. COWPER: I refer to page 500 of the *Budget Statements* and the allocation of \$3.6 million for the Volunteer Marine Rescue Services under "Details of Controlled Grants and Subsidies". Also, on page 497 there is an allocation for a communication network, which probably leads in to the answer the minister gave to the previous member. Nothing in the budget papers details what will be spent on our good friends who do a wonderful job, the volunteers in the marine rescue services. Can the minister give us a quick idea of what allocations, perhaps new equipment or new vessels, might be in store for our good friends in the marine rescue services?

Mr R.F. JOHNSON: Last year and this year we have probably funded the Volunteer Marine Rescue Services more than any previous government and we are continuing to do that. I am not aware of some of the detail that the member for Murray–Wellington wants, but I will ask Frank Pasquale to give the member the detail he wants.

Mr F. Pasquale: The money for the Volunteer Marine Rescue Services in the "Details of Controlled Grants and Subsidies" table, which the member referred to, represents two main items; grants in relation to operating expenses and a hull replacement program or vessel replacement program that was approved in continuity through last year's budget process. The 2008–09 actual was \$1.5 million and there has been a significant increase in the out years as a result of the outcome of the last budget process. Those two items are different from the Volunteer Marine Rescue Services communications network in the capital works program. That is an eight-year program to increase the communications for Volunteer Marine Rescue Services across the state and that network will interface with the new Western Australian emergency radio network as well.

Mr M.J. COWPER: What I said about the allocation on page 497 is that with the exception of the VMRS communication network there is no listing for any additional works in progress, new works or new vehicles. I note that there is about \$3.6 million and whilst I acknowledge that some of that is ongoing operating costs, I am interested to know who is in line for a new hull and to which areas they might be allocated.

Mr R.F. JOHNSON: We allocated three vessels to areas that did not have a vessel to start with. The member is talking about the hull replacement program. A committee determined the hull replacements.

Mr M.J. COWPER: So there has not been any adjudication as to where the hulls will be allocated yet?

Mr R.F. JOHNSON: I am informed it is an annual process. It goes through a committee and it is in that process at the moment.

Mr M.J. COWPER: Just for future reference, in the budget papers there is an allocation for the replacement of appliances all over the countryside for the Career Fire and Rescue Service and Volunteer Fire Rescue Services, but there is nothing in any great detail for the Volunteer Marine Rescue Services.

The CHAIRMAN: Is this a question, member?

Mr M.J. COWPER: It goes further to that previous question.

Mr R.F. JOHNSON: That is because it is the Volunteer Marine Rescue Services' assets; it is not the Fire and Emergency Services Authority's assets.

Mr P.C. TINLEY: The fourth line under the first dot point on page 494 of the *Budget Statements* states —
strengthening the delivery of emergency services by increasing capability and capacity

Specifically, I read that to mean that it is in regards to training by the Fire and Emergency Services Authority and its support agencies. Is there a backlog in training? Is FESA meeting all the training schedules as required by the internal demand?

[8.00 pm]

Mr R.F. JOHNSON: I will get the chief operations officer, Craig Hynes, to answer that.

Mr C. Hynes: If the member is referring to our career firefighter development program, which I believe he is, there was an identified backlog, but we have certainly put a lot of effort into working through that process. That is a work in progress, and it is coming along quite satisfactorily at the moment.

Mr P.C. TINLEY: Further to that, there was a backlog. How much of a backlog was there, and how far into it are we?

Mr R.F. JOHNSON: Mr Hynes will answer that one.

Mr C. Hynes: It would be difficult to be too specific here, but the fact is that we have probably up to 50 officers at each increment level over each year. There were some problems when we transferred to a new training system, and that is what probably caused the backlog, but it would be noteworthy to say that we will be putting up to 12 additional staff into the training area to assist with that.

Mr P.C. TINLEY: Are the environmental constraints that I understand may be present at the Forrestfield facility hampering that training?

Mr C. Hynes: Certainly not.

Mr R.F. JOHNSON: Not as far as I am aware.

Mr P.C. TINLEY: So the Forrestfield facility is adequate.

Mr R.F. JOHNSON: Yes, very adequate. Has the member been there?

Mr P.C. TINLEY: Yes.

Mr R.F. JOHNSON: It is good, is it not?

Mr P.C. TINLEY: It could be better. Is there a schedule of volunteer training in 2010–11?

Mr R.F. JOHNSON: Yes, there is.

Mr P.C. TINLEY: What is that?

Mr R.F. JOHNSON: I do not have it with me tonight. That is a bit of detail that the member wants. I do not know whether we can answer that tonight.

Mr P.C. TINLEY: Would the minister like to provide it by way of supplementary information?

Mr R.F. JOHNSON: I will see whether we can answer it. If Craig Hynes can answer it, that is fine.

Mr C. Hynes: Obviously, the Fire and Emergency Services Authority is an emergency service made up of the Volunteer Fire and Rescue Service, the Bush Fire Service and the State Emergency Service. Each of those maintains regional training calendars based on a profile that is relative to its hazards and its risks. We establish those profiles and then prioritise the training—for instance, if there is a dearth of sector commanders in the south west, we will program more sector commander courses, or if more breathing apparatus officers are needed in Donnybrook and that area. So we identify the profiles. We prioritise our training based on those profiles, and then a calendar is produced for each region. We go through that process each year.

Mr P.C. TINLEY: How far forward is that calendar set and projected?

Mr C. Hynes: That is an annual calendar. Then we look at a more strategic level at what we need as emerging technologies and those sorts of things come up.

Mr P.C. TINLEY: Following on, I have one further question. We note from the minister's very strong comments in support of the volunteers in the fire service that an increasing number of volunteers seem to be turning out more and more for fires such as that in Toodyay and those sorts of significant events. Can the minister advise the committee about any of the professional trauma counselling that may be available to volunteers, both at site and then subsequent follow-up for them? What services are available?

Mr R.F. JOHNSON: Services are available, obviously. The chaplain is probably the first person who conducts counselling, but also there is peer support from other fire officers who take part in the counselling process for any of these major fires.

Mr P.C. TINLEY: Is a professional service provided? Are there professional clinicians and so on who get involved in the process?

Mr R.F. JOHNSON: Yes, there are.

Mr P.C. TINLEY: Right from the trauma end through to the follow-up?

Mr R.F. JOHNSON: I will get the chief operations officer to answer.

Mr C. Hynes: A welfare program is designed on the chaplaincy and an employee assistance program, which is also available to volunteers. Each of those is headed by experts who provide the clinical oversight. We also run those through our health, safety and welfare branch, and it has been running well. We were one of the first emergency services to develop a peer support program, and we have continued to develop and use that system. In major emergencies—the member mentioned Toodyay—other agencies such as the Department for Child Protection are also there. If we have immediate issues, we can deal with those, and the department provides us with a lot of support, too, with trained professionals. So, yes, we believe those are adequately covered.

Ms M.M. QUIRK: This is my final question on this, the minister will be pleased to hear. I refer to the last line of the second bullet point on page 494, which states —

ensuring policies and procedures reflect lessons learned, current industry knowledge and best practice.

I want to ask a couple of questions about the events at Toodyay. I might ask the minister all the questions, and that will save a bit of time. As I understand it, from a FESA perspective, two reports were prepared. One was an internal report. I understand the other one is by an external consultant and may well not be finalised. That is my first question. Secondly, what was the role of FESA in the investigation of the fire source; what is the role of FESA in the recovery committee and how does that interact with the Department of the Premier and Cabinet recovery oversight committee; and is FESA involved with the DPC committee and what is the nature of that involvement?

Mr R.F. JOHNSON: The answer is yes to the last part of the question; yes, FESA is involved with DPC.

Ms M.M. QUIRK: What is the nature of that involvement?

Mr R.F. JOHNSON: It is the local recovery committee, I am advised. The member is referring to two reports. Obviously, with any major fire that takes place, as I know the member is aware, FESA carries out an audit of basically how it coped: did it have enough tenders there and enough personnel, and all the consequential things that go with that? FESA does that with any major fire, and that is its internal report. The other report to which the member is referring is prepared when FESA is asked to try to locate the cause of the fire. I am advised that that report will be finalised and ready by mid-June, so we are talking about a couple of weeks' time, I suppose. It is not completely finalised yet, but when it is, FESA has committed to make that a public document. When that document is finalised, I might well table it in Parliament so that members can see firsthand exactly what the report states.

Ms M.M. QUIRK: Finally on the recovery committee, can the minister confirm that the local recovery committee is one that FESA appoints but is not involved in itself? Does FESA have a role on DPC's oversight committee; and, if so, what is its role?

Mr R.F. JOHNSON: I will get Jo Harrison-Ward to answer that one, because she is right across both of these committees that the member is talking about.

Ms J. Harrison-Ward: Recovery committees are established under the Emergency Management Act. Recovery is done through the local government. So a local government, through its local emergency management committee, will establish a local recovery committee, which is chaired by local government and has other agencies involved. FESA is heavily involved with that, as is the Department of the Premier and Cabinet. They are not overlooking it; they are actually involved with the local committee. The only time that one comes into play with DPC is when we have a major state recovery committee, such as was activated after the storms. That was probably the first time it has been activated for a very long time. Recovery always starts at the local level. I am not sure whether that answers the member's question, but Premier and Cabinet is involved in that.

Ms M.M. QUIRK: I really want to know what the Premier and Cabinet committee does. What is its purpose?

Ms J. Harrison-Ward: It is all there. If the member goes to the Premier and Cabinet website, she will see the committee's terms of reference and what it does under its terms of reference. It is established under the Emergency Management Act as well, and it looks at anything that is required for a state-level recovery.

The CHAIRMAN: Does the member for Murray–Wellington have any other questions?

Mr R.F. JOHNSON: I think the idea was that we were going to move onto the Western Australia Police at this stage.

The CHAIRMAN: I have a note here saying that the member for Murray–Wellington wanted to ask a question.

Mr M.J. COWPER: In a spirit of cooperation, I think we might move on.

The CHAIRMAN: That is very magnanimous of the member.

The appropriation was recommended.

[8.10 pm]

Division 38: Western Australia Police, \$1 096 888 000 —

Mr M.W. Sutherland, Chairman.

Mr R.F. Johnson, Minister for Police.

Dr K. O'Callaghan, Commissioner of Police.

Mr G. Italiano, Executive Director.

Mr S.L. Maines, Assistant Commissioner – Acting Deputy Commissioner.

Mr P.M. de Mamiel, Director of Finance.

Mr J.G. Lord, Director Asset Management.

The CHAIRMAN: I ask the minister to please introduce his advisers.

[Witnesses introduced.]

Mr R.F. JOHNSON: I might need to seek their assistance if I get some detailed questions that I cannot answer.

The CHAIRMAN: The first question is from the member for Girrawheen.

Ms M.M. QUIRK: I refer to the first bullet point under significant issues impacting the agency on page 476. That deals with the delivery of the election promise of 500 police officers comprising 350 fully sworn police officers, 150 auxiliary police officers and 200 support staff. How many additional police and auxiliary police will be online in 2010–11?

Mr R.F. JOHNSON: In the next financial year?

Ms M.M. QUIRK: Yes.

Mr R.F. JOHNSON: Not counting at the moment?

Ms M.M. QUIRK: No.

Mr R.F. JOHNSON: Just in the next financial year.

Ms M.M. QUIRK: Each year, please, minister.

Mr R.F. JOHNSON: Let me give the member the answer to that one. WA Police will employ 30 police officers, 40 auxiliary officers —

Ms M.M. QUIRK: Can the minister split them up into auxiliary police and fully sworn police officers.

Mr R.F. JOHNSON: I am just doing that.

Ms M.M. QUIRK: No, the minister said 30 police officers, and I do not understand what that means.

Mr R.F. JOHNSON: No, I said—and I will repeat it—that WA Police will employ 30 police officers, 40 auxiliary officers and 80 public servants by the end of 2009–10. It is the following financial year that the member is really interested in, but it is important that the member knows what the figure is for the previous year as well—in 2010–11 a further 60 police officers, a further 40 auxiliary officers and a further 30 public servants will be employed. That is the target that we are looking for.

Ms M.M. QUIRK: Then how many in the subsequent two years?

Mr R.F. JOHNSON: We will have to see how we go.

Ms M.M. QUIRK: That is the election commitment: the minister said 500 over those two years.

Mr R.F. JOHNSON: We will stick to our election commitment—the same commitment members opposite in the previous government made—and we will employ 500 police officers made up of 350 fully sworn police officers and 150 auxiliary police officers, and 200 staff, I think.

Mr J.C. KOBELKE: Can I please ask an auxiliary question on police numbers, Mr Chair? The numbers given in the budget papers relate to full-time equivalent staff; that is, both sworn and non-sworn officers. Can the minister provide us for the last month he has available—whether it is the end of December or the end of March—the total number of sworn officers as they are normally categorised; that is, FTE sworn officers?

Mr R.F. JOHNSON: We do provide those statistics regularly, as the member would be aware.

Mr J.C. KOBELKE: If the minister does not have them here, I will have to take it up with him later. I thought he might have those numbers at his fingertips.

Mr R.F. JOHNSON: No. In fact I recall asking a very similar question of the member for Balcatta when I was on that side of the chamber.

Ms M.M. QUIRK: I would bet, though, that you got a better answer.

Mr R.F. JOHNSON: No, I got the same answer. If the member asks me later, I will get him the number, because I wanted to know then what the current figure was.

Mr J.C. KOBELKE: If the minister does not have it, is he willing to provide it as a supplementary answer? I am leaving it open to the minister to nominate the most recent month in which the data is available.

Ms M.M. QUIRK: He has it in front of him now.

Mr R.F. JOHNSON: Let me give the member the breakdown at the moment. It is the projected estimated actual total FTE breakdown by employee type at 2009–10. Employee type: FTE police officers 5 554; Aboriginal police liaison officers or APLOs, 21; police auxiliary officers, 40; police staff, 1 746; crossing guards—traffic wardens, 140; and externally funded enhanced traffic enforcement project, 42, which brings the total to 7 543.

Ms M.M. QUIRK: I have a further question on the same point. While we are on auxiliary officers, can the minister clarify what the extent of their role is, please, now that they are on deck?

Mr R.F. JOHNSON: At the end of the day the Commissioner of Police will make a decision as to exactly what they do. I understand they will be carrying out a lot of duties that are carried out at the moment by fully sworn police officers, thus freeing up those officers to go on front-line duties. They will be carrying out watch-house duties. At the moment we have some custody officers; they will become auxiliary officers as part of that mix. The other auxiliary officers that we will be employing will be doing things such as carrying exhibits from A to B, such as drugs, rather than fully sworn police officers doing that. The commissioner has reminded me that it is probably easier to tell the member about what they will not be doing. They will not be carrying out tactical operations on the streets. They will be doing many other duties. They will be assisting our fully sworn officers in police stations and carrying out many duties that fully sworn police officers are doing at the moment; as I say, thus freeing up those fully sworn officers to go out on front-line duties.

Ms M.M. QUIRK: I have just one further question on this topic. I understand there is a proposal to appoint auxiliary police officers to the Prisoners Review Board. What is the rationale for this and is that not broadening out the role of auxiliaries?

Mr R.F. JOHNSON: Once again, the idea is to try to relieve those fully sworn active police officers so that they can return to front-line duties. I think we are looking at possibly some former police officers who may want to come back as auxiliary officers and who could take over that role on the Prisoners Review Board.

Ms M.M. QUIRK: Would the minister agree that is broadening out the role that we discussed when the legislation was passed?

Mr R.F. JOHNSON: I am not quite sure. In what way are we broadening it?

Ms M.M. QUIRK: This is a role that the minister did not formally mention in any way.

Mr R.F. JOHNSON: I certainly never mentioned it before. But I am advised by the commissioner that it might be a good use of auxiliary officers to once again free up other sworn police officers and get them back out on front-line duties.

Dr M.D. NAHAN: I refer to the tenth dot point on page 477, which refers to the growth in the economy and a growth in the sale of illicit drugs. Also the state government is providing additional resources to detect and dismantle clandestine drug laboratories. Can the minister indicate the efforts there and their success or otherwise?

Mr R.F. JOHNSON: Obviously there is an emerging trend of young persons, who have never had any adverse contact with police, dealing in substantial quantities of amphetamine-type substances. The amount of disposable

income of the youth and the economy of scale results in youth buying, often as part of a cooperative, trafficable quantities of amphetamine-type substances at reduced cost. There has been a significant increase in the discovery of clandestine laboratories. We have had some fantastic results recently, as the member has obviously heard me espouse in the chamber, followed up with newspaper reports. We are catching a lot of people who carry out this dreadful business of manufacturing clandestine drugs. That is playing a big part in the major crime unit within police.

[8.20 pm]

Dr M.D. NAHAN: Are there trends in the uses of various types of drugs, such as increasing uses of them? Are the types of drugs being used and imported, or grown here, changing?

The CHAIRMAN: Minister for Police, members seem to be having difficulty hearing you when you are speaking into the microphone. If the minister can bend it down a bit, maybe it will help.

Mr R.F. JOHNSON: Can you hear me now?

Ms M.M. QUIRK: It is much better when the minister is not looking at his notes.

Mr R.F. JOHNSON: I have forgotten what the question was now! What was it again?

Dr M.D. NAHAN: Are there changes in the types of drugs being used or brought in? Is there an increased use of heroin coming in from the Middle East or otherwise?

Mr R.F. JOHNSON: I am advised that there has been an increase in the importation of both cocaine and heroin.

Dr M.D. NAHAN: Has there been an increase in the purity? A couple of years ago there was a significant increase in the purity of heroin which led to a large number of deaths both in Western Australia and other states—is that a trend here?

Mr R.F. JOHNSON: I am not an expert on the purity of heroin or cocaine. I have never snorted or injected, so I could not give the member a firsthand experience or an answer to that.

Dr M.D. NAHAN: Are people dying in increasing numbers from it?

Mr R.F. JOHNSON: I do not know whether they are dying in increasing numbers but people are dying, obviously, from those types of drugs. That is why there has been a concerted effort on the part of police to try to stop drugs not only coming across the border from interstate but also being brought in from overseas. Obviously, Federal Police and Customs at, say, Perth Airport are involved. Police have had success in locating clandestine drug labs and also drug dealers. As the member would be aware, organised crime is involved in illegal drugs. They see that as a lot of money coming their way. That is why the government is committed to try to ensure that we get on top of it.

Mr P.C. TINLEY: I refer to page 479 of the *Budget Statements* headed, “Outcome: Lawful road-user behaviour”. I understand the minister received a report into the review of school crossings a considerable time ago. What does that report say and when does the minister intend to implement its recommendations?

Mr R.F. JOHNSON: Yes, I did. I asked my ministerial staff to work with WA Police and other individuals to work out the best way and the best option to ensure we do not use front-line police officers to act as children’s crossing wardens. I believe it is a waste of resources because —

Mr P.C. TINLEY: Does the minister mean as a relief to the lollipop people?

Mr R.F. JOHNSON: As a relief to the lollipop people, if I can call them that, yes. If somebody does not turn up one day, obviously police, whenever they possibly can, will send police officers to try to ensure the safety of children crossing the road. Police of course work in pairs these days. It strikes me that it is a waste of police resources to have two fully trained, fully sworn police officers assisting children to cross the road. I have taken the view that there must be a better option. I discussed it with the Western Australian Local Government Association some time ago. I asked WALGA if it would be prepared to take over the management of school crossings because I believe that schools are an important part of a local community in a local government area. My personal view is that WALGA is probably best equipped to manage children’s crossings outside local schools in each locality. For instance, if a lollipop person did not turn up, local government could send one of its local rangers to act as a temporary emergency children’s school crossing warden. That would be a much better use —

Mr P.C. TINLEY: I have a further question —

Mr R.F. JOHNSON: I have not finished that one yet!

Mr P.C. TINLEY: I am happy with that.

Mr R.F. JOHNSON: The member wanted to know a bit more.

Mr J.C. KOBELKE: The member asked the minister when he is going to do something with the report.

Mr R.F. JOHNSON: I have not finished answering that question. I want to give a full answer because this is —

Ms M.M. QUIRK: It is like *Groundhog Day*—so far it is what the minister said last year!

Mr R.F. JOHNSON: I am trying to give an honest and comprehensive answer. I will not be bullied by the members for Girrawheen and Balcatta. I will give an answer to the question asked. I was asked when the report will be implemented; virtually, where are we now. Let me say this: that is how it started. WALGA said it did not want to do it. Some local authorities would do it; some would not. We need consistency. I then looked at other options. I wrote to the Minister for Transport to see whether Main Roads Western Australia can take over the planning side. As things stand at the moment, if a school wants a school crossing we have to send somebody within a police unit to go to the school to plan whether it is needed. The school might be miles away in the country somewhere. Police have to incorporate Main Roads and, very often, the local authority. It struck me that it would make more sense if an organisation like Main Roads were to take over the role of the planning side. That is where we are at the moment. I am waiting for a response from the minister —

Mr P.C. TINLEY: Just to be clear: the minister has the report and the recommendations. The minister has gone to WALGA and WALGA knocked him back. He has gone to Main Roads. Main Roads is about to knock the minister back, by the sound of it. Is this a hot potato?

Mr R.F. JOHNSON: No, no; they have not knocked it back. My two colleagues who have been ministers before would know that sometimes it can take a little while to get responses from ministerial colleagues. Unfortunately that is what is happening at the moment. I have not yet had a response. I am told they are looking at the suggestions that I have put forward. We are also looking at putting student pedestrian units with Main Roads. They could be high school students who could take on the job of seeing little ones across the road. I see nothing wrong with that, provided they have the training. We would have to change the warrant criteria to do that. This is all in the melting pot at the moment. Until we get clarification, I cannot give a definitive answer as to who will take over. I desperately want people other than police officers acting as lollypop people because it is a waste of resources, in my view. I can assure the member that I will sort the problem out.

Mr M.J. COWPER: I refer to pages 483 and 485 of the *Budget Statements*. I refer to priority 1–2 and 3 calls under the heading “Efficiency Indicators”. I was interested to read the minister’s rationale —

Population growth and the development of new housing estates in the metropolitan area have a significant impact on existing police districts.

I note over the next page under “Works in Progress” there are a number of very good initiatives that will help police in a number of ways. One way is a replacement helicopter for the ageing PolAir-61 and a new hub in the western suburbs, which has for a long time been neglected probably because it services some of the more affluent areas in the metropolitan region. Notwithstanding that, I refer to Cottesloe, Claremont, Subiaco, Nedlands and Wembley Police Stations, which are pretty much outdated. I would like the minister’s comments in relation to how that will assist our police better service those areas and the greater metro area, keeping in mind paragraph (k) on page 483 under “Efficiency Indicators”.

[8.30 pm]

Mr R.F. JOHNSON: That is a long question, member.

Mr M.J. COWPER: It is a good question, which I am sure the minister can answer.

Mr R.F. JOHNSON: It is a very good question! The member always asks good questions! But it is a long one that goes from one area to another. I will answer the last one first, in relation to the western suburbs hub, which is something that the government is certainly planning. We have made allowance in the budget this year to start progressing that. As the member will be aware, there are a lot of ageing police stations in those localities. We have closed Subiaco and Leederville because they are just not up to standard, and moved them to Wembley, so that those areas can still be covered. We have upgraded some of the remaining police station facilities on a temporary basis, but our aim is to have a first-class police hub. There will be enormous efficiencies once that takes place because we will actually have more police officers out patrolling rather than being in all those little stations around the western suburbs. That is the aim of this; I know that the commissioner and the senior officers would certainly like to see this happen. We are looking at one there and one at Cockburn also. The facilities of the future are specific hubs that can cater to all the areas. Every police station that is opened has to be staffed with officers, and sometimes they will be duplicating each job at several different police stations. There would be savings and economies of scale by having a central police hub in areas like the western suburbs and Cockburn. That is the future, I believe, of policing in the metropolitan area particularly.

Mr J.C. KOBELKE: There are two components to the cost here. There is \$9 million for district accommodation upgrades and nearly \$26 million for the hub. Can the minister explain how the two parts fit together, assuming they do?

Mr R.F. JOHNSON: If the figure the member is talking about is the one I am thinking of, the upgrade —

Mr J.C. KOBELKE: Yes, on pages 486 and 487.

Mr R.F. JOHNSON: Can the member tell us where the figure is that he has quoted? What page is it?

Mr J.C. KOBELKE: It is on pages 486 and 487. On page 486, near the top, there is \$9 million for “West Metropolitan District Accommodation Upgrade”. On page 487, again near the top, there is nearly \$26 million for “Western Suburbs Police Station (District Hub)”. I presume that the two will coordinate or complement each other, and I am seeking to understand how.

Mr J.G. Lord: Just to explain, the west metropolitan district upgrade is where we are carrying out some interim modifications to two of the buildings in particular; they are the Mirrabooka Police Station and the Scarborough Police Station.

Mr J.C. KOBELKE: So they are not connected?

Mr J.G. Lord: No, but they will, overall, complement each other, of course, in services through the metropolitan area.

Mr G. Italiano: The western suburbs refers to the central metropolitan district and west metropolitan is the Mirrabooka —

Mr J.C. KOBELKE: The better area!

Ms M.M. QUIRK: I refer to the fourth dot point on page 477 and the reference to continuing the Our People strategy. A year or so ago there was a project called Project Anticus that identified training needs for current detectives. In light of recent events, is the minister able to advise of the current average level of experience of detectives, and what measures have been put in place to enhance detective training and implement the recommendations of that report?

Mr J.C. KOBELKE: I will ask Mr Italiano to answer that question.

Mr G. Italiano: With respect to current levels of detective experience, there are a range of factors. Obviously during the time when WA Police was experiencing high levels of attrition—as was the rest of the public sector—there was some diminution of experience in some of those ranks. We recognised that and we have certainly invested very heavily in detective training over the past 12 months; a considerable sum. Most of that, in the first instance, has gone on a revamp of the investigative interviewing model within WA Police. That was one of the significant areas identified in previous practice. The model now emphasises an open-ended technique. One of the observations made by the Scottish police who visited during Anticus was that we had a confessional-based mentality in our interviewing, so we have moved to a different model in that respect. That has been rolled out across the entire workforce at various tiers, such that every officer has a base level of training, and it pyramids from there right up to senior investigative officer training level. We have sent two senior detectives to Scotland and we will send two more to complete the senior investigative officer course there. When they come back, we will be able to run the course in-house in the future.

The other thing with Anticus is that we have implemented a revamp of investigative practices. There is a new website for the knowledge management component. We have made changes to the endorsement to charge, in which a senior officer has to view a brief to be satisfied prior to its endorsement. There has been a series of changes in that respect. We have also focused very heavily on the relationship with the judicial process. We now have an assistant commissioner of judicial services and we work extensively with the Director of Public Prosecutions. We have now driven reform with respect to the strategic criminal justice forum, which is a meeting of the Chief Magistrate, the Chief Justice, the Chief Judge, the police, the DPP and others. We bring holistic problems to the table to try to discuss how various things in the system create demands and pressures elsewhere. It is a very big project; I probably could not do it justice in my response this evening, but it has been a significant step forward and I think, to sum it up, a real focus has been on shifting from a blame mentality to saying that we all need to get better and learn from each other. I think we have come a long way in that respect.

Mr I.C. BLAYNEY: I refer to the first dot point on page 481, under “Services and Key Efficiency Indicators”, “Crime Prevention and Public Order”. Has the government provided additional funding for any programs or initiatives dealing with the media, schools, local government, community, business groups, government and non-government groups?

Mr R.F. JOHNSON: Basically this is to do with crime prevention and public order. The 2009–10 estimated actual average cost per hour for providing crime prevention and public order services is calculated from the total cost of service provided by the estimated total hours by employees apportioned against the service in the applicable survey. The cost of services often reflects significant variations from year to year as these demands are met. Policing has a highly reactive nature, with demand for resources between the services reflective of initiatives to deal with criminal activities, traffic policing and other important aspects of policing. I also want to bring to the attention of the member for Geraldton that Constable Care is also part of crime prevention and

community awareness. We have invested \$0.435 million in additional funding per annum for Constable Care, starting from this budget. Constable Care is very well known throughout Western Australia and does a great job, which police have always supported. Constable Care does a great job, and if members have not already, then they should go and see them perform at one of the local schools because they do a tremendous job in making children aware of stranger danger and all sorts of things that are relevant to getting the message out there about crime prevention. That is a great one. Constable Care's agenda covers three broad areas: protective education; crime prevention; and respect yourselves and others. Constable Care teaches respect. They are trying to get across a message to not only respect yourself but to respect other people.

[8.40 pm]

The Graffiti Taskforce is part of this. We have invested \$1 million per annum in the Graffiti Taskforce. The goal of the Graffiti Taskforce is to decrease vandalism and offending and to increase reporting and community awareness of it. This allocation will support and strengthen the state government's commitment to tackle graffiti. The member is aware that graffiti is an enormous blight on our society. The government committed to this during the 2008 election campaign, and we remain committed to it. We cannot run the Graffiti Taskforce exactly as we used to in the days when Richard Court was Premier, when it worked really, really well. I was very, very upset in 2001 when the Labor Party took government in Western Australia and disbanded the Graffiti Taskforce. I believe there has been a massive increase in graffiti in the years of the Labor government, which I do not think it can deny. We made a commitment to address that situation, which is why we have committed \$1 million a year to help do that.

Mr J.C. KOBELKE: I have a question about page 485 of the *Budget Statements* and the speed and red-light camera upgrades. Can the minister give specific details as to how much of the build will be completed with the \$10 million in 2009–10—that is, the number of cameras, the type of cameras, and the back-up processing? How much will be in place by the end of this month, and what will be the timetable going into the new financial year?

Mr R.F. JOHNSON: I have given a commitment that we will have double the number of cameras out on our streets by 1 July. They will comprise the Multanova wet film cameras, if I can call them that, and they will comprise the new digital cameras, many of them dual lens.

Mr J.C. KOBELKE: Can the minister be specific, please? How many new digital cameras will actually be in operation by 30 June this year?

Mr R.F. JOHNSON: Seven will be up and running by June—this month—and there will be seven more up and running by July.

Mr J.C. KOBELKE: By the end of July?

Mr R.F. JOHNSON: In July.

Mr J.C. KOBELKE: Altogether will there be 14 by the end of July?

Mr R.F. JOHNSON: We will also have the red-light and speed cameras at intersections.

Mr J.C. KOBELKE: Minister, my specific question was about some dates and how many by what dates.

Mr R.F. JOHNSON: I think the red-light and speed cameras will be in place by 1 July. That is the intention.

Mr J.C. KOBELKE: How many?

Mr R.F. JOHNSON: There will be 13 red-light speed cameras. There will be seven of the new digital ones by the end of June, and we are waiting for the second seven of the new digital cameras. We are hopeful that they will be here by July, but there may be a slight delay on those.

Mr J.C. KOBELKE: To make sure that I am not confused: are the digital speed cameras the same as the digital red-light, or are they a different model?

Mr R.F. JOHNSON: I will ask Greg Italiano to give the minister the data on those.

Mr G. Italiano: The direct replacement for the Multanova camera, or the equivalent of the current Multanova, is the Victronic speed camera. That is the model we are getting 23 of to eventually replace those cameras. That is the program.

Mr J.C. KOBELKE: Will there be seven by the end of this month and 14 by the end of July towards that 23?

Mr G. Italiano: We are hoping towards the end of July will fit in with the delivery dates. It takes some time to build the cameras in Germany, but we are hoping we will have the second set on board as soon as possible.

Mr J.C. KOBELKE: Will the minister confirm again the number of red-light cameras and by approximately what date?

Mr G. Italiano: The final outcome is to have 30 of them operating. We will have 13 sites up and running by the beginning of July. They will be at existing intersections where there are current wet film red-light cameras. The intersections that will be built after the initial 13 are currently being subjected to a detailed study by the Office of Road Safety and Max Cameron to determine which of the remaining 17 sites should be the priority ones for those other cameras to be rolled out at. The end product will be 30 red-light speed, and 13 will be completed by July.

Mr J.C. KOBELKE: I thank the minister for allowing Mr Italiano to answer. I have a follow-up question, which is: what is in place in terms of processing? There had been some discussion about whether that would be contracted out. Who will be responsible for the placement where there is fixed infrastructure such as red-light cameras? What is the deal there? And what is the deal with processing?

Mr R.F. JOHNSON: I think it will be down to police and Main Roads WA in relation to the placement of the red-light speed cameras.

Mr J.C. KOBELKE: Will the old contract be rolled over, or is there a new arrangement for that?

Mr G. Italiano: The installation of the new red-light speed cameras is the subject of a new contract with Redflex, which has other contractors assisting with the installation. In order to have 13 by July we have two teams working across the metropolitan area at the current time on those 12 sites I referred to. The Barrack Square site was our first site and it is already up and running and operational.

Mr J.C. KOBELKE: Who will do the processing of the images and the infringement notices?

Mr R.F. JOHNSON: That is all done by police at the moment. I know there has been talk about contracting it out, but until everything is up and running it is very difficult to offer the opportunity to contract out that facility. In the short term—maybe the medium to long term; we do not know yet—the existing situation will continue.

Mr J.C. KOBELKE: What sort of expenditure was required at the processing end for the new cameras, and how many staff will have to be employed? Have the staff involved in that work been reduced with the more efficient system? I am asking about the nuts and bolts of the new system in terms of cost and the ongoing staff needed to run it.

Mr R.F. JOHNSON: I will ask Mr Italiano to answer that.

Mr G. Italiano: Of the currently allocated capital, there is a sum being spent on the system changes—that is, the software changes—to allow for digital images to be processed and to build interfaces between the new devices and the system. I cannot exactly specify that expenditure this evening, but I could do so by way of supplementary.

Mr J.C. KOBELKE: If the minister would agree to that, it would be very much appreciated.

Mr G. Italiano: That is for the minister. To finish answering the question: when that work is complete, the images will be capable of being digitally processed, which will increase the efficiency, which was the member's question. We estimate that the dividend will be about a 30 per cent efficiency gain in that operation. That is an estimate, but we think that that is the type of productivity increase we will get by having a digital-only environment.

Mr J.C. KOBELKE: Is the minister willing to provide, by way of supplementary information, the actual costs of the behind-the-scenes equipment or software required?

Mr R.F. JOHNSON: If we can give you that, we will.

Mr G. Italiano: Does the member want to know the amount of money being spent on the software changes?

Mr R.F. JOHNSON: Yes.

[Supplementary Information No B8.]

The CHAIRMAN: What exactly do you require, member for Balcatta?

Mr J.C. KOBELKE: The cost of the new equipment and/or software required to be able to issue the infringement notices from the new digital cameras.

Mr R.F. JOHNSON: Yes; that is not a problem.

Mr M.J. COWPER: There has been a legislative issue about evidence gained from digital photographs. Has there been any clarification on the use of digital images in the courts, because they suffered from problems of being able to be interfered with? I am just wondering whether there is a security aspect or some issue with the continuity of evidence in relation to those digital images. I know that there was an issue with the old system whereby the photos were being cropped and some of the images were excluded. Has there been a clearing of the way so that there is no impediment to the use of those digitised images?

[8.50 pm]

Mr R.F. JOHNSON: Initially, the new cameras will certainly be able to clearly identify the vehicle registration number. I am pretty sure that they will also show the image of the driver. I think that the images will be enhanced rather than diminished in comparison with the existing cameras.

Mr M.J. COWPER: The issue is when they come to court. Historically, there has been some cloud over the digital photos and their admissibility as evidence. Has that been cleared? Has there been some way of ensuring that those images cannot be interfered with?

Mr R.F. JOHNSON: I am not aware of that particular issue, but I will ask Greg Italiano to answer that question.

Mr G. Italiano: The answer is yes. The cameras are subject to full gazettal by the National Association of Testing Authorities and they have to be NATA certified by the testing authorities before they can be used. Secondly, Western Australia Police has been tendering in courts digital evidence of all sorts for a number of years. Some of the initial issues with digital photography have been overcome and there are very clear processes in place to ensure the continuity of evidence for all digital devices.

Mr P.C. TINLEY: I refer to page 490 and to the asset disposal item in the balance sheet. Can the minister provide a list of property disposed of in the past year and moneys received therefrom and also from the closure of stations?

Mr R.F. JOHNSON: I do not have a list of all the assets. Is the member talking about buildings or all assets?

Mr P.C. TINLEY: Yes, properties disposed of.

Mr R.F. JOHNSON: I am told that it is a very detailed list, but if the member wishes to have it by way of supplementary information, I am more than happy to provide that.

Mr P.C. TINLEY: Would the minister please provide that by way of supplementary information?

The CHAIRMAN: Is it a list of fixed properties—in other words, land and buildings?

Mr P.C. TINLEY: Real assets, yes.

[Supplementary Information No B9.]

Mr P.C. TINLEY: In terms of station closures, which is part of that property, have any savings been incurred and where have these savings been directed?

Mr R.F. JOHNSON: Sorry; can the member repeat that question?

Mr P.C. TINLEY: In terms of the station closures —

Mr R.F. JOHNSON: Like Ballajura?

Mr P.C. TINLEY: Hilton.

Mr R.F. JOHNSON: The Labor Party closed Hilton virtually.

Mr P.C. TINLEY: We opened it in 2006.

Mr R.F. JOHNSON: We will debate that one.

Mr P.C. TINLEY: Have any savings been incurred from those station closures and where have these savings been directed?

Mr R.F. JOHNSON: I suggest that there probably have been some savings. Is the member talking about financial savings? There would have been some financial savings. I do not know exactly how I can quantify that. The Hilton station, which was in the member's electorate, is a classic example. The Labor Party basically ran that down to nothing when it was in government. A lot of the local residents went to see former Labor Premier Alan Carpenter because they wanted the station reopened, they wanted more police officers working out of it and so on, but their pleas fell on deaf ears. I think there was only one police officer and one community services person there. If I remember rightly, probably fewer than 10 people a week went to that station in the year or so before it was eventually closed.

Mr P.C. TINLEY: So there will not be many savings from that closure.

Mr R.F. JOHNSON: The savings will be minimal. The savings will be in electricity and water costs and that sort of thing. There would also be savings in FTEs and police officers. The police officers who were there originally—I think it was down to one under the Labor government—would have been relocated to one of the nearby stations. The Hilton area is covered by the nearest stations. There has been no diminution in the coverage of police patrols in the Hilton area. Basically, a defunct police station has been closed. It was almost a police post at the end of the day, which really was not cost-effective in any way.

Mr P.C. TINLEY: Going back to my original question, if the minister is prepared to provide supplementary information on the disposal of real properties, could he also provide a list of properties that WA Police intends to dispose of in the coming year?

Mr R.F. JOHNSON: No, I cannot give the member that list because that is a hypothetical question. I do not know which properties may be sold in the coming year. I cannot foresee the future. There may be some properties that the police may look to possibly dispose of —

Mr P.C. TINLEY: Minister, in fairness, it takes some time to identify and then process real property for disposal. There must be at least some properties on the books for the coming financial year.

Mr R.F. JOHNSON: If we answer that question today, the answer in six months could be different.

Mr P.C. TINLEY: I am happy for the minister to qualify it. Some property is going to be disposed of in July.

Mr R.F. JOHNSON: I do not know. I can tell the member some of the properties or land that it is intended to dispose of in 2010–11: Inglewood Police Station, Stirling Police Station, Subiaco Police Station, Karratha district office and the Secret Harbour Police Station site. We all know about the Secret Harbour Police Station site and we know when that was first mooted. I will give the member what we know of for the following year, but this could change.

Mr P.C. TINLEY: We will not hold the minister to it.

Mr R.F. JOHNSON: I am sure the member will. I endeavour to give my best answer at the moment. It is intended to dispose of the traffic headquarters in Wellington Street in 2011–12. That is the one I can tell the member about today. That could be different in six months.

Ms M.M. QUIRK: I refer to the last line item on page 485, which relates to the Perth metropolitan radio network expansion. Can I clarify that the amounts listed in the table are in fact capital expenditure? I also ask the minister to point me to where there is provision for recurrent funding for that network.

Mr R.F. JOHNSON: The Perth metropolitan radio network was completed in February 2008. The member knows about the current regional radio network. What was the other question?

Ms M.M. QUIRK: Can the minister point me to where the recurrent funding is for that expansion? As I understand it, there is provision only for capital. Is that correct?

Mr R.F. JOHNSON: I will get Mr Italiano to answer that.

Mr G. Italiano: The member has referred to the Perth metropolitan radio network, which is the expansion of the current Perth network. That was a commitment that was made a year or so ago. The numbers in the table are capital and there is recurrent provision for that particular project—that is, the expansion of the current network—within the appropriation, although I am advised by the director of finance that it is not specifically singled out within that appropriation.

[9.00 pm]

Mr R.F. JOHNSON: It is in the overall appropriation.

Mr G. Italiano: But we did seek recurrent funding for that project as part of the budget process last year and we did get recurrent funding for the expanded Perth metropolitan radio network.

Ms M.M. QUIRK: That was for last year, but is there a provision for ongoing recurrent funding?

Mr G. Italiano: There is in relation to the Perth metropolitan radio network.

Mr J.C. KOBELKE: I have a supplementary question on the same issue. The point raised by the member for Girrawheen was about regional radio planning. Can we have some indication of the time lines for the planning for the regional radio network and potential costs? I understand from another item listed that the Department of Commerce is involved. Therefore, I am interested to know the police input and the deadlines in which the minister hopes to get decisions.

Mr R.F. JOHNSON: I am happy to respond to the member's question. I think he may have been out of the chamber when the member for Girrawheen asked a similar question about the Fire and Emergency Services Authority. As the member would be aware, \$120 million has been allocated to the Department of Commerce to coordinate not only the regional radio network system but also the mobile phone facility upgrades. Of that \$120 million, \$40 million is for the mobile phone facility upgrades to ensure that we do not have the dropouts that we currently experience in regional Western Australia, and \$80 million has been allocated for the emergency services regional radio network, which covers police, FESA and the Department of Corrective Services. As I explained to the member for Girrawheen —

Mr J.C. KOBELKE: I understand that, minister. The question I asked was whether the minister can give us some time horizons for when some parts of that will be in place, given the problems with our police in regional

areas at the current time, which were inherited from the last government; this government did not create them. I want to know the time lines for parts of the solution to be in place.

[Mr P.B. Watson took the chair.]

Mr R.F. JOHNSON: The money is allocated. The Department of Commerce is coordinating police, the Fire and Emergency Services Authority, the Department of Corrective Services and I assume the mobile phone companies and whatever. The department is coordinating the working party with police, FESA and corrective services and it is working through that at the moment. I cannot give the member a specific time line but, as I said, the funds are there and it will be up and running as soon as we can practically do it. To give the member further clarification, \$1 million has been put in for the planning, but we cannot give the member the time lines until that planning has been completed. However, the funds have been allocated.

Dr M.D. NAHAN: I refer to the seventh dot point on page 477 of the *Budget Statements*, which states —

Meeting anticipated increased demand in child sexual abuse complaints through Mandatory Reporting and the Redress Western Australia Scheme.

Could the minister give some indication of the effect on the budget and the cost of responding to the mandatory reporting?

Mr R.F. JOHNSON: For the detail the member wants to know, I will ask Assistant Commissioner Shayne Maines to respond.

Mr S.L. Maines: The impact of mandatory reporting has seen a significant increase in the number of reported child sexual abuse matters to WA Police. That, with the Redress WA program, has seen an increased number of investigations being forwarded to WA Police for inquiry.

Dr M.D. NAHAN: Can the minister give some indication of the numbers, particularly those relating to mandatory reporting?

Mr S.L. Maines: In 2008 WA Police received approximately 1 066 matters for investigation relating to child sexual abuse. In 2009, post implementation of mandatory reporting, the number increased to 2 427, an increase of 127 per cent. In 2010 WA Police received 988 reports compared with 675 reports for the same period last year, an increase of 46 per cent.

Dr M.D. NAHAN: Does the minister expect it to continue to grow?

Mr S.L. Maines: There will obviously be a level of increase that goes with mandatory reporting because of the statutory requirement for particular categories of people to report offences. That increase may see some levelling, but at this stage there have been significant increases.

Mr J.C. KOBELKE: I refer to the last point in the table on page 479 of the *Budget Statements*, which relates to hoon laws. How many cars were seized last year and what is the expected number in the current year?

Mr R.F. JOHNSON: Are these just the hoon cars, not the unlicensed —

Mr J.C. KOBELKE: The minister can provide figures for the two different categories, if he can.

Mr R.F. JOHNSON: The two categories are hoon cars and unlicensed drivers. The latest figures I have for the hoon cars are as at April 2010.

Mr J.C. KOBELKE: Is this since it came into operation?

Mr R.F. JOHNSON: For the financial year to date as at April 2010, so we do not have May and obviously we do not have any June yet because it is 1 June today. As at April 2010 the number of vehicles impounded for the financial year was 7 517 for no motor drivers' licences and 1 540 for hoons. My arithmetic tells me that is 9 057 in total.

Mr J.C. KOBELKE: Can the minister give some indication of the costs involved—that is, the cost back to the police?

Mr R.F. JOHNSON: To the end of March 2010, so I cannot give the member an exact figure for —

Mr J.C. KOBELKE: Is that for the financial year to the end of March?

Mr R.F. JOHNSON: To the end of March 2010 police will have incurred costs of \$5.2 million and have recouped costs of \$3 million to date, so it does not at all require a sharp intake of breath, member for Girrawheen! Therefore, at present WA Police is absorbing a net shortfall of \$2.2 million, which will be subject to debt-recovery action if there are any outstanding debts after the vehicles have been auctioned or disposed of. The police do not simply write the money off; as members know, they will try to recover that debt from the offenders.

The member should not have asked this question really, because it comes back to him personally. The problem we had of course is that when the member was minister, no funds were put into police to deal with those vehicles that would be impounded for unlicensed driving offences.

Mr J.C. KOBELKE: However, in last year's budget, the minister indicated savings of \$32 million—\$8 million over four years. Has the government made any of those savings?

Mr R.F. JOHNSON: I think the member is referring to the \$8 million that was seen as a possible saving that Treasury sought because at the time —

Mr J.C. KOBELKE: Is the minister saying Treasury was fiddling the police books?

Mr R.F. JOHNSON: Not at all. When Treasury was looking for the three per cent efficiency dividend, if I remember rightly, it saw a figure of \$8 million in costs that the police believed would be needed to ensure that there was no shortfall in the number of vehicles that were impounded and then sold or auctioned or whatever and not collected. The police did that because the member as the previous minister never allocated any funds whatsoever when he introduced into Parliament —

Mr J.C. KOBELKE: I accept that, minister, but in last year's budget —

Mr R.F. JOHNSON: Let me finish —

The CHAIRMAN: Members!

Mr R.F. JOHNSON: The member does not like the truth; that is the trouble.

[9.10 pm]

Mr J.C. KOBELKE: I am not disagreeing with the minister. Last year he said that he would save \$8 million. Was there any prospect of getting one dollar of that?

Mr R.F. JOHNSON: I am coming to that, but I will answer the question in my way rather than in the way the member would like to hear. If the member had had the fortitude to go to Treasury and cabinet and say, "I'm introducing this legislation that will impound vehicles when people do not have valid driving licences because of drink-driving, reckless driving or driving with too many demerit points", the police would not have had any problems. They would have had the funding to deal with all of that area. There was talk a year ago of possibly contracting out the towage and storage of vehicles that were to be impounded.

Mr J.C. KOBELKE: That was already happening.

Mr R.F. JOHNSON: No. There was talk of that. It was not already happening. It was not contracted out whereby—let me finish—the contractor would have the problem of chasing up the debts and all the rest of it so there would be no cost to the police. Unfortunately, that did not take place. But that is where Treasury saw a possible saving, and that was \$8 million, I think. That \$8 million, if I remember rightly, was worked out on the basis of the experience in New Zealand, where 40 per cent of the vehicles that were impounded were not collected. Therefore, it cost the New Zealand police service a lot of money. It may or may not have managed to recoup the debts that were incurred, but that is what it was as an initial cost. That is the cost that I believe WA Police envisaged in Western Australia. Fortunately, it did not work out that way, and I think less than 20 per cent of the vehicles were not collected and paid for by the offenders. However, WA Police worked on 40 per cent of what they anticipated, which was a higher number also—I think something like 15 000 vehicles were estimated to be towed and impounded. At that time, Treasury could see that if we were going to contract it out, it could save that money, and that was part of the three per cent dividend, in effect. It did not work out that way, as the member knows.

Mr J.C. KOBELKE: That is absolute gobbledegook. The minister is making no sense at all. Treasury wrote \$8 million into the minister's budget, but the minister had no opportunity of getting anything back because he did not have a cost entered. How could the minister make a saving if no cost was entered?

Mr R.F. JOHNSON: Because the former government did not put any money in there to start with.

Mr J.C. KOBELKE: Yes; so how can the minister make a saving?

Mr R.F. JOHNSON: That was the problem. The member would have to ask Treasury how it saw that.

Mr J.C. KOBELKE: The minister was rolled, and it was a subterfuge that was misleading and deceptive, and the minister has been caught out.

Mr R.F. JOHNSON: Not at all; no.

Mr J.C. KOBELKE: It may not have been of the minister's making, but he has been caught out with —

Mr R.F. JOHNSON: The member is the one who has been caught out by not having the guts to ask for the funding that he needed to ask for at the time. He refused a request to ask for funds.

The CHAIRMAN: Can the minister please just answer the question instead of making personal attacks.

Mr R.F. JOHNSON: He has just attacked me. Did the chairman not hear what he said about me and what he referred to me as?

Mr J.C. KOBELKE: It is okay, Mr Chairman. He has been caught out.

Ms M.M. QUIRK: Last year that \$8 million was identified as a saving in the 2009–10 year and going forward. Given that that saving has not been possible, and the minister has said why—so we do not need to hear it for the fifth time—clearly other savings need to be identified to replace that, because, as I understand it, there is an ongoing obligation to find those three per cent efficiency savings. So where else is the minister making cuts, given that that is not a fruitful source for savings?

Mr R.F. JOHNSON: No, that is not the case. The facts are that the three per cent savings were identified over a year ago, and that is all over red rover now and we are working on a new budget, and this is where we are today; it is the budget that is before us. At the moment, about \$2 million is outstanding, which the police have had to pay to the towage and storage companies, but the police are endeavouring to recover that \$2 million through debt collectors.

Ms M.M. QUIRK: Can I just confirm that there is no ongoing obligation to find a three per cent saving in this year and the following years when the minister did not find it last year?

Mr R.F. JOHNSON: All I can tell the member is that the police budget, as it stands at the moment, is before her. She should read it carefully and she will understand it. There is no question in there of seeking three per cent or any other savings. We have been through the three per cent; we have been through the government vehicle costs. I am sure the member will ask me a question on that at some stage, and I will be very happy to answer that one. However, we have dealt with those issues, and we are now dealing with the budget that is before us tonight.

Mr J.C. KOBELKE: When the minister says that we have dealt with those issues, the minister did not deliver those savings, which is okay because the police kept the money. But the minister is saying that it is off the agenda, even though he did not deliver, and Treasury is not chasing him for it, which is good if that is the situation.

Mr R.F. JOHNSON: I am not aware of Treasury chasing us for any money. Are we aware of Treasury chasing us for any money? No, we are not aware of Treasury chasing us for any money. I think Treasury is very happy with the way the police are performing.

Mr P.C. TINLEY: So about \$2 million is outstanding; is that right?

Mr R.F. JOHNSON: It is \$2.2 million.

Mr P.C. TINLEY: That has to be recovered by a bad debt provision, if one likes. What provision has the minister allocated in future years to bad debts—that is, for not recovering that debt or part thereof?

Mr R.F. JOHNSON: If we need to seek relief, we will seek it in the midyear review, but we want to establish a trend, and we are not simply going to give up and write off all those amounts of money that people owe for the towage and storage of those vehicles. What we have done, as the member is aware, is try to reduce those costs to those people who want to give up their vehicles. At an earlier stage they will be able to sign a relinquishing note after they have considered the situation for 48 hours. If people have their vehicle towed away and then impounded, they may not believe the vehicle is worth, say, \$950, which it might cost them to get the vehicle out of the impoundment area. They will have the option in future to simply write off the vehicle after 48 hours—we want them to think about it for 48 hours. They can then write a relinquishing note so that the police can take the vehicle out. That will save a lot of storage costs, and the police can dispose of the vehicle that way. That will not only reduce the amount that police have to pay at the moment if the vehicle is not collected, but also reduce the debt to the people who have those cars in the impounding yards. Therefore, it is a benefit to both, really.

Mr P.C. TINLEY: Just to be clear, the minister has made no provision in his budget estimates for bad debts—that is, non-recovered moneys.

Mr R.F. JOHNSON: No, because we do not see them at this stage as bad debts.

Mr P.C. TINLEY: Call it what you will.

Mr R.F. JOHNSON: No, I am not calling it what I will. I am saying that they are not bad debts until they are written off and are non-recoverable. It is the police intention to try to recover from the offenders the amounts that are outstanding. It happened under my government and it would have happened under the previous government.

Mr P.C. TINLEY: But what are the circumstances under which the minister would say, “That fine is non-recoverable”? Is it time based; is it event-based? What is it?

Mr R.F. JOHNSON: I suggest it is probably based on both of those areas. If at the end of the day we realise that we cannot get blood out of a stone, the police —

Mr P.C. TINLEY: What is it? What amount of time has to elapse or what event has to occur?

Mr R.F. JOHNSON: It will depend on different circumstances and different individuals. The police will try to recover the debt; that is their first priority. After a period of time, if they realise that they have no hope of getting that debt repaid, the police will make the decision to write it off.

Mr P.C. TINLEY: The minister said “after a period of time”.

Mr R.F. JOHNSON: It is all different circumstances. The member is different from the member next to him. The police might think that they might get the money from the member for Willagee but they do not have a hope in hell of getting it from the member sitting next to him.

Mr M.J. COWPER: I draw the minister’s attention to page 484 and to service 7, “Traffic Law Enforcement and Management”. The second dot point states —

- conducting stationary speed operations involving speed cameras and hand-held radar laser units;

On the following page, page 485, it has the average cost per hour of traffic law enforcement and management of \$101 000. Further down, under “Asset Investment Program”, the first dot point refers to —

the digitisation of fixed Speed and Red Light Cameras and Mobile Speed Cameras;

I would like some clarity, please, minister. How many of those new cameras are going to replace outdated old cameras?

Mr J.C. KOBELKE: Member, we have already had that.

Mr M.J. COWPER: I understand that. I note that the revenue from those speed and fixed-light cameras is estimated in 2009–10 to be \$37.2 million, and it is estimated that next year it will jump to \$112.9 million. How can the minister estimate that there is going to be, in effect, a trebling of speed fines coming in if there is not a trebling of the number of speed cameras?

[9.20 pm]

Mr R.F. JOHNSON: There are various aspects to the answer to the member’s question. One is that often at the moment in the enforcement section of police, which processes the photographs, if it is not a clear photograph of who is driving the vehicle and if there are two vehicles side-by-side, it is very difficult to establish with the existing cameras which one is the one that is speeding. Therefore, if the police cannot ensure who the driver is once they have looked at the registration number and so on and so forth, that is one area in which they are unable to enforce that particular provision. With two vehicles side-by-side, it is sometimes difficult to assess which one is speeding and which one is not. The new digitised cameras will be able to capture vehicles in up to four lanes on a freeway, for instance, and they will be able to track and identify each of those four vehicles. Once the camera is locked onto those vehicles, even if the vehicles change lanes, the technology in the camera will track the vehicles changing lanes and capture them from —

Mr M.J. COWPER: So what the minister is saying, in essence, is that there will be a threefold increase in the efficiency of those cameras.

Mr R.F. JOHNSON: Absolutely. There will be an enormous amount of efficiency in these dual-lens digital cameras.

Mr M.J. COWPER: I have a further question, Mr Chair.

Mr R.F. JOHNSON: Not only that, but also in future with our new red-light speed cameras at intersections, which we have spoken about earlier, people will get an infringement notice for running a red light and the technology in the new cameras will catch them speeding at the same time. In that case they will be fined not only for running a red light, but also for speeding. The camera will detect the speed and there will be a photo and everything.

Mr M.J. COWPER: I have a further question. Given that situation, I understand currently that a third of fines from red-light speed cameras go into the road trauma fund. The road trauma fund includes funding for the strategic traffic enforcement program—STEP. Can we take it that if a threefold increase in speed camera fines is anticipated, a percentage will be allocated to, first of all, the road trauma fund; and will there be a trebling of the allocation for STEP funding?

Mr R.F. JOHNSON: Certainly a third of all fines from speeding and red-light camera infringements will go to the road trauma trust fund. That fund will have more funds than it has ever had in its life before; and I am delighted at that, quite frankly, because most of that money will be used for road safety initiatives. In relation to

the question on STEP funding, I am sure the member would be aware that I asked the Road Safety Council to examine the possibility of using some funds in the road trauma trust fund over the last Christmas period—I think around \$400 000—so that it could be given to police to put more vehicles on the roads—over and above the usual number of vehicles that they have seasonally on the roads—for breath testing, speeding and all the rest of it.

Mr M.J. COWPER: STEP funding, yes.

Mr R.F. JOHNSON: This was in addition to those vehicles. It meant that a lot of officers were able to work some overtime, which I am told they were very happy to do. That program was indeed to catch people who use back streets to try to avoid booze buses, which are usually on the main roads and highways; and the program was very successful. To answer the member's further question, there is funding in the road trauma trust fund that goes to the STEP program. I think it is \$1 million and something.

Mr M.J. COWPER: It has not moved from \$1.2 million for about three years.

Mr R.F. JOHNSON: The question from the member, as I have just been reminded, is actually a question for the Office of Road Safety.

Mr M.J. COWPER: But we are talking about police management here.

Mr R.F. JOHNSON: And I am happy to try to answer the member for Murray–Wellington's question.

Mr M.J. COWPER: I would like to know whether there will be a threefold increase in money —

Mr J.C. KOBELKE: It was \$2.4 million in 2009.

Mr M.J. COWPER: I would like to know whether that will go up threefold respectively to the rest of it.

Mr R.F. JOHNSON: We would need a crystal ball to see exactly how much will come in and how it will be spent.

Mr M.J. COWPER: Okay.

Mr R.F. JOHNSON: However, it is basically the Road Safety Council that has the authority to administer the road trauma trust fund. I believe the council has in the past, and will be in the future, sympathetic to complementing what has been a successful program in the past; that is, of course, the STEP program. I therefore foresee that happening in the future.

Mr M.J. COWPER: I have a last question on that point. What is the estimated increase in the number of people who will be under demerit point suspension as a result of this new technology if there is a threefold increase in the number of people caught speeding? Will the main capture be just those people speeding in the three to five-kilometre an hour bracket?

Mr R.F. JOHNSON: It would depend on the speed at which they were travelling. It may well capture some people who perhaps have exceeded the limit of the demerit points they are allowed to incur, but a lot of people will be caught perhaps for the first or second time. I do not know; I cannot give the member an accurate answer to that question.

Ms M.M. QUIRK: I refer to the twelfth bullet point on page 477. That deals with the introduction of new laws, new administrative regimes, the need for police to have new technology and the costs associated with that. I particularly refer the minister to the gun licensing regime. I understand that a computer upgrade has been identified for that. I will put all my questions in one. What stage is that at; what is happening with stakeholder consultations on gun licensing; what is the current number of unprocessed applications; and how many of these date back to November last year?

Mr R.F. JOHNSON: I will ask Assistant Commissioner Shayne Maines to answer the member's question.

Ms M.M. QUIRK: Excellent.

Mr S.L. Maines: We are currently in the process of reviewing the firearm licensing system. Our business model is in the process of being developed to make improvements to that. I cannot give the member the exact number of outstanding firearm licence applications, but I can provide that as supplementary information.

Ms M.M. QUIRK: Thanks very much.

Mr S.L. Maines: We have had a significant cut in the backlog of firearm licence applications and the delays in processing those applications. A number of contractors have been engaged to assist in turning them over. We continue to engage with stakeholders involved in the Sporting Shooters' Association of Australia and a number of dealers and clubs. A committee has been set up by the licensing enforcement division to meet with those stakeholders on a regular basis—I believe it is bi-monthly—to discuss and work through some of those issues. I am sorry, was there another part to the question?

Ms M.M. QUIRK: I have a further question, through the minister: what is the time frame for the finalisation of the business case, consultations concluding and enhancements being made to the system?

Mr R.F. JOHNSON: I will ask Shayne Maines to finish his answer to the member.

Mr S.L. Maines: On the modelling we are fairly close to finalising a business case to go forward to the corporate executive team. I could not give the member an exact date. Again, I can provide that in supplementary information.

Ms M.M. QUIRK: I thank the minister for that. I will get to the supplementary information in a second. Implicit in that is that there is no money in this budget for any upgrade to the current gun licensing computer system if the business model has not yet been prepared.

Mr R.F. JOHNSON: This problem emerged after the budget submissions went in; therefore, there is nothing in the budget specifically for that.

Ms M.M. QUIRK: That is fine; I just wanted to clarify it.

Mr R.F. JOHNSON: Let me just finish. But if a need for it becomes apparent, then we will ask under the midyear review for some supplementary funding.

Ms M.M. QUIRK: Just finally, would the minister be surprised to know that there is apparently more than 100 applications dating back to November in a cardboard box propping open a door in the licensing section?

Mr R.F. JOHNSON: I would be surprised to know if that was the case, but I have heard outrageous allegations from the member for Girrawheen before.

Ms M.M. QUIRK: It is not an allegation; it is a question, which the minister is entitled to deny if it is wrong.

Mr R.F. JOHNSON: No; the member for Girrawheen asked whether I would be surprised to know that there was a cardboard box with 100 applications.

Ms M.M. QUIRK: Over 100.

Mr R.F. JOHNSON: Over 100; it is getting worse! The member says that there are over 100 applications in a cardboard box propping open a door in the gun licensing department. I am sure the member has a press release ready to go out on that one!

[9.30 pm]

Ms M.M. QUIRK: I am sure the box will not be there tomorrow.

Mr R.F. JOHNSON: I am sure the member has a press release ready to go, but I wonder whether it has any veracity to it, like all her other press releases. I cannot answer that because I would be very surprised to know —

Ms M.M. QUIRK: I will put it a different way. Has the minister received any assurances that there are no licences outstanding from November last year?

Mr R.F. JOHNSON: I have not, no. I will ask Assistant Commissioner Shayne Maines to answer.

Mr S.L. Maines: Again without notice, there have been some delays but we have put considerable effort into clearing those. I would be surprised if there are still matters outstanding from November. I am happy to confirm if that is not the case. Again, people have been contacting the licensing enforcement division to speed up the process. If there have been inordinate delays, we have tried to address them. I have heard talk of a box of applications. I am not sure whether it is an urban myth. There has been a significant effort put into reducing the delays following the transition from the police station processing model to the Australia Post model, and to the current model we are working through now. I am happy to provide that information.

The CHAIRMAN: Member for Girrawheen, you wanted supplementary information?

Ms M.M. QUIRK: Can the minister provide the information concerning the number of applications outstanding from November 2009, the progress of consultations and the preparation of the business model?

Mr R.F. JOHNSON: I can answer part of that now. I can tell the member about the consultation. As the member is fully aware, a huge consultation process took place at the police academy with most of the firearm dealers—all the ones that I can think of —

Ms M.M. QUIRK: It is ongoing, if the minister heard the evidence.

Mr R.F. JOHNSON: Let me finish—together with members of the Sporting Shooters' Association, the various ones that there are. It was very successful. In fact Assistant Commissioner Shayne Maines played an integral role in that particular forum. The gun dealers and the Sporting Shooters' Association were very pleased with that forum. It is one that I suggested should take place. The outcome of that forum was very successful. There have been some problems, as the member is aware—I accept that. Extra resources were put into that area. I was not

aware of any licences going back to November unless there were significant problems with one or two applications. There have been some problems with some people who wanted to get certain —

Ms M.M. QUIRK: Mr Chairman, I understand we are only dealing with what supplementary information is required.

Mr R.F. JOHNSON: I have not said I will give the member supplementary information yet.

Ms M.M. QUIRK: I think the minister will find that the assistant commissioner volunteered he would provide supplementary information.

The CHAIRMAN: It is up to the minister to decide.

Mr R.F. JOHNSON: It is up to me to agree to supplementary information and, quite frankly, I do not want to waste the assistant commissioner's time. If the member really has a concern in this area, I suggest she put the question on notice. Both the assistant commissioner and I have answered the questions put forward. I can assure the member that the assistant commissioner will look into it tomorrow to see whether there is any veracity whatsoever to the member's outrageous claim that there are over 100 applications in a cardboard box propping open a door. If there are, I will come back and tell the member about it.

Ms M.M. QUIRK: I hope the minister does that tomorrow afternoon.

Mr R.F. JOHNSON: That may interrupt her press release, but I do not know!

The CHAIRMAN: The minister is not accepting the request for supplementary information?

Mr R.F. JOHNSON: No.

Mr P.C. TINLEY: I refer to the last line on page 475 of the *Budget Statements*, "Implementation of Vehicle Fleet Savings". If I read these numbers correctly, the cuts this year are larger than last. I think I have got that right. The minister gave a guarantee that front-line policing would not be affected by the cuts. Does the minister continue to maintain that assurance when officers are already competing at busy times for vehicles?

Mr R.F. JOHNSON: I am advised that the reason that the estimated actual in 2009–10 is \$683 million is that that only represents half a year and that is when the policy was implemented. That is why we will see in future years the figure goes up exponentially.

Mr P.C. TINLEY: Did the minister get the rest of my question?

Mr R.F. JOHNSON: No.

Mr P.C. TINLEY: The minister gave a guarantee that front-line policing would not be affected. Does the minister still stand by that assurance when already police officers are competing at busy times for vehicles?

Mr R.F. JOHNSON: I maintain that it is a commitment that we will not lose any front-line officers; that we will maintain our front-line service. It is something that the Commissioner of Police reassures me is the case. The inference the member made was that police are competing for vehicles.

Mr P.C. TINLEY: Yes; at peak periods.

Mr R.F. JOHNSON: Does the member want to expand on that, because I have heard this? Nobody has come to the commissioner and said they cannot get a vehicle at changeover times.

Mr P.C. TINLEY: I am not sure; that is why I am asking the question.

Mr R.F. JOHNSON: Is the member aware of that?

Mr P.C. TINLEY: That is why I am asking the question. Does the minister want to answer the question?

Mr R.F. JOHNSON: I am answering the question. I am told that certainly at times of changeover one or two officers—who may or may not be in the union, and may have spoken to the member for Girrawheen, I do not know, because she probably gave the member the question to ask—have said something. I can tell the member that the Commissioner of Police and I had a meeting yesterday. It was news to him. He told me that nobody had been to him and said —

Ms M.M. QUIRK: It is a northern suburbs station not too far from the minister's electorate.

Mr R.F. JOHNSON: I know the one the member is talking about, but they have not been to the commissioner. I will let members hear it from the horse's mouth, if the commissioner does not mind me saying that. The commissioner will answer that part of the question; I will answer the rest.

Dr O'Callaghan: There has been no reduction to operational fleet vehicles; that is, front-line vehicles. There has simply been a replacement of 93 vehicles. These were the high-performance vehicles with standard police packs—the Ford XT Falcons or the Commodore Omegas. They simply replaced 93 vehicles. We got rid of

50 administrative vehicles. That was part of the vehicle fleet reduction but there was no impact on front-line vehicles at all. There was a changeover of types of vehicles.

Mr P.C. TINLEY: There is less of one type but it was replaced by another? So the high pursuit was reduced and the —

Dr O'Callaghan: Ninety-three high-performance vehicles were replaced with standard police packs. There was no reduction; it was just a change in the type of vehicle. The same number of vehicles are available to front-line officers today as before the fleet reduction implementation.

Mr P.C. TINLEY: But, minister, was there a change of duty? Ninety-three vehicles were replaced with standard police packs, but did the duties change that were performed in those vehicles?

Mr R.F. JOHNSON: Not at all. Can I say that one or two police officers may have whinged about going from high-performance vehicles —

Ms M.M. QUIRK: What, whinged! That is very pejorative.

Mr P.C. TINLEY: They are all happy in the service!

Mr R.F. JOHNSON: — back to a normal police pack vehicle. There was a period of about three years when these high-performance vehicles were brought in. The former Minister for Police and Emergency Services would know this as he was probably the minister at the time. It was decided by police themselves, not me, that those high-performance vehicles were not necessary. As members are aware there is a speed limit that police are allowed to go to before a pursuit is called off. The vehicles that our police officers have today are basically better than the ones they had over three years ago, if members get the argument I am putting forward. What I am saying is that these are five star safety rated vehicles that our police officers drive today.

Ms M.M. QUIRK: But the Daihatsu 120 is a five star rated vehicle. That does not mean it is suitable for the job, minister.

Mr R.F. JOHNSON: This is a police pack vehicle. It has got more than just a five star rating.

Mr P.C. TINLEY: Has it got an extra cup holder?

Mr R.F. JOHNSON: If the member thinks it is amusing, it is up to him. The police vehicles today are better than they were five years ago under the previous government. They are far better. They have been updated —

Mr P.C. TINLEY: It does not mean they are suited for police duty.

Mr R.F. JOHNSON: Since when has the member been an expert in police duty vehicles? He would not have a clue! He would know more about tanks than he would about police vehicles. I am telling the member that the police vehicles we have today are extremely good for the job.

[9.40 pm]

Mr P.C. TINLEY: I understand that there is some disquiet about the specifications of the vehicles provided and the add-ons. Has consideration being given to pursuing the custom-designed vehicles used by Victoria Police, as an example?

Mr R.F. JOHNSON: The short answer is no, and the long answer, once again, is that the police had those high-performance vehicles for only about three years. The member for Balcatta would know all about that because he was the minister at the time. The police have decided of their own volition—without me trying to influence them in any way—that those vehicles were over the top. They cost 20 per cent more and I have been assured by the police that they did not believe it was worth spending the extra 20 per cent on those vehicles, when the ones that they have replaced them with are more than adequate to do the job they do today, as were the previous vehicles.

The appropriation was recommended.

Division 35: Commissioner of Main Roads — Service 7, Office of Road Safety, \$3 100 000—

Mr P.B. Watson, Chairman.

Mr R.F. Johnson, Minister for Police.

Mr I. Cameron, Executive Director.

Mr P. Gregson, Principal Finance Officer.

Ms M.M. QUIRK: There is a reference on page 422 of the *Budget Statements* to the road trauma trust fund, but I am not sure that there is a reference within the Office of Road Safety itself. I want to talk about the road trauma trust fund for a minute. Can the minister advise whether the Christmas road safety campaign run by the police was funded out of the road trauma trust fund?

Mr R.F. JOHNSON: I think I explained that earlier. The police do a Christmas blitz every year on drink drivers, speeders and the rest. They do that on an annual basis. Last Christmas, money was allocated to the police from the road trauma trust fund; it was \$367 962.

Ms M.M. QUIRK: Is this for the Christmas campaign?

Mr R.F. JOHNSON: This was over the Christmas period, yes. I will give the member the answer. It was all part of the educational campaign to let drivers know that they would get caught in the backstreets also. It was very highly successful, with 16 073 breath tests. From that, 337 charges for drink driving related offensives were laid. The member talked about the funding, which certainly came from the road trauma trust. It was \$367 962, and it contributed to an extra 5 830 police officer hours on the streets, including the backstreets, and almost predominantly on some of the backstreets. The funding was reallocated from the Office of Road Safety drink driving campaign budget, providing additional enforcement by police over the Christmas and New Year period to support the drink driving initiative. That is how it came about, and it was successful because people became very much aware of the fact that the police would not only be on the main streets, the highways and freeways; they would be patrolling the backstreets.

Ms M.M. QUIRK: I am aware of the nature of the campaign, minister. As I understand it, money is paid out of the road trauma trust fund for a variety of purposes on the recommendation of the Road Safety Council. Was it the situation in this instance that that was approved by the minister without any recommendation from the Road Safety Council?

Mr R.F. JOHNSON: I think the member will find that it was probably the other way round. I actually asked the Road Safety Council, through the Office of Road Safety, whether it would agree to special funding to try to ensure that we had even more police officers out on our streets and highways, particularly the backstreets, not necessarily to catch drink drivers, but to make them aware. The idea was to try to make them aware that if they took backstreets to try to avoid booze buses, they still stood a chance of being caught, and it was successful.

Ms M.M. QUIRK: The minister has just confirmed that this was not at the recommendation of the Road Safety Council, but an initiative of his.

Mr R.F. JOHNSON: I think it is fair to say yes, and I am very proud to put my name to it. I asked the Office of Road Safety whether it would agree to ensuring that some funding could go out at that very important time of the year. As the member knows, we have seen so many people die on our roads through drink driving —

Ms M.M. QUIRK: Yes, I think we have heard that, minister.

Mr J.C. KOBELKE: The minister some time ago adopted the Towards Zero road safety strategy, for which I congratulate him. However, when he came to government he was also presented with an implementation plan. Does he intend to present an implementation plan for the Towards Zero road safety strategy?

Mr R.F. JOHNSON: In general terms and in a very much committed way, the government is intent on implementing the Towards Zero strategy. The member knows as well as I do that it is a 12-year strategy and Rome was not built in a day. Certainly, there is an absolute commitment that we will implement the recommendations of the Towards Zero strategy, and that will come over the next 11 years.

Mr J.C. KOBELKE: The minister is suggesting that he is committed to it, but he does not think it is necessary to actually have a written plan for the agencies to work to.

Mr R.F. JOHNSON: I do not know whether the member had a ministerial council on road safety when he was minister. Did he? He did. I have carried on that particular practice, and many members sit on that road safety council from all the portfolios that cover the integral agencies that play an important role in road safety. Main Roads is a classic example; the Minister for Health is involved, along with other ministers who have a part to play. We are working through some planning at the moment. We cannot give a finite plan of doing this on one day and that on another, because a lot of things come up in the meantime. That is why it is a long-term strategy, and I would assume that that was part of —

Mr J.C. KOBELKE: The minister was presented with a draft plan, and he does not think is worth actually taking up the plan.

Mr R.F. JOHNSON: I do, but it is a question of —

Mr J.C. KOBELKE: But he is not going to do it.

Mr R.F. JOHNSON: I am not saying I am not going to do it; I am not saying that at all. In fact, I am going to do it.

[9.50 pm]

Mr J.C. KOBELKE: Can the minister supply a date by which he will be able to publish a plan for implementation of the strategy?

Mr R.F. JOHNSON: I have just been reminded that a list of actions came out of the last ministerial council meeting. In the spirit of openness and cooperation I will be happy to give the member a copy of the actions that we believed needed to be taken and the priority in which they need to be taken. They are outcomes of that ministerial council meeting.

Mr J.C. KOBELKE: Is the minister willing to provide that by way of supplementary information?

Mr R.F. JOHNSON: The Road Safety Council has the action plan, and I can provide that to the member. I am sure I can, yes.

Mr J.C. KOBELKE: Does that mean that the minister will actually sign off on that so that when he goes to the ministerial council he will be able to work in concert with his fellow ministers to see that the plan is implemented?

Mr R.F. JOHNSON: That is exactly what we are working through. We are certainly working through that.

Mr J.C. KOBELKE: When will the minister publicly present a plan so that we know the priorities and how the government will go about implementing the strategy?

Mr R.F. JOHNSON: I am not aware of whether I need to sign off on the plan. The plan is there in place and most of the recommendations have been agreed to under the Towards Zero strategy. It is a question of when they are able to be implemented. They cannot all be done all at once, as the member knows; the cost of doing them all at once is high.

Mr J.C. KOBELKE: I know, but the situation is that the minister says he is backing something and he is going to do it, but he does not do it. We want to know whether there will be benchmarks when the minister might start delivering, because he is, in fact, going backwards. He is taking money out of road safety; he is not increasing it.

Mr R.F. JOHNSON: I disagree with that completely.

Mr J.C. KOBELKE: The papers in front of us show it!

Mr R.F. JOHNSON: No, they do not show us that at all. The member knows that we have committed \$30 million to the enhanced speed enforcement program.

Mr J.C. KOBELKE: Most of the money goes into the consolidated account; it does not go to road safety.

Mr R.F. JOHNSON: A third of that will go into the road trauma trust fund—the member knows that and I know that. I know that the member is trying to score some political points tonight, and I think it is a great shame that he is trying to do that on road safety.

Mr J.C. KOBELKE: After 18 months the minister has to deliver—he is delivering nothing.

Mr R.F. JOHNSON: I will deliver, my friend; I can assure the member of that.

Mr J.C. KOBELKE: We want to see a plan so that we can actually see that the minister is delivering something.

Mr R.F. JOHNSON: The member should just watch this space. I will deliver. It is my intention to deliver great results in road safety in this first term of government.

Mr J.C. KOBELKE: I have one supplementary question. The top of page 427, “Road Safety” deals with one of the minister’s allies—Main Roads WA.

Mr R.F. JOHNSON: Is the member talking about Main Roads?

Mr J.C. KOBELKE: Yes; because the road safety strategy is supposed to be across government and the minister is supposed to coordinate with agencies. The very first line of that paragraph states that the goal is to reduce the road fatality rate to be the lowest in Australia. That is not the minister’s strategy. How will the minister get other agencies to go to his strategy, because the minister’s strategy is about deaths and serious injury, yet one of his key partners does not even keep to the strategy because the minister has not laid out an implementation plan to get it on board?

Mr R.F. JOHNSON: I do not accept that. The member is now quoting something in the *Budget Statements* to do with Main Roads.

Mr J.C. KOBELKE: That is correct.

Mr R.F. JOHNSON: That is not the Office of Road Safety, and I have not got those papers in front of me.

Mr J.C. KOBELKE: But it is supposed to be the minister’s partner, and it does not even know his strategy because he does not have an implementation plan.

Mr R.F. JOHNSON: That is a nonsense comment, member for Balcatta, and I would have thought better of the member than making a stupid comment such as that.

Mr J.C. KOBELKE: The fact that the minister thinks it is stupid shows how little commitment he has to implementing a plan.

Mr R.F. JOHNSON: The Minister for Transport is a committed member of the Ministerial Council on Road Safety.

Mr J.C. KOBELKE: The minister is all talk and no action.

Mr R.F. JOHNSON: The member did zilch in his term in government, my friend! He did zilch.

Mr J.C. KOBELKE: All talk and no action.

The CHAIRMAN: Did the member want supplementary information?

Mr J.C. KOBELKE: Will the minister provide, by way of supplementary information, the road safety ministerial council minutes.

Mr R.F. JOHNSON: No, I will not provide the member with the minutes—that was not what was said.

Mr J.C. KOBELKE: The outcomes of the meeting?

Mr R.F. JOHNSON: The member wanted a list of actions. I am happy to provide a list of actions.

Mr J.C. KOBELKE: If the minister would, I would appreciate that.

The CHAIRMAN: Minister, will you state what you will provide?

Mr R.F. JOHNSON: I am happy to supply, by way of supplementary information, a list of actions being considered by the Ministerial Council on Road Safety, which will be provided by the Road Safety Council.

[Supplementary Information No B10.]

Dr M.D. NAHAN: I refer to page 435 of the *Budget Statements*, which states that the grants and subsidies have increased from \$18.9 million in 2010–11 to \$26 million in 2011–12. Will the minister please explain why?

Mr R.F. JOHNSON: I thank the member for the question. I will tell the member as much as I can. The total inflows into the road trauma trust fund have been forecast by WA Police to rise due to a planned increase in the number of speed cameras in operation—I think we covered some of that under the police division, as the member is aware. It is expected that the majority of the extra funds will be allocated to grants programs eligible under the Road Safety Council Act 2002. Grants make up just one part of the total road safety spending from the road trauma trust fund by the Office of Road Safety. The three categories of spending are: firstly, grants, which are funds provided by the Office of Road Safety on behalf of the road trauma trust fund to other agencies or organisations to fund road safety programs and initiatives. Secondly, the Office of Road Safety projects funds are spent by Office of Road Safety on road safety programs of a research and developmental nature, or to support programs by grantees. Thirdly, community education funds are spent by the Office of Road Safety on road safety community education using advertising and any other means that they have at their disposal. It is fair to say that the Office of Road Safety—with the Road Safety Council—is desperate to get as much education out there as possible. We need to show people what happens when they are distracted from driving. We need to get the message out not to use mobile phones or text, not to argue with the kids in the back seat, and not to look at a roadmap when driving. People should not do any of these things; they need to pull over into a safe area where they can do those things. That is one campaign, as the member is aware, that is up already, but other campaigns are being planned. I have just been advised that that is an estimate of what might come in those years, and some will go to other agencies.

Mr J.C. KOBELKE: I refer to page 430, “Office of Road Safety”, and the line item of net cost of services. We see that that has reduced from \$12.7 million down to \$3 million. Of course, if the money comes from the new cameras, there will be an increase. Is the minister willing to give a guarantee that if the cameras do not deliver, the government will provide a minimum of \$15 million, as the previous government did but this government will not?

Mr R.F. JOHNSON: I honestly do not think I need to give a guarantee in that area.

Mr J.C. KOBELKE: So the minister will not?

Mr R.F. JOHNSON: No; the member for Balcatta is being naughty tonight. I do not need to give a guarantee because I think anybody with any brain in their head would realise that with all the new cameras we are putting out there, we will reach that figure.

Mr J.C. KOBELKE: Why will the minister not give a guarantee to show he really backs road safety?

Mr R.F. JOHNSON: When the member for Balcatta was in this position he would never give a guarantee!

Mr J.C. KOBELKE: We did, and we fulfilled it. We topped it up to \$15 million.

Mr R.F. JOHNSON: That was not a guarantee, my friend—that was not a guarantee at all.

Mr J.C. KOBELKE: We guaranteed that if it fell below an amount we would top it up. This government has moved away from that.

Mr R.F. JOHNSON: The former government made lots of promises when it was on this side of the house.

Mr J.C. KOBELKE: And we delivered.

Mr R.F. JOHNSON: I say categorically that the road trauma trust fund will certainly receive more funds than it has ever received in its life before.

Mr J.C. KOBELKE: If the minister is so certain, why will he not guarantee a minimum amount?

Mr R.F. JOHNSON: That is because of the commitment we made of \$30 million in relation to the new cameras.

Mr J.C. KOBELKE: Two-thirds of which will go into Treasury.

Mr R.F. JOHNSON: Two-thirds went to Treasury in the former government as well, and we are carrying on the same principle. The member has to remember that the two-thirds that goes to Treasury is not hung onto by Treasury and it does not say that it is its money. It goes to areas such as Health —

Mr J.C. KOBELKE: I think the minister is a greater supporter of Treasury than he is of road safety, and I really regret that.

Mr R.F. JOHNSON: Do not talk rubbish. The member for Balcatta is trying to get some nasty, snide comments in before we reach 10 o'clock, and I would like to say that that is unbecoming of him, but it is not. I have become accustomed to it now. I thought the member for Balcatta had mellowed in his old age when he went to the other side of the house. He used to be very volatile and vociferous in the old days, but I tell the member that we will ensure that road safety gets the adequate funding it needs—in fact, it will get more funding than it has ever had in its life before.

The appropriation was recommended.

Committee adjourned at 10.00 pm