

McGOWAN GOVERNMENT — PUBLIC SECTOR MANAGEMENT

Motion

HON TJORN SIBMA (North Metropolitan) [1.44 pm]: I move —

That this house —

- (a) expresses its concern about the Premier's comprehensive mismanagement of the Western Australian public sector;
- (b) notes the failure of the McGowan government to deliver on its promise to improve the accountability and performance of senior executive service level officers;
- (c) notes the failed voluntary targeted separation scheme;
- (d) acknowledges the failure of the McGowan government's rushed machinery-of-government—MOG—changes and the consequential negative impact that these MOG changes have had on service delivery in Western Australia; and
- (e) acquaints the Legislative Assembly accordingly.

The state of the Western Australian public sector should be of interest to every member of this chamber for the sheer fact that it is the engine or the mechanism by which services are delivered to the public of this state that cannot be provided by the private sector or the not-for-profit sector. Furthermore, the quantum of yearly public expenditure by government running to the many billions of dollars signifies that the expenditure and performance of the public sector should be a focus of the ongoing attention of this chamber—a focus that has been disrupted, obviously, by the COVID-19 pandemic and the urgency of that matter. Nevertheless, over the course of the pandemic, we have seen in this chamber a variable degree of responsiveness to COVID-19 by government in respect of policy settings or policy changes, program delivery changes and, in fact, the concoction of new regulatory and legislative responses that has put a lot of pressure on the public sector. The public sector has been able to deliver under these very constrained circumstances only to the degree that it has been permitted to do so by government. I will put it to members that in the lead-up to March 2020, nearly three years since this government was sworn in, the government has undermined to some degree the public sector's capacity to respond to this crisis and undertake its other business-as-usual settings.

It is important to judge the government's management of the public sector by the ambitions and targets that this government has set itself. I am not seeking to hold the government to any special standard—no special “Sibma standard”, no parliamentary Liberal standard, no other standard—or target other than that expressed, articulated repeatedly, by the Premier and his government while in opposition and in the first few months of forming government. The government was elected effectively on a public sector mandate that can be categorised as the 20–20–20 rule: a 20 per cent reduction in the number of departments of state, a 20 per cent reduction in the headcount of the senior executive service and a 20 per cent performance component, which was effectively a means by which to hold directors general or CEO equivalents responsible for the achievements of certain whole-of-government targets. If they failed to do so, they potentially forfeited up to 20 per cent of their salary. That was effectively the rule of thumb that the government applied to the public sector when it won government. It was repeated in different formats for a variety of means, but I will refer to the source campaign document: Mr McGowan's fresh ideas manifesto from 2016. I will quote from page 11 of that document because it provides the rationale for the government's public sector policy. Effectively it was there to find savings, reduce expenditure and free up funds for reallocation or reprioritisation. It was reasonably explicit as an election policy goes. The document states —

Reduce the number of Senior Executive Service positions by 20 per cent; —

With the objective of —

saving \$20 million each year.

WA Labor will cut government advertising by \$20 million each year.

WA Labor will reduce the number of agencies by 20 per cent delivering savings in excess of \$100 million each year.

Stop the excessive use of external consultants and outside contractors.

I will not make my focus the entirety of that, but I will focus on some specifics. That promise very clearly articulated savings targets. My challenge to the government is to prove whether they have been achieved, because my thesis is that they have not been. In fact, every measure that has been designed and implemented across public sector policy has been thwarted or undermined by other decision-making of the government. I will allege that the government's

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

machinery-of-government and broader public sector policies have cost enormous sums of money that cannot yet be fully quantified, but I will go to some effort to pinpoint where the government has failed to one degree, although we are probably some months away from appreciating the full consequence of the cost.

I have quite deliberately framed this motion in the terms that I have because I want to concentrate on the micro level and the macro level. My micro-level target is the voluntary targeted separation scheme. Members might recall that in this government's very first budget the VTSS, as the acronym holds it, was a key budget repair measure. I quote from the 2017–18 Treasurer's budget speech —

- a Voluntary Targeted Separation Scheme for 3,000 full-time equivalent public sector employees, with priority given to agencies subject to the recent Machinery of Government changes. Importantly, 20 percent of the savings from this scheme will be retained by participating agencies to invest in workforce renewal, with a focus on digital transformation, frontline services, and the recruitment of entry-level employees ...

A status report was included in the subsequent budget of 2018–19, again, in the Treasurer's speech. This indicated that perhaps the program was not going as well as had been hoped. I quote —

- our Voluntary Targeted Separation Scheme, while not concluding as quickly as originally anticipated, is still on track to achieve the full 3,000 separations target, with over 2,000 separations expected to be finalised by 30 June 2018 and estimated gross savings of \$1.1 billion anticipated over the forward estimates period ...

These are quite explicit, unambiguous targets. The government has deliberately pointed to them. One might have then anticipated that in the 2019–20 budget, which was the one previous to the one that has just been read in, there would be a further update. There was no specific reference to the progress and achievement of the VTSS in the Treasurer's speech, budget paper No 1, of the previous budget. One might ask why that was. I did ask myself why that was, and a subsequent revision of the entirety of the budget papers gave some indication of why the government might not have held the VTSS up in lights as a successful public policy measure. Embedded in those papers was information that the VTSS had fallen short of its separation target by around 500 positions, and there was a separation target of 2 500-odd. To be perfectly frank, we could charitably say that that was not too bad.

Also embedded in those papers was the admission that around 6 300 public servants had been employed across that time, so effectively \$300 million or thereabouts had been paid to separate or encourage the redundancy of some 2 500 public servants, but although all those savings were made on the one hand, there was a gross increase in wages bills derived through re-employing 6 300 employees. That effectively means that the government doubled the amount of expenditure on the VTSS because \$300 million was paid out to separate, but if we then take a very conservative estimate of the more than 3 000 employees who were rehired and we applied, for example, a \$50 000 per annum base-rate salary and spread it across the two subsequent financial years, we are at least looking at a hiring cost of an additional \$200 million. Therefore, the government spent \$300 million to separate on the basis that it would reinject savings that it would renew, but it would probably have spent another \$200 million over another two years in rehiring more staff than it began with. To me, that is not indicative of a successful targeted separation scheme, and I have every reason to suspect that it might arrive at that particular outcome, because during the 2017–18 and 2018–19 financial years when I sought information or guidance from the government in the annual report and budget estimates hearings about whether there had been some targets ascribed to agencies, I was rebuffed. When in the course of one hearing I asked the Under Treasurer whether it would be logical that Treasury would apply a hiring freeze to effectively lock in the policy ambition of the VTSS, there was a lot of looking down at shoes and fumbling away. This was not designed to work, and I do not know why that is. It was an absolute policy failure in its own terms. Again, I am holding the government to no other standard than what it has applied to itself.

This is problematic, but more problematic is the rushed manner in which the machinery-of-government changes were introduced. Over the period of at least April to June 2017, the Premier issued a number of media statements speaking to machinery-of-government changes and his generalised approach to public sector management. I want to quote from at least one or two of them just to reinforce and remind ourselves of the ambitions and justifications the government provided. My very simple challenge to the government is this: prove that this has worked; prove that it has saved a single dollar. At this point, I do not think there is a single estimate of the full cost of the government's MOG changes. There has certainly been no evidence provided, tangible or otherwise, to suggest that it has been a success. I want to remind the government of why it went into this process. I quote here from a media statement from the Premier of 28 April 2017 entitled "Major changes introduced to create a more efficient public sector". One of the quotes is —

The changes announced today —

Which were to reduce the number of departments —

are the first step in driving cultural change and delivering multi-million-dollar cost savings across government to assist with much-needed budget repair.

We will test whether those savings have actually been realised. I suggest that they have not.

On 6 December 2017, there was again a media statement from the Premier. These were remarks made on the final service priority review report that the government commissioned in parallel with its own machinery-of-government changes, and the wisdom of that might be borne out by the results that the government has delivered. I quote —

“The Government supports the overall direction of the report and will move to begin an implementation program starting next year.

I jump ahead —

“As promised, the State Government will now move forward to introduce whole-of-government targets and CEO performance-based pay to drive outcomes for Western Australians.

“This was a major election commitment and something I want to see built into the ... sector.

Indeed, whole-of-government targets and priorities have been established. They were established with the help of KPMG. I look at external consultants’ reports that have been tabled to date, the most recent of which is from December 2019. We do not have the six-monthly report up until 30 June—still some three or four months late—but at least \$400 000 was spent on KPMG’s consultancy practice to assist the government to establish its own priorities. That a government would seek to offshore or outsource that fundamental job is a damning indictment of any government. Nevertheless, the government did that. However, what is missing, and what there is no clear evidence of, is the last bit. This was a key Labor Party election platform—it would introduce CEO performance-based pay to drive outcomes for Western Australians. That is not to say that has not happened. However, no evidence has been provided to this chamber or, to the best of my knowledge, the other chamber to indicate that that has been achieved.

To some degree, the government has over-delivered on the 20 per cent reduction in the number of departments. The number of departments was reduced from 41 to 25, and the government actually claimed, “We’ve delivered a 40 per cent reduction. Well done us.” One might think through the wisdom of that. That decision was predicated on the basis of savings. I want to read in a comparison of the general government operating statement from the last four budgets. I think we have a problem. In 2016–17, the actual amount of money spent on general government sector salaries was \$11.6 billion. In the most recent budget, 2019–20, the expenditure on general government salaries was \$12.887 billion. Over the last four budgets, there has been an increase in the public sector wages bill of \$1.2 billion. This has happened in parallel with the machinery-of-government changes. The savings have not been delivered. In fact, the government has ramped up the cost of running government, for no tangible benefit to the public of Western Australia.

It was always likely to end up like this. That is because there was no justification for these machinery-of-government changes. One might be uncharitable and think that these changes were drafted on the back of an envelope. I think that is probably an overly fair analysis. It was very clear 18 months after the changes came in in July 2017 that they were not proceeding well. In around November 2018, there was an Auditor General’s state financial update, and a subsequent annual report hearings process. I will quote from a Paul Murray column dated 28 November 2018 that encapsulates all this. I am not quoting from it just because yours truly is mentioned in the document. I want to read in what the Auditor General was quoted as saying —

“Progress with amalgamating systems of the various constituent entities —

These are the departments that were merged together —

is slow, with most departments continuing to operate on several financial, human resource and administrative systems ...

“This is impacting the realisation of cost savings that can be achieved by rationalising systems.”

The article also contains some interesting quotes from the two agencies that I think have been the most significantly affected by the MOG changes—namely, the Department of Communities and the Department of Primary Industries and Regional Development. It is clear from the transcripts of hearings, and it is repeated in this article, that the then CEOs of those two departments, Mr Grahame Searle and Mr Ralph Addis, were struggling with the integration and bringing together of these agencies. I do not have the time available to reflect on that, other than to direct members to the *Hansard* as appropriate if they feel so minded. Mr Murray reflected on the evidence that was provided, the Auditor General’s report, and concluded —

It’s too early to call the MoG policy a flop, but this is an inauspicious start ...

Indeed, that was a pretty balanced and fair assessment at that time. I think the evidence has now come in because if there are two agencies that seem to cause headaches for government, it is the Department of Communities—this monolithic entity that is designed, I submit to members, not to work; it cannot possibly work with the structure that it has—and the Department of Primary Industries and Regional Development, which is failing regional communities.

It is absolutely abysmal. I have no vested interest in this, other than to report on what I hear from members of the community and disaffected bureaucrats.

The responsibility for this disaster lies with the Premier, as well as with his original director general of the Department of the Premier and Cabinet, Mr Foster, who is largely credited for this—or now potentially discredited, considering his unexplained transfer of responsibilities from the Premier's department to the Department of Treasury, I think at around the same salary, lucky man. The Premier must wear it and so, too, must the ministers. I feel sorry for the ministers. However, the directors general who have been appointed under this regimen have also been responsible for driving the changes.

I will concentrate on the Department of Communities dimension. I believe that my friend and colleague Hon Nick Goiran will have more to say about this. Yesterday, I asked a question without notice, through Hon Peter Collier, about the number of functional reviews and the like that Treasury has had to undertake since the MOG changes were implemented on 1 July 2017. Other than the Department of Training and Workforce Development, the only agencies that have come in for this special attention are the Department of Communities and the Department of Primary Industries and Regional Development—these two problematic ones. Those reviews would not have needed to take place had the MOG changes been clearly designed and properly implemented to begin with.

HON SUE ELLERY (South Metropolitan — Leader of the House) [2.05 pm]: I rise to indicate that the government will not be supporting this sad and sorry motion, and I am happy to set out the case for why. The machinery-of-government changes were instrumental in helping Western Australia return to a surplus in 2018–19. They also played an ongoing factor in reducing expense growth. The reduction in the number of departments enabled the creation of a smaller, more agile and better coordinated public sector leadership council. This group of directors general was integral in coordinating the sector's response to the pandemic. The machinery-of-government changes also had a positive impact on our capacity to mobilise public sector staff across and during the pandemic. Approximately 161 staff were mobilised across the sector at the pandemic's peak on 4 May 2020.

If we accept the premise of the motion before us, the proposition put in the member's own words that there has been a variable degree of responsiveness to the COVID-19 pandemic and the language in paragraph (d) of the motion that there has been a consequential negative impact on service delivery in Western Australia, that would have been clearly, starkly and immediately apparent during the public sector's response to the pandemic. Never has there been a greater test of service delivery by the public sector than during the pandemic. If in fact the so described negative impact on service delivery was real, it would have been quickly, blatantly and starkly obvious, but nothing is further from the truth.

I will start at the top with the Public Sector Commissioner, Sharyn O'Neill, who became the coordinator of the public sector and then the state recovery controller as a consequence of a position she assumed from the start of the pandemic. She has led the public sector outstandingly through its biggest test. Commissioner Dawson, who holds positions in an emergency, is an outstanding public official. I will share with members that I sit on the State Disaster Council. I also sit on the State Emergency Management Committee. At times, we were meeting daily to deal with the pandemic. I have observed at close quarters the leadership of the public sector. If what the honourable member put before us was true and the machinery-of-government changes had had a negative impact on the service delivery of the Western Australian public sector, we would have seen it during the course of the pandemic. In fact, what we saw was the opposite. Regardless of whether it was the leadership in Health through the Department of Health or the Chief Health Officer, those people who did the outstanding public health contact tracing, or the nurses and doctors in our hospitals, or whether it was those in Police on our borders, managing the quarantine system, or whether it was Lisa Rodgers in the Department of Education, managing schools during the pandemic, if there had been a serious negative impact on the capacity of the Western Australian public sector—which is the proposition in paragraph (d) of this motion—we would have seen it during the course of the pandemic.

On 16 March, the State Health Incident Coordination Centre was stood up. It is a fantastic example of the interagency collaboration that occurred. The fact that the leadership was as mobile as it was is testament to the machinery-of-government changes and the establishment of the Public Sector Leadership Council. SHICC consists of multiple agencies, including the Australian Defence Force; the Australian Red Cross blood service; the Department of Biodiversity, Conservation and Attractions; the Department of Communities; the Department of Education; the Department of Fire and Emergency Services; the Department of Foreign Affairs and Trade; the Department of Justice, particularly Corrective Services; the Department of Local Government, Sport and Cultural Industries; the Department of Primary Industries and Regional Development; the Department of the Premier and Cabinet; the Public Transport Authority; Main Roads Western Australia; the Royal Flying Doctor Service; St John Ambulance; the Water Corporation; the Western Australian Local Government Association; and the Western Australia Police Force. For the past six months, SHICC, including the Public Health Emergency Operations Centre, has prevented the escape of COVID-19 into the Western Australian community through excellent cross-agency partnerships. If we accept the premise of the motion moved today—that somehow the machinery-of-government

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

changes have had a negative impact on the capacity of the public sector to deliver to Western Australia—those partnerships would not have been possible.

There are thousands of examples of how the leadership of the Western Australian public sector and everyone below them have stepped up and been able to manage the response to the pandemic, from hotel quarantine to all the logistics, planning, liaison, intelligence, non-health operations and public information. The diverse team at SHICC, which includes representatives from 18 state and commonwealth agencies, including police—I have listed some of the others already—led by Deputy Chief Health Officer Dr Robyn Lawrence, who is the incident controller, are coordinating a wide range of duties, such as rapid planning and all manner of other things that need to be done in the course of the pandemic. That could not have been done with the success with which it has been if we accept the premise of the motion put by Hon Tjorn Sibma. We can look at one example—the remote Aboriginal communities complex task team, which was led in no small part by the Department of Communities and made up of Communities, DPC and a range of other agencies. It was organised into regional leads for the Kimberley, Pilbara, desert and midwest to manage daily communication and engagement on issues affecting a wide range of Aboriginal stakeholders and local governments. Key issues that they had to deal with included the return to community program for remote residents, food security, the supply of essentials, exemptions for travel arrangements into and out of biosecurity regions, state directions, ongoing engagement with the communities on issues of service provision, and urgent health and safety matters that arose in communities as a result of increased populations going into those communities because of their fear of the pandemic. If we were ever going to see a public sector fail because it was under so much pressure as a result of the machinery-of-government changes, that is when it would have failed, but we did not see that.

Hon Peter Collier: We created that!

Hon SUE ELLERY: I listened to the honourable member in silence and I would ask for the same.

The proposition of the motion is really clear; it is explicit—that there has been a negative impact on service delivery by the WA public sector. That is the proposition set out in paragraph (d) of the motion. If that were the case, the leadership of Sharyn O'Neill, Chris Dawson and Chief Health Officer Andy Robertson would have failed and the public sector would not have been able to carry out its duties because of the negative impact of the machinery-of-government changes, but there is no evidence of that. In fact, it is the opposite. When the Western Australian public sector was confronted with the biggest test that any public sector could be confronted with, it stepped up and provided exemplary service. If nothing else, that alone shoots the proposition in this motion to the ground. If the proposition were correct, those agencies and the leaders would not have been able to do the job they were required to do.

Part of the motion also refers to the voluntary targeted separation scheme. This was not unlike the measures put in place by the previous government, but this was not an FTE freeze. Without the VTSS, there would be some additional 3 000 FTE. That program was able to deliver savings that the Liberals could never achieve. As was made clear when the program was announced, gross savings from the VTSS will be \$1 billion. The VTSS is projected to save around \$527 million in net terms. A total of 2 556 separations of the 3 000 target have been achieved to date and a further 390 separations will be achieved in the future. Under the previous Liberal government, there were five rounds of voluntary redundancies at a cost of some \$393 million. Despite that, the number of FTE grew by 12 547. As part of our commitment to provide a strong public sector, we make no apology for the growing number of nurses, doctors, teachers and school cleaners, who continue to deliver better services to Western Australians. We do not apologise for hiring more staff in response to the COVID-19 pandemic. The government is providing more secure employment for Western Australians by bringing more workers back in-house into the public sector, and providing more permanent opportunities for those on part-time, casual or temporary contracts. We make no apologies for providing greater job security for more Western Australians and reducing the government's reliance on labour hire. What can we compare that with? We can compare it with what was identified in the findings of the special inquiry. We inherited a public sector that had been left in disarray following the chaotic decision-making of the previous government. The special inquiry into government programs and projects outlined the former government's incompetent performance in managing the public sector. Those findings include —

... Ministers worked to advance their individual agendas and often coerced public servants into applying significant resources to ideas and programs that they knew were unlikely to be approved. Ministers were very focussed on their individual priorities and did not advocate a whole-of-government agenda.

That is on page 15 of the report. The report states on page 80 —

Not all of the fault for this deterioration in standards and discipline should rest at the feet of public servants. Many practices occurred at the encouragement, if not insistence, of Ministers.

On page 45 it states —

The importance of Ministers and Cabinet supporting the efforts of their public service leaders is critical to effective government. Regrettably this was not always apparent during the years of the Barnett Ministry.

On page 41 it states —

There were ... many instances of poor process and decision making which can be sourced back to the lack of consistently good governance practices.

It continues on page 42 —

There was no documented, collective or strategic plan or vision that the Cabinet worked to. The Government's strategic whole-of-government focus or strategy was not known to any officer who appeared before the Special Inquiry. Many said that such guidance would have been valuable.

The report states on page 43 —

Government lacked a shared and clear whole of government strategic perspective. This lack of a coherent vision of what the Government was seeking to achieve precluded agencies from developing cohesive plans by which policy and actions were coordinated. This was also likely to have been a contributing factor to the development of a culture across agencies that lacked a binding common purpose.

I also go to the disclosure of information and accountability. The Barnett government invoked commercial confidentiality as a reason for not answering questions either in the Parliament or from the media on at least 30 occasions, raising questions about its claim to be an open and transparent administration. The refusals were across a range of portfolios and included details relating to some of the state's most high-profile projects, reports commissioned for government departments or ministers, payouts to private companies and others, annual payments to the Westadium consortium and all financial details of the deal regarding the stadium, and the value of the performance bond to be paid by the Perth Stadium operator. I could go on and on but I will run out of time to go through that list, but I have tried to make the point to demonstrate what we inherited. The machinery-of-government changes and the special inquiry into government programs and projects were done deliberately to ensure that we had agile and coherent public sector leadership and a degree of accountability and governance arrangements in place to address the mess that we had inherited.

One of the most important pieces of work we did early after being elected to government was to address the issue of workforce management and job security. We demonstrated our commitment to building a stable and strong public sector by converting fixed-term and casual employees to permanency, reducing the reliance on labour hire, insourcing functions that were previously contracted out, launching the "Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020–2025" and providing additional service delivery. I will talk about converting fixed-term and casual employees to permanency.

Better job security matters to people. It means that they can get a bank loan to buy a house. This included a commitment to convert existing employees to permanency, including contract and casual employees with more than two years' employment. A total of 13 173 fixed-term and casual contractors were converted to permanent appointment between 10 August 2018 and 30 June 2020. No significant costs were incurred because all those employees were already on the public payroll. The proportion of permanent full-time equivalent employees in the Western Australian public sector has been trending upwards from 75.1 per cent in March 2017 to 77.5 per cent in June. The special inquiry that I have already referred to reported that between 2012 and 2016, the state government spent \$536 million on temporary personnel. It also identified noncompliance with buying rules and policies, and a lack of transparency. The Public Sector Commission and the Department of Finance are leading work to ensure appropriate engagement and deployment of contracts for service, including temporary personnel. Under this government, the value of temporary personnel under the common-use arrangement has decreased to \$87.2 million in 2019–20, which is a 25.2 per cent fall from \$116.6 million in 2015–16. A total of 757 employees have been provided secure employment as a result of moving away from labour hire arrangements. At Fiona Stanley Hospital, about 650 jobs are in the process of being returned to the public sector at because key non-clinical and patient support services will no longer be run by Serco. Cleaning, patient catering and internal logistic services, which includes hospital orderlies, domestic assistants and cleaners, will be operated by the South Metropolitan Health Service from 2 August 2021. The former Melaleuca Remand and Reintegration Facility was returned to public sector management following an early end to private operator Sodexo's contract in April 2020. Melaleuca Women's Prison now provides the government with more rehabilitative opportunities and greater flexibility for prisoner management. More than 400 staff from two private alliances have transitioned into the Water Corporation's water and wastewater network operations.

If we accept the proposition in the motion that the machinery-of-government changes have had a negative impact on service delivery by the Western Australian public sector, either we are delivering a worse service—that is not the case and it was tested during the pandemic and we were not found wanting—or additional services. Between June 2017 and June this year, the number of FTEs, excluding police—but I would love to talk about the 800 new police as well—has grown by 5.6 per cent. The majority of growth in FTEs has been frontline services, including some 997 FTE cleaners. Never have cleaners been more important than during the course of the pandemic. The

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Chief Health Officer's advice was that we needed to do more cleaning in schools, playgrounds and all sorts of other places. That accounts for 16 per cent of the increase. Nurses and midwives make up an additional 901 FTEs and account for 14 per cent of the increase. Medical practitioners, doctors and specialists make up an additional 498 FTEs and account for eight per cent of the increase. Education assistants make up an additional 669 FTEs, accounting for 11 per cent of the increase, while teachers make up an additional 587 FTEs, accounting for nine per cent of the increase. In addition, the government released its "Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020–2025". It includes a range of aspirational employment targets for Aboriginal and Torres Strait Islander people; people with a disability, with that work lead by my colleague Hon Stephen Dawson; women in the senior executive service; culturally and linguistically diverse people; and youth. Those targets were developed through benchmarking across Australia and our workforce in Western Australia. The targets are higher than previous goals to ensure that we make our public sector workforce more diverse.

I will not have time to canvass the range of other things in the material that I was provided, but I make this point: the opposition needed to demonstrate—it has had no better example than the course of the pandemic—where there has been failure, reduction or negative impact on service delivery in the Western Australian public sector. Hon Tjorn Sibma failed to do that. There is no greater test than the test that we are still living through—the pandemic. If the things that Hon Tjorn Sibma said were true and if the proposition he put in his motion were true, we would have seen that in the course of the pandemic.

HON NICK GOIRAN (South Metropolitan) [2.25 pm]: I rise to support the motion moved by Hon Tjorn Sibma. I hope that the Leader of the House listens attentively, given that she accuses the opposition of not having made its case for the motion. In particular, I want to focus on the fourth of the five limbs in the motion, which reads that the house —

acknowledges the failure of the McGowan government's rushed machinery-of-government—MOG—changes and the consequential negative impact that these MOG changes have had on service delivery in Western Australia ...

For the edification of the Leader of the House, I will provide one example. The Leader of the House spent 20 minutes talking about the previous Barnett government and asking for one example, so I will tell the Leader of the House a story about the former Department for Child Protection. That has been nothing but a debacle, caused by this government's decision to collapse the former Department for Child Protection into the mega Department of Communities.

Why is it that I and many other people with a passion for child protection have reminded the McGowan government repeatedly over the last three and a half years about the need for child protection to be a standalone department? Why is it that we keep banging on about that? The reason is the tragic story of Wade Scale. I will refer to an article in *The Weekend Australian* of 26 August 2006 so that we might be further educated about this tragic circumstance in Western Australian history. The article is titled "Wade died because no one listened" and reads —

ALMOST four years ago, an unassuming but increasingly desperate Perth grandmother wrote to then West Australian premier Geoff Gallop, pleading for his help to protect her two grandchildren.

Margaret Jakins told him the children were in danger. In the letter—dated November 20, 2002—she said she was writing to him only after exhausting all other avenues.

The article goes on to say —

Jakins's letter rang alarm bells about the safety of Wade Michael Scale and questioned the Department for Community Development's plan to return Wade's brother into the custody of the boys' drug-addicted mother, Angela Jakins, and her de facto husband, Kriston Scale, a known drug user and convicted child-basher.

...

... The full extent of the horrors that faced baby Wade and his brother became known to the public only three weeks ago, when state Coroner Alastair Hope released a 24-page report on Wade's death, a chilling summary of the events that continue to defy explanation.

On July 30, 2003, at 4.44pm, aged 11 months and 10 days, Wade was pronounced dead after frantic but futile efforts by ambulance officers and later hospital staff to revive him.

He had drowned in a bath left filled from the previous evening. His body contained the adult prescription drug diazepam.

The article goes on to say —

There is absolutely no doubt the Department for Community Development knew the danger Wade and his brother were in. It was warned repeatedly by extended family members.

Extract from *Hansard*

[COUNCIL — Wednesday, 14 October 2020]

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Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

The department knew Kriston Scale had an appalling history of violence.

He was convicted and jailed in 1999 for three separate assaults on toddlers. Two of the victims were Wade's sisters. All were hospitalised with extensive bruising to the face and head.

In one case, the child's eyes were so swollen he was unable to see. The department knew this, yet allowed Wade and his toddler brother to live with Kriston Scale.

The department knew both parents were drug users. Urinalysis tests before and after Wade's birth tested positive for amphetamines and opiates.

A few months before his death, Wade was briefly removed from his parents but was quickly returned.

This took place in August 2006. The last Labor administration's response to that happened very quickly a few days later. The minister in charge of that was none other than the same minister who is now in a fair degree of pain from a different portfolio fiasco, and that is Hon David Templeman. His media statement of 29 August 2006 states —

The State Government has ordered a major review of the Department for Community Development to firmly entrench child protection as its number one priority.

Community Development Minister David Templeman said the review, to be completed by January 2007, would recommend an organisational structure and funding model to ensure child protection was the department's primary focus.

"I am determined to reaffirm child protection as the defining role of the department," Mr Templeman said.

"I want the protection of children to be the over-riding consideration in every single decision this department makes.

...

"The department oversees a range of important functions, but none are more vital than the safety of our children.

"I want to be reassured that the department's other roles and responsibilities are not diverting the focus from child protection, and the community wants to be reassured that the lion's share of the money is being spent there."

The Minister said the review would examine:

- how best to achieve a clear and better focus on child protection;
- whether the current functions, activities and structure of DCD ensure the delivery of effective services consistent with Government policy and priorities;
- whether alternative organisational arrangements would be more effective and efficient in delivering services;
- whether resources are properly allocated to achieve the Government's objectives for improved child protection;
- opportunities for, and barriers to, improved coordination, collaborative planning and monitoring of service delivery across the State;
- progress towards the achievement of recommendations pertinent to DCD arising from any recent reviews; and
- any other specific matters identified in consultation with key stakeholders.

Mr Templeman said the review would be conducted by a committee chaired by Prudence Ford, a former senior State and Commonwealth public servant. It would report to the Premier and its report would be made public.

This was in August 2006. What has been known as the Ford review was very speedily provided in a highly competent fashion in January 2007. At page 8 of a 148-page report, the Ford review sets out what is outlined in chapter 3. It says —

Most of the report is devoted to the way forward. This is the third and most important section of the report. It is clear that a significant re-alignment of the Department's functions is needed.

The Ford review made a series of recommendations. The first recommendation states —

A new Department of Child Safety and Wellbeing ... be created by refocusing the Department for Community Development on identifying and supporting vulnerable children and young people in the context of their families and the community.

The second recommendation states —

A Department of Communities be established to provide the Government and the community with a focal point for the development of an over-arching social development framework, policies and programs for population sub-groups with special needs and for the strengthening of communities.

This was in January 2007, after the tragic story of Wade Scale. When we look further into the Ford review, we find in an eerily similar fashion comments that could be made about the mega Department of Communities that the McGowan government has established. The Ford review refers to the department reporting to two ministers—the then Minister for Community Development; Seniors; Youth, and the then Minister for Women’s Interests. It also refers to the fact that the department had the Office for Children and Youth, the Office for Seniors Interests and Volunteering, the Office for Women’s Policy and the director of the family and domestic violence unit, which all had direct contact with their respective ministers.

Members may be aware that this government, not to be outdone by the Gallop government having a megadepartment that reported to two ministers, thought it would be a good idea to have a megadepartment reporting to five ministers. Five ministers! In the Ford review in 2007, this eminent author said that the system was facing increasing complexity. Keep that in mind for a moment. In 2007, an expert looked into the debacle that was the then department and said that the system was facing increasing complexity. Just park that for a moment. The review goes on to say that the then Department for Community Development’s role was too broad and caused confusion. The reviewer supported this by saying —

Staff in the Department reported that an increasing number of families coming to their attention had complex and multiple problems. These might include poverty, inadequate housing, mental illness, drug or alcohol abuse and family and domestic violence.

Children and young people are also presenting more often than previously with multiple issues ...

There is universal agreement that the situation is already dire for larger numbers of Aboriginal children and their families.

The reviewer goes on in this report from January 2007, during the time Hon David Templeman was in charge in the previous Labor administration, to say —

The Department’s mandate appears to be all encompassing as seen by its vision, “...Improved social wellbeing for all Western Australians...” and by its mission “...To strengthen, support, protect and promote the well being of individuals, families and communities”.

It goes on to say —

... the Department appeared to have “lost its focus” since 2001 with the creation of a Community Development portfolio, which was implemented in response to the Government’s desire to achieve the objective of responding effectively to the needs of all Western Australians and help individuals, families and communities to shape their own lives positively.

This concern was also addressed in a number of submissions with people voicing their frustrations about the “confusion that has plagued that Department as to its role and client”.

“The current name of the Department gives the impression that child safety and supporting positive family function are not the primary goals of the organisation’s business ...”.

“... it has been an impossible task to blend together both the statutory responsibilities for child protection requiring too often family supervision or removal of a child, with the supportive, educative and positive intervention for families in need. These two tasks are not compatible and the distrust and fear of the former requirement negates the effectiveness of the preventive and supportive intentions ...”.

All of this was in January 2007, more than 13 years ago, yet these poor students of history who make up the cabinet of the McGowan government decided immediately after the election in March 2017 to repeat all the errors of their previous administration. Who knows what they were thinking at the time?

I can say with confidence that those who are responsible for that decision—the chief and prime culprit is Premier Mark McGowan, who insisted on this mega Department of Communities—must be the poorest students in history. The Premier was a member of the cabinet back in 2006–07 when his friend and colleague the now greatly embattled Minister Templeman was overseeing a debacle with child protection. Interestingly, the Department of

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Communities' own website now states that it is a multifunction human services agency. It boasts about the fact that it reports to five ministers, and—would members believe—in recent times, the government and the Minister for Child Protection have had the temerity to boast about an announcement that they are now creating a specialist child protection unit. The department's website states that it is establishing a new specialist child protection unit and that the unit aims to strengthen child protection expertise at senior leadership levels. The question that needs to be asked is: why would the government need to do that if it already had a department of child protection, which the government decided to collapse into a mega Department of Communities? Now it says that it is establishing a new specialist child protection unit. Give me a break! There was previously a department that specialised in this. The government abandoned that, and now it boasts about the fact that it is establishing a new specialist child protection unit. This is perverse.

The Department of Communities website has a heading, "Why Communities has decided to act", which is a very good question to be asking. Under that heading, the website states —

Since its creation following the 2017 machinery of government change, Communities has become one of the State's largest departments, —

Well, go figure! It continues —

with the reach and influence to have a significant impact on the Western Australia community.

Since that time, reviews and other opportunities for reflection —

Note the plural "reviews" and "opportunities" —

have highlighted the opportunity for Communities to elevate the profile of its child protection function, both within the agency and wider sector.

Yesterday, I was away on urgent parliamentary business but my friend and colleague Hon Peter Collier asked a question on my behalf, specifically asking about these reviews and other opportunities. Of course, the answer came back, "Sorry, we don't have time to answer the question today; we'll let you know the answer in due course", or something to that effect. On the website, the McGowan government is happy to boast about the establishment of a new specialist child protection unit, all entirely unnecessary, because of the ill-considered decision to collapse child protection into the mega Department of Communities. As part of the boast and the explanation as to why it is doing this, it says it is because of reviews and other opportunities for reflection that have highlighted the need for this. When we asked the government about those reviews, the answer was, "Sorry, that's too complicated a question. We'll need a bit more time to come back to you on that." When we asked about the other opportunities for reflection that have led to this, the answer was, "Sorry, too complicated; we need more time." Then, to add salt to the wound, the department states on its website —

In undertaking the establishment of a Specialist Child Protection Unit, it is acknowledged that child protection work is a complex, multi-faceted and challenging profession.

Well done, McGowan government. In 2020, it has worked out for the first time that child protection is complex, multifaceted and a challenging profession. I have been saying that to the government for the last three and a half years, but the government has chosen, in its usual arrogant way, to boast about its mega Department of Communities.

When Hon Tjorn Sibma moved the motion today, we got a childish response from the Leader of the House, instead of actually dealing with the substance of his motion.

I think that the most damning indictment of this fiasco by the McGowan government actually comes from its own director general. I quote from an article in *The West Australian* of 16 September this year, nearly a month ago. The article is titled "Paul Whyte's department of overspend". If I had more time, I would like to talk to the house about the staggering corruption that has occurred in that department, but this particular comment by the director general is pertinent —

Ms Andrews said she believed the back-office integration should have occurred "two years ago", was a "fundamental building block" of the machinery-of-government change and was affecting frontline services.

The government's own director general has condemned it for this ill-considered decision to collapse the department of child protection into the mega Department of Communities. The Leader of the House asked for one example. There it is, Leader of the House. I look forward to the Leader of the House coming back into the house and providing an explanation about this fiasco—this debacle that has been the department of child protection, now causing the government to establish a specialist department.

HON ALISON XAMON (North Metropolitan) [2.45 pm]: I rise because I want to make some comments on this motion. Obviously, I have been raising concerns about the issue of the machinery-of-government changes for the

last three years. Unfortunately, I think that the evidence is showing that, particularly regarding the Department of Communities, it has not been the resounding success that all of us had hoped for.

I recognise from the outset that the intention of ensuring that we finally had appropriate communications between those relevant agencies was a good one. We recognise that there are huge problems when child protection is not talking to Housing, which is not talking to Communities, which is not talking to Disabilities, which is not talking to any other department. The issue of siloing departments has plagued successive governments; however, unfortunately, I think the reality is and the evidence has shown that the machinery-of-government changes that have been enacted have not resolved this issue. In fact, most clearly, the feedback coming to me, particularly from certain departments such as child protection—I noted with interest that that department was particularly focused on just then—has demonstrated that things have become far worse than before the machinery-of-government changes occurred.

My concern is that I do not believe that there was a sound basis for the decisions on how to achieve those much-touted efficiency gains that should have come smoothly through the MOG process, and that it was undertaken prior to the service priority review.

I note that the motion refers to the rushed nature of the machinery-of-government changes. This matter keeps coming up. During the most recent debate on these issues in this place, we talked about the lengthy time line of the MOG changes. I have to point out that they appear to be conflicting statements but, in actual fact, both of them are accurate. The decision-making around MOG was rushed and poor, and, as a consequence, many things took a very long time to take place, including the decision not to move youth justice from the Department of Corrective Services into the Department of Communities. I kept trying to pursue that matter for well over a year, trying to find out what on earth was happening, because the staff themselves had no idea. As it turned out, the decision was made not to move youth justice into Communities, and we have ended up with the status quo when it comes to dealing with that cohort of vulnerable children.

I have also spoken on multiple occasions of my concerns about the impact that the machinery-of-government changes and the voluntary targeted separation scheme have had on the retention of corporate knowledge and networks. We know that we lost some of our best and most talented public servants through the VTSS and the way it was constructed. That is just a fact. We lost people with deep experience, deep knowledge and high competence. Frankly, a lot of them left because they were so competent that they were able to be very quickly picked up elsewhere. That is what happens: if we do not value our senior public servants and they are of extraordinarily high quality, sometimes they will decide to go. I have also raised concerns about the ability of the number of service delivery staff to deliver services and the impact on their mental and physical health. I have been contacted on numerous occasions throughout this term of government by union delegates particularly, who have raised concerns about what is happening to people on the ground. I am really intrigued about why what I am hearing seems to be very, very different from what government seems to be hearing and I wonder where that disconnect lies. The picture that has been painted to me is one of a public sector that is under great strain and is demoralised and overworked. This is pre-COVID, so let us not talk about it being some sort of pandemic response. In some cases, people are expressing suicidality, particularly staff of the department for child protection. That should be of deep alarm to everybody in this place. I am deeply alarmed to hear that is the depth of distress that public servants are feeling because of their incapacity to deliver a basic duty of care because of the volume of work that is coming through to them. That is having an impact on them.

I remind members that not that long ago, maybe about a month ago, a range of child protection workers held a vigil in front of Parliament House and talked about what is happening for them. They talked about the distress that they are under and their concern that children will fall through the cracks and that we are not far away from seeing another tragedy occur that they feel utterly powerless to do anything about. I went and listened to them. I suggest that we all need to listen to them. The public service does not feel that it has things in order; it is indicating to us that it is at crisis and that we need to listen to it, because it is worried that potentially the worst could occur.

I have suggested that the government needs to gather some robust and comprehensive data on how public servants are travelling and to use that information to proactively address the concerns that keep arising about staff wellbeing and the delivery of services to Western Australians. As I said, people keep raising concerns with me, particularly staff in the Department of Communities and particularly in child protection—this is also associated with the fact that the number of children in state care has increased. A huge number of concerns have also been raised about changes to processes and procedures without any clear benefits to their work, and that the organisation has such high staff turnover that people feel as though the ground is still shifting. I am also distressed to hear that particularly new public servants in their 20s who went into these fields with great enthusiasm and passion are leaving because they are burnt out. How can a person be burnt out by an industry at the age of 25? That is the story I am hearing. It is not a story I am hearing second or third-hand; I have spoken directly to some of these people and heard about their distress. When they entered this industry, they did not recognise how dire the situation would be.

I continue to hear about constant shifting that has left our community service providers in ongoing challenging positions. We have a system in which the experts on the ground deliver services, but to be effective they rely on their working relationships with the department. It has been three years and I am still hearing that service providers do not know who to call, they do not get consistent responses to their issues and the machinery-of-government changes have quite heavily impacted their ability to deliver community services. It is good to see in the budget that full-time equivalent numbers will increase significantly in early intervention and family support services, and child protection assessments and investigations, because of course those are critical services for the community. But concerns remain about staff wellbeing and their ability to properly deliver those needed services. That is relevant to other departments as well, particularly as the impact of COVID continues to require changes to the way that services are delivered.

One of the reasons to merge departments, as I said, is to remove silos. We need effective communication between government agencies so that we can ensure that we are delivering appropriate services to the right people at the right time, but we have to acknowledge that merging government agencies into one department will not magically fix those communication issues, and it has not. Housing is still effectively operating on its own, despite being part of the Department of Communities. I have given examples of that numerous times in this place, and I have no intention of revisiting that issue. The machinery-of-government process was not intended to address areas in which we still have great concerns about silos, such as the intersection of schools and mental health services. That tells us that machinery-of-government changes will not always resolve the issues of a lack of communication and the intersection between appropriate government departments. We are not going to create one massive government department that will deal with everything to do with human services, so we need to find better ways to ensure that those silos are appropriately addressed, because the machinery-of-government changes have not achieved that. Clearly, we need to keep an eye on the bigger challenges ahead.

It is not a bad thing to see an increased number of FTE, and headcount, in the public service, particularly in challenging times. The Australia Institute points to the value of public sector jobs in providing the bedrock of economic activity in the community, with every two public sector jobs providing nearly enough economic stimulus to support one private sector job. This is especially critical in regional and remote areas, which often need that steady base of economic activity to maintain the delivery of other services. We need to start properly valuing the public service and public servants. This means at least keeping wage increases in line with the consumer price index, and acknowledging and valuing the expertise and experience that our public servants have. We need to seek to provide the best public service, rather than simply looking to provide the cheapest. I have to say that it has been relayed to me in no uncertain terms that the decision in this budget by this government to simply continue the government wages policy for the next four years is being seen as a betrayal by many public servants and certainly by the unions that represent them. I understand that they were led to believe that the policy would be extended by two years at the most, but discovered in the budget papers that, by the way, it will be four years. The government will have to sort out that issue with the unions, but certainly public servants have relayed to me their despair and a sense of having been betrayed by the government.

The transition of fixed-term and casual contracts to full public service positions is excellent. The stabilisation of employment for staff who have been on rolling contracts or employed as casuals is critical. When there is a long-term, stable job, there is no reason whatsoever to keep people in a state of limbo about their employment, especially not for the sake of an accounting trick. As at the end of June 2019, the conversion rate of people on fixed-term contracts recognised as being ongoing employees was 8.4 per cent, and approximately half of the increase in public servant numbers in 2018–19 was from these conversions. It was not additional FTE, but simply a transition of the mode of employment. I think it is a good outcome for the state to have these people properly and securely employed, and able to confidently plan their own financial futures. At the end of June 2019, just over one-third of the fixed-term and casual contract employees in the system remained to be reviewed. I will be very interested in those numbers when the next state of the sector report is released by the Public Sector Commission.

It is important to note when we look at the figures that although that is a very positive step in the right direction, it is not about increasing the number of full-time equivalent positions. The most recent numbers on public sector employment that are currently available are from the March quarter. I have concerns about the loss of FTE in some of our critical oversight bodies as well. For example, the Office of the Inspector of Custodial Services has lost seven FTE from an original 20 FTE—seven out of 20—between March 2019 and March 2020. The Office of the Information Commissioner has lost two FTE from an original 10 FTE within that same period and the Office of the Auditor General has lost seven FTE. We cannot find out what has happened to the State Records Office of Western Australia because it has effectively been hidden from view. It is critical that these essential oversight services are properly staffed, and that is not happening. I see in the budget that repairs are being made in some areas and that the number of FTE might start returning to a more sustainable level. I note in the Auditor General's annual report that even with the increase in allowed FTE and a completed recruitment process, it is still struggling to get its staff into WA because of the closed borders. I also note from the annual reports that the workload for these bodies has been immense and that staff have been really struggling with the load. Members do not have to rely on what has come to my

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

attention for that information; it can be found in the annual reports. This is a really critical point. We rely on these bodies to ensure accountability and transparency in other government departments. We should also remember that part of their role is to assist with upholding basic human rights around the collection of information, fairness of processes and transparency of decision-making. It is really important that we keep these bodies healthy, strong and fully staffed.

A confident and cohesive public service has the capability and capacity to lead in a number of areas, including essential service delivery. We need our Public Sector Commission and the bodies that ensure integrity to be properly supported and resourced. Most of all, we need a strong and healthy public service in WA now more than ever before. Unfortunately, public servants and the unions that represent them have made it very clear that we are far away from that ideal. We are talking about a public service that is depleted and demoralised, has lost critical expertise and is feeling betrayed by a continuation of a government wages policy without due consideration or proper consultation. Now is not the time for people to be patting themselves on the back. I listened very carefully to the Leader of the House's comments about the way the public service has performed throughout the COVID pandemic. I saw the dark belly of that. I received feedback from public servants who described a situation of chaos and disorganisation and a lack of leadership that they felt seriously compromised some of our most vulnerable Western Australians. Now is not the time for everyone to feel as though everything has been achieved and achieved well. The machinery-of-government changes have not had the desired effect. We need to go back to scratch and look at what it means to have siloed departments and, rather than looking at wholesale changes to our structures or simply gutting our public service of expertise and removing a bunch of people, we need to look at how we communicate and have departments from across the board work together properly without having to change the way the government departments are structured.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [3.04 pm]: I did not intend to speak today but I was motivated to do so by the comments of the Leader of the House, which I found quite offensive and ill-informed to be perfectly honest. It was most definitely the leader's "Nero fiddled" speech. I find it extraordinary that the Leader of the House has her head in the sand in the way that she has. Quite frankly, she needs to get off level 11 or 12 of Dumas House and get out into the community. My electorate office is in Warwick. I challenge her to come to my electorate and see that everything is just fine and dandy, because it is not! I can tell members that I have had 10 times more walk-ins this year than I have ever had in my office before. The issues out there are legitimate with regard to homelessness, substance abuse and domestic violence. Those issues exist, so for the leader to make out that everything is rosy is offensive in the extreme.

At the outset, the Leader of the House spent half her time lambasting the previous Barnett government. One would think that she would have got over that by now. It is the same old script but she continues to find favour in that. She spent about a quarter of the time talking about the Regional Services Reform Unit, which I established. It had absolutely nothing to do with the machinery-of-government changes. Then she read from her notes on some purported improvements. Let us make it quite clear: the Leader of the House went on and on about how if everything was so bad, why have we succeeded through the pandemic? The Western Australian public service, which is exceptional—I make no bones about that—is the reason we have come through the pandemic. Let us not forget the police. Yes, the police have done a magnificent job with what they have had to deal with, but they did not have enough police to deal with issues on the borders et cetera, so we did not have any booze buses for four months. Let us not talk about the number of police. As a lifelong educator, I can tell members that the teachers did a magnificent job. Let not forget that the kids were not in the schools for three months either, but the teachers accommodated it. They would have done that anyway. It had nothing to do with the machinery-of-government changes or the pandemic. They are extraordinarily professional.

Hon Charles Smith: No pay rises either.

Hon PETER COLLIER: No; that is true. Let us remember that in addition to that, the reason so many Western Australians have been able to survive the pandemic and deal with it in a reasonable fashion—I say "reasonable fashion" because it is extraordinarily challenging for hundreds of thousands of Western Australians out there—is a direct result of the billions of dollars that came into the state from the federal government through JobKeeper and JobSeeker payments. There is no doubt about that whatsoever. Yes, the state government did a great job in closing the borders. I have commended it on that and I have said that over and again, but there is a time to move on from that and I will talk about that in my budget reply speech.

A government member interjected.

Hon PETER COLLIER: I am sure that the member will look forward to that. I am going to talk all day.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: I will have plenty to say about the minister; she should not worry about that!

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT (Hon Adele Farina): Order, members!

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Hon PETER COLLIER: I found it quite amusing that the Leader of the House carried on about the Regional Services Reform Unit. The government members opposite had absolutely zero to do with the establishment of the Regional Services Reform Unit. It was as if that was a part of the machinery-of-government changes—zero! It was an established component of service delivery in the Kimberley before these guys were elected on 11 March 2017. I spent months in the Kimberley going into Aboriginal communities, contrary to what the Minister for Regional Development might think. We spent an enormous amount of time consulting with Aboriginal people who decided what they wanted, which is what that Regional Services Reform Unit delivers. It empowers Aboriginal people to provide services such as water, power, education and health, which they previously did not have. I want to make it quite clear that the Leader of the House's comments on the Regional Services Reform Unit were completely and absolutely inaccurate. It had nothing to do with the machinery-of-government changes.

The one area that concerns me, and, can I say at the outset, has been an unmitigated, fundamental failure on behalf of this government, has been the establishment of the Department of Communities. It should never, ever have happened. Some of the most vulnerable people in our community—Aboriginal people, people with a disability, children in child protection who have been abused, people who do not have housing or for whom housing is an issue, the aged and seniors—are directly impacted by the Department of Communities. Prior to the machinery-of-government changes, they had their own discrete departments that looked after them. It was my privilege to be Minister for Aboriginal Affairs for almost seven years, and I absolutely loved it. Aboriginal people had a go-to department for that entire time. We re-established the Western Australian Aboriginal Advisory Council, which the previous government had abolished, even though it was a statutory authority. We re-established the WAAAC, and of course it was all Aboriginal people on the WAAAC. Not one Aboriginal person in that entire time I was Aboriginal affairs minister asked, “Minister, can we have our department consumed in a megadepartment?” There was not one.

Another area, of course, is disability services. It has been a very, very challenging time for the disability —

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: I am not listening to you.

It has been a very, very challenging time for the disability services sector. We have a National Disability Insurance Scheme. It was initiated through Julia Gillard back in 2012. Over the last three or four years, it has gradually been rolled out across the nation. It is a wonderful scheme, which, again, empowers people with a disability. I think the minister has been good at assisting people with disability into the NDIS, but if government members think consuming the department of disability services into the Department of Communities has been a success, again, they need to get out of Dumas House. I consult constantly with people with a disability. Not only do they say that they do not agree with it, but also they loathe it. They do not like the department of disability services being consumed into the Department of Communities.

The Richard Court government established the Disability Services Commission, and that worked really well; it has been working really well. If there was ever a time when people with a disability needed their own discrete department, it is right now. I am not for a second laying blame for this on the Minister for Disability Services, but I seriously doubt that he would know too many people from the disability sector—I do not know anyone—who thinks that the incorporation of the Disability Services Commission into the Department of Communities has been a success; that is, they feel they have more of a voice now than prior to the machinery-of-government changes. It is just not true. There are people out there at the moment—again, some of the most marginalised people in the community—who have struggled to access funding through the NDIS. They need a voice. They really need a champion, and that will not happen through a phone call to Geelong, which is what they get through the NDIS. That is one of the biggest issues we have. Aboriginal people, people with a disability, people in child protection and people with housing problems are all covered by the one department, the Department of Communities, with five different ministers. How can it possibly be suggested that that is an effective means of service delivery? Over 120 years ago, the founding fathers of the Federation, in their wisdom, put the services in the hands of the states because they said that the states would deliver them better—they would disseminate service delivery so that things such as education, child protection, health et cetera could be dealt with at the local level. How can we possibly suggest that bringing it all in together into a super department will be better—that it will provide better service for some of the most marginalised people in our community? We cannot.

The disability services sector was not consulted about these changes. That is why I totally agree with this motion. The changes were rushed. As I said, I have great respect for the minister. He is one of the very few ministers in this government I respect, but I really hope he listens to his sector and, on the off-chance that the government wins the next election and it retains the Department of Communities, it does not cover people with a disability.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Hon Alannah MacTiernan will be here for only two years anyway and then she will be off to the south west and we will get Hannah Beazley for the last two years. Everyone knows what Hon Alannah MacTiernan is up to.

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Hon Jim Chown: Is that right?

Hon PETER COLLIER: Absolutely.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Give us a break!

With that said, the government had a functional review into the department of disability services. On a number of occasions, I have asked the minister when we will get a copy of this functional review, because I want to know what is in it. I want to know that that functional review says that this thing is working really, really well, and that the people in the disability sector really think it is working well. I have asked time and again about this functional review. In response to a question yesterday, the Minister for Disability Services said in part —

... the functional review of disability services was commissioned by government to inform decision-making on the type and level of residual disability services to be administered by the state once all eligible participants had transitioned to the commonwealth-administered National Disability Insurance Scheme. The review informed government's decisions as part of the 2020–21 budget.

According to the response I got from the minister yesterday, the review is finished. I repeat —

The review informed government's decisions as part of the 2020–21 budget.

Yet, I asked the minister without notice three weeks ago on 17 September when we would get the review and the response was —

When the review is finalised, it will be up to cabinet whether anything is released publicly.

Unless it was finalised a week later and some massive changes were made to the budget a week out from it, there is a problem with that response from the minister. The minister said to me “when it is finalised”. He said that on 17 September, yet three weeks later, apparently, it has been finalised—not only has it been finalised, but the decisions added weight to the budget.

Hon Stephen Dawson interjected.

Hon PETER COLLIER: So it did; it was finalised.

Hon Stephen Dawson: No, I am saying that the answer is the answer. The answer is correct.

Hon PETER COLLIER: So is it finalised?

Hon Stephen Dawson: It is finalised.

Hon PETER COLLIER: But it was not on 17 September.

Hon Stephen Dawson: No. It was finalised as part of the budget process. The functional review was part of the Expenditure Review Committee decision.

Hon PETER COLLIER: Minister, I was in government for nine years. The budget does not get finished in the last three weeks.

Hon Stephen Dawson: It was finalised as part of the budget process. The answers are the answers; the answers are correct.

Hon PETER COLLIER: Really, that is disappointing I have to say. That response is really disappointing. Anyway, he is the minister.

The other area I will talk about is education. I was education minister for over five years and I loved it. It was fantastic. Essentially, there were four discrete areas: the Department of Education, the Department of Training and Workforce Development, the Department of Education Services and the School Curriculum and Standards Authority. SCSA looked after curriculum and assessment. DES looked after compliance and the independent sector. The Department of Education looked after public education and Training looked after training. With the machinery-of-government changes, those four departments were moved into one department overnight—bang! Now the department that supposedly oversees compliance issues with the Department of Education and the independent sector is answerable to the Department of Education. Go figure—how does that work? How can the umpire be controlled by one of the players? I promise members that that is exactly what we have here.

Hon Stephen Dawson: Training is separate.

Hon PETER COLLIER: Sorry, I apologise. Training is separate from education, but there are still DES and SCSA within the department. Training itself is pretty much a non-issue, because we separated that, and I am glad that has been retained. With that said, members, I can guarantee that the education sector universally opposed the Department of Education Services and the School Curriculum and Standards Authority being consumed into the education department. I can guarantee that there was not one word of consultation with anyone in the education sector before

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

those changes were made. The Department of Education, which is the overseer of public education, is now directing the umpire in the non-government sector, namely the curriculum development council and the assessment component. That is bizarre.

I would love to know why those decisions were made. The optics of it are good. When members opposite came into government, they were on a honeymoon. They said they would pull all those departments together and stop all this waste. I would love to know how much was saved out of all this. It was probably nothing. I would love to know what possible benefit was achieved for education as a result of consuming those three departments into one. That benefit simply does not exist.

The whole point of this exercise is to find out whether the machinery-of-government changes have been successful. We talked about whether we were best prepared for the pandemic. Were we best prepared? Were we, really? As I have said, this was definitely the Leader of the House's Nero-fiddling speech. If that is honestly what the Leader of the House thinks, she needs to get out into the real world. I suggest that the minister goes to one of our public hospitals to see whether the ambulance ramping is not testament to the fact that our health system is in serious disrepair. If everything out there is as wonderful as it apparently is, our health system should be able to cope. This state has the lowest flu numbers for decades. That is because everyone who is sick is staying inside. Yet we now have the worst ambulance ramping on record. Back in 2015–16, the now Minister for Health was absolutely incandescent with rage about ramping. He said it was a terrible testament to health in Western Australia. I mentioned this in a speech last week and I will mention it again next week. These figures are compelling. In June 2016, when the now Minister for Health went ballistic, ramping was 909. In June 2020, it was 1 455; an increase of 60.7 per cent. In July 2016, it was 1 097. In July 2020, it was 1 794; a 49.87 per cent increase. In August 2016, it was 2 212. In August 2020, it was 2 702; an increase of 22.15 per cent. At a time when we did not have a pandemic—because, remember, the pandemic has shown the value of the public sector—ramping was significantly lower than it is now.

The massive machinery-of-government changes have apparently made Western Australia a utopian society. We heard from the Leader of the House that everything is rosy and peachy. Yet she spent half her time talking about the Barnett government. She had so much confidence in the machinery-of-government changes that she spent most of her time talking about us. I am absolutely flattered that she is still talking about us after four years. We would think that she would have moved on, but apparently not. Surely if the government has such a good story to tell, the Leader of the House would have spoken for 20 minutes about how wonderful things are and given us some real facts and figures, not lambast the former government, or talk about the regional services reform, which had nothing to do with her.

As far as this government is concerned, yes, we can look at the scoreboard with the borders. But the machinery-of-government changes have been an unmitigated disaster, particularly in the area of the Department of Communities. Some of the most marginalised people in our community are definitely worse off as a result of those terrible changes.

HON DR STEVE THOMAS (South West) [3.24 pm]: Mr Deputy President —

The DEPUTY PRESIDENT: I advise the member that I of course will be interrupting the debate with five minutes to go to offer a right of reply, if the mover wishes, but, for now, the call is with Hon Dr Steve Thomas.

Hon Dr STEVE THOMAS: Thank you, Mr Deputy President. Luckily, I am famous for short speeches in this place, so I am sure that we will get through with adequate time!

Thank you, Mr Deputy President, for the opportunity. I also thank Hon Tjorn Sibma for his motion before the house, which is particularly about the machinery-of-government changes, and certainly the management of the public sector in Western Australia. The Leader of the House raised an interesting point. I was not going to start with this, but I will, simply because the opportunity has been afforded to me. We will do some talking about the new Department of Biodiversity, Conservation and Attractions. I will start with this comment. When we have been around the place for a while, we start to see things cycle. I have to say that the development of super departments is not a new initiative. It is not simply part of the work of the McGowan Labor government. The last time that I remember this being implemented in the state of Western Australia was under the previous Labor government when Hon Geoff Gallop was the Premier, when we had the institution of super departments, and he contracted the size of the cabinet. I think that back in the day, the now Minister for Regional Development was put in charge of a super department for planning and infrastructure.

Hon Stephen Dawson: A great minister she was!

Hon Dr STEVE THOMAS: If we are talking about delivering things on time and on budget, I remember a particularly pertinent question that was asked in the chamber that shall not be named, and a bit of fire that eventuated between a couple of the members down there. I remember that question distinctly.

Hon Alannah MacTiernan: My God!

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Hon Dr STEVE THOMAS: I have no doubt that we will be asking that question all over again at some point. We will be asking that question about the capacity for Metronet to be delivered on time and on budget.

Hon Alannah MacTiernan interjected.

Hon Dr STEVE THOMAS: We will absolutely be asking some more questions about that.

This is not the first time that we have had super departments, and I have no doubt that it will not be the last. It is funny how governments come in and are determined to put their imprimatur, or stamp, on proceedings by making significant changes. It appears that when the Labor Party comes into government, the bigger the change, the more important it looks; therefore, that is what it sells. That is the marketing that a Labor government seems to be involved in. It tries to engage in big change, because that is a good ploy.

In talking about big change, we need look only at the Department of Biodiversity, Conservation and Attractions. The former Department of Parks and Wildlife had a name that was easy to use. Department of Biodiversity, Conservation and Attractions would have to be one of the most difficult names to say. Imagine how expensive it must have been to change the name on the various buildings. By the time they had written out that name a couple of thousand times in nice, big, glossy letters, they would have spent a fair proportion of the budget of that department. They would probably also have been worried about how much printer ink they would have used to change the name on all the letterheads. I hope that when we get to budget estimates this year, with a bit of luck we will be able to get that department in and I can ask the standard question that I ask every year, namely: how about changing the name back to something that is useable? That is an unwieldy name. However, that is part of the problem with the way the McGowan government operates. It is more about froth and presentation than it is about substance.

We should be interested in the delivery of services. Ultimately, the role of the public service is to deliver services to the state of Western Australia. I suppose that one of those services is services to the government. However, I would have thought that would be one of the smaller options. The Department of Biodiversity, Conservation and Attractions does exist. One of the advantages for the minister responsible for that portfolio, the Minister for Environment, is that at least it is a one-minister shop. We can look at the new amalgamated departments, which were announced in a document that came out in 2017 called “Public Sector Renewal”; other members may have quoted from it. I have only the black-and-white version, unfortunately. Perhaps if we stopped changing the names of departments, we could afford colour printers in Parliament House, but I do not think we have the capacity to do that at the moment. At least the Department of Biodiversity, Conservation and Attractions is a single minister department. It includes the former Department of Parks and Wildlife. That still exists. I am glad that it does, because that is the name that is still up in most regional areas—it was probably too expensive to make any significant change. My understanding is that the staff of the Parks and Wildlife Service are pretty comfortable with keeping that name, because DPaW is pretty easy to say. When one tries to say the acronym DBCA to people, it becomes quite difficult. Otherwise, one has to say the whole name. I am glad that the parks and wildlife name was kept so that the names on all the buildings do not need to be changed. DBCA also includes the Botanic Gardens and Parks Authority, the Zoological Parks Authority and the Rottnest Island Authority. All those areas come under the purview of the Minister for Environment. I guess that makes a bit of sense.

The minister’s other department is a little more complicated, because it has become the Department of Water and Environmental Regulation. This is one of those departments that has changed consistently over the years. It has been the Department of Environment, the Department of Environmental Protection, the Water and Rivers Commission, the Department of Water and the Department of Environment and Conservation. It was merged in; it was merged out; it was divorced; it was remarried—it was all these things. The name has changed again!

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: It has changed many times, minister. It now contains the former Department of Water, Department of Environment Regulation and Office of the Environmental Protection Authority. I suspect that this will be an easy question for the minister: who is the senior minister for this department? I have heard the Leader of the Opposition say that the Minister for Environment is a fine performing minister. We are great fans of him on this side of the house, so we assume that he is the senior minister within the department.

Hon Stephen Dawson: We have lead ministers for all departments.

Hon Dr STEVE THOMAS: So the Minister for Environment is the lead minister for DWER?

Hon Stephen Dawson: I am for DBCA.

Hon Dr STEVE THOMAS: But not for DWER? The minister still has to be in charge.

Hon Stephen Dawson: I am in charge of the environment part; the Minister for Water is in charge of water.

Hon Peter Collier: He’s just the best.

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

Hon Dr STEVE THOMAS: Yes. However, I must admit that the Minister for Water does concern me gravely. I think the Minister for Environment is due for a promotion. That is one of the fairly easy departments; there are two ministers splitting a department, so the lines of authority are probably not that complicated. Who is the senior minister for the Department of Communities? I am not sure who the senior minister is.

Hon Alison Xamon: It's Simone McGurk.

Hon Dr STEVE THOMAS: Is Hon Alison Xamon sure?

Hon Alison Xamon: Yes; Simone McGurk is the senior minister.

Hon Dr STEVE THOMAS: Okay.

Hon Peter Collier: Who is?

Hon Dr STEVE THOMAS: Apparently, Hon Simone McGurk is the senior minister.

Hon Peter Collier: Is that true?

Hon Dr STEVE THOMAS: It is such an obvious and workable system that we are not entirely sure! Someone will no doubt check that for us. I am sure the department will provide an appropriate response about who is in charge. Is there a hierarchy?

Hon Alison Xamon: I thought she was the senior minister.

Hon Dr STEVE THOMAS: I do not know. It is very hard to tell. Is there a hierarchy after that? Does it go from one to five? Who would end up being five?

Hon Stephen Dawson: There is no hierarchy.

Hon Dr STEVE THOMAS: There is no hierarchy.

Hon Stephen Dawson: There is a minister in charge for the purposes of answering questions on behalf of a whole agency.

Hon Alannah MacTiernan: The corporate services side.

Hon Dr STEVE THOMAS: Okay. So, basically, there is no hierarchy; we are back to the good communist regime in which there is one leader —

Hon Alison Xamon: I wish!

Hon Dr STEVE THOMAS: Sorry; Hon Alison Xamon wishes? Steady on! The communist regime is running well. There is one leader and then there are all the brethren.

Hon Alannah MacTiernan: As opposed to your outfit, which is permanently wracked by division!

Hon Dr STEVE THOMAS: I do not know; I see no division in the house. We are of one mind in the house today.

Hon Nick Goiran: And one voice.

Hon Dr STEVE THOMAS: And one voice and one mind. I see no division whatsoever.

That takes me to a couple of key questions. Hon Tjorn Sibma made a reasonable case for why there are some question marks about the machinery-of-government changes and the efficiency of that process. In my view, it is quite frequently only about changing the letterhead so that the minister can put their stamp—their imprimatur—on things. The Leader of the House said that Hon Tjorn Sibma had not made his case. I thought his case was, effectively, that there was a lack of accountability. I would have thought that, in this case, accountability should have been demonstrated by the Leader of the House and the government. It is once again one of those situations in which the government is asking the opposition to make a case because it does not want to be accountable. The rolled gold accountability that we were promised in 2017 is seen only on occasion.

I want to say a few things about regional areas and the departments. The Department of Primary Industries and Regional Development is almost a one minister department. It includes the former Department of Agriculture and Food, the Department of Regional Development, the Department of Fisheries and the regional development commissions. The Minister for Fisheries these days is Minister Tinley. I have to say that he is probably an improvement on the previous fisheries minister—a small step, but a positive move. I assume that the Minister for Regional Development is the primary minister in the Department of Primary Industries and Regional Development.

Hon Alannah MacTiernan: That is correct.

Hon Dr STEVE THOMAS: That would make sense. That is one department that is not too split. But I have to say that there have been some changes around the name rather than the structure. We have to look beyond simply the nameplate. A new nameplate does not necessarily change the structures underneath. We often find that departments

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

are brought into one super department and one director general or CEO is put over the top, and then most of the administrative staff tend to still be kept in the silos that previously existed.

Hon Alannah MacTiernan: No, we very deliberately tried to move beyond that. One of the areas in which it has been useful has been to bring the biosecurity people from Fisheries, with their high regulatory standards, in with the biosecurity people of Agriculture. We were very conscious not just to bulk these things on and put in a new DG. That whole area was crafted to take advantage of the skills that were coming in from Fisheries.

Hon Dr STEVE THOMAS: I will give the government a little bit of credit for that one, because I think the merging of those two departments was a reasonable option. I am absolutely prepared to give the government credit for that. Bringing those two sets of resources together was not a bad thing.

In the small amount of time I have left, I want to particularly mention the regional development portfolio and regional development commissions. Regional development commissions were very much the representatives of their local communities. There were regional development commissions all around the state of Western Australia—down in my patch in the south west and in the great southern and Peel in particular. Under the previous government, the regional development commissions would pass information and recommendations up the line to government and test the waters of community sentiment—to market both up and down, as it were.

Hon Alannah MacTiernan: And we approve of that.

Hon Dr STEVE THOMAS: Well, it appears to me, minister, that there has been a change in the regional development commissions and that they are now much less engaged in the messaging up from the ground and much more engaged in messaging down from the top. I think there has been a shift.

Hon Alannah MacTiernan: They are not mini-governments in their own right. They are not mini-health departments.

Hon Dr STEVE THOMAS: I know that is how the minister describes the change.

Hon Alannah MacTiernan interjected.

The DEPUTY PRESIDENT: Order! There is one member on his feet and that is Hon Dr Steve Thomas.

Hon Dr STEVE THOMAS: Thank you, Mr Deputy President. The minister explained the reason for the change. I think her comments are actually an acknowledgment that the change happened. That acknowledgement is itself worth bearing in mind. I also bear in mind that I have only three-quarters of a minute left! It is absolutely the case that the information flow upwards from regional areas has declined and that the information flow and dissemination are now more about a marketing exercise downwards. In my view, that is what has changed in the regional development commissions.

Hon Alannah MacTiernan: Do you have any evidence?

Hon Dr STEVE THOMAS: Yes, discussions with a large number of people. Instead of flying over regional areas, the minister should land and talk to the people, because most of them will tell her that their engagement with regional development commissions has been reduced and their role and function has measurably altered. That is the view of people in country areas.

HON TJORN SIBMA (North Metropolitan) [3.39 pm] — in reply: I thank all members for their contributions. I suppose, to round this off, this motion was an opportunity for the government to demonstrate the wisdom of its public sector policy settings and programs and to provide clear, unambiguous and tangible evidence that its programs, practices and policies have delivered what it set out to deliver; namely, savings. At no point during her contribution did the Leader of the House make any attempt to demonstrate a dollar saving, nor was there any effort to demonstrate a superior public policy outcome or a service-to-the-public outcome. It is impossible to do that because the cumulative effect of these public sector policies, as prosecuted by the government in the last three years, has been to the contrary. It has failed; it has failed by every measure established by the government itself. I thought that towards the end of the debate on this motion, we got an insight into why. Conversation reflected that agencies are serving multiple ministers. Some agencies have not declared what I would call supreme minister in charge of their portfolio. Through these changes, the government has effectively undermined the effectiveness of cabinet ministers. No doubt there is an inability to deliver on the political promise because no-one is in charge and that underscores paragraph (b) of the motion, which is implied but not addressed directly. I think I now understand why. How can the government drive better accountability from its senior executive service if they have split loyalties and are serving three, four or five separate masters? If they appreciate that the complexity of the task is so enormous, they, as director generals, cannot ensure that their departments are fit for purpose. I want to reflect on the director general of the Department of Communities, Ms Andrews, who was quoted in *The West Australian* of 16 December saying thus —

“Bringing together three agencies and bringing together three different HR teams, three different finance teams and their systems and so on, I think it is fair to say the progress around that integration has not

Hon Tjorn Sibma; Hon Sue Ellery; Hon Nick Goiran; Hon Alison Xamon; Hon Peter Collier; Hon Dr Steve Thomas

been what the government would have expected it to have been. Not unrelated, it was being overseen by Paul Whyte, who you will be very aware is now in jail.”

That may be the case, but I put this question, and perhaps it cannot or will not be answered now, but it is worthy of reflection: what were respective directors general of the Department of Communities doing in holding Mr Whyte to account for his supposed responsibilities? May I be so bold as to make the assumption that with respect to the obvious dysfunction in the Department of Communities, Mr Whyte is being made the scapegoat potentially for something for which he had no responsibility. If indeed he did have that responsibility, he should have been held accountable.

Several members interjected.

The DEPUTY PRESIDENT: Order! Members are aware that Hansard can record only one voice at a time. Hon Tjorn Sibma has the call.

Hon TJORN SIBMA: This is not an accusation, Minister for Environment. It is about establishing who is responsible at the end of the day for the implementation of machinery-of-government changes. The minister should not seek to deflect or muddy the waters. For once, Hon Stephen Dawson should be accountable for the performance of the government, which is a disgrace. It fails on every measure every day.

Hon Stephen Dawson interjected.

The DEPUTY PRESIDENT: Order, gentlemen! We do not have to shout. I obviously have to shout on the odd occasion, but I do not want to have to repeat that.

Division

Question put and a division taken, the Deputy President casting his vote with the ayes, with the following result —

Ayes (18)

Hon Jacqui Boydell
Hon Robin Chapple
Hon Jim Chown
Hon Tim Clifford
Hon Peter Collier

Hon Colin de Grussa
Hon Donna Faragher
Hon Nick Goiran
Hon Colin Holt
Hon Michael Mischin

Hon Simon O'Brien
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse
Hon Dr Steve Thomas

Hon Colin Tincknell
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Noes (10)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery

Hon Adele Farina
Hon Laurie Graham
Hon Alannah MacTiernan

Hon Martin Pritchard
Hon Samantha Rowe
Hon Dr Sally Talbot

Hon Pierre Yang (*Teller*)

Pairs

Hon Martin Aldridge
Hon Robin Scott
Hon Rick Mazza

Hon Darren West
Hon Matthew Swinbourn
Hon Kyle McGinn

Question thus passed.