

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

REDRESS WA

Matter of Public Interest

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

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

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

It is signed by the Leader of the Opposition.

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

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

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

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

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

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

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

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

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

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

Extract from *Hansard*

[ASSEMBLY - Tuesday, 11 August 2009]

p5640a-5649a

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

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

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

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

The abuse continued until I was about 14 years old.

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

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

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

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

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

This government cannot, now that they are in receipt of the claims, reduce the amount to \$45,000. Claimants have incurred costs based on the original parameters. **Ten thousand West Australians made a choice to either dig up and dissect the most traumatic periods of their lives or to try to let**

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

it go. The wounds have been opened for 10,000 West Australians and the Government should act swiftly and ethically to address these past wrongs.

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

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

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

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

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

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

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

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

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

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

Ultimately, it was the state that was responsible for the welfare of those children. The responsible department at the time was actually called the Department of Child Welfare. It was supposed to oversee the welfare of these young people, including migrant children, Australian-born children and Indigenous Australian children. Our estimate was that there may have been up to 10 000 of them, and there were indeed up to 10 000. The level of abuse that these 10 000 children suffered—so it appears, from what the government's position seems to be—was even greater, more damaging and more traumatic than what we had been led to believe.

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

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

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

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

I have yet to see the figures to substantiate the need for what the Premier has done. I accept what has been said—that the \$90.2 million allocated was not sufficient. In that case, the amount needs to be increased. The precedent

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

cannot be set by which the government offers redress to a shocking injustice to the most vulnerable children in Western Australia and then, a year or so later, after it has embraced the scheme and the payment levels, it slashes that payment in half. That cannot be the precedent. The Premier has made a terrible decision. He has caused grief and pain beyond what he is capable of understanding and he needs to change his mind. I think any reasonable person would understand that the Premier needs to change his mind.

MR C.J. BARNETT (Cottesloe — Premier) [3.43 pm]: There are quite a few things I have to say but I just want to respond firstly to the claims made by both the Leader of the Opposition and the former Premier. This is a tragic situation. I am not going to play on the emotions of people or their personal circumstances, but sometimes we can be a little bit too self-righteous on reflection. I want to remind members opposite, before they go too far down that path, to reflect on what happened during their administration. I refer to an article in *The West Australian* on 22 February 2008 under the headline “Ellery rules out increasing abuse compo fund”. I will read one paragraph —

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

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

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

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

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

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

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

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

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

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

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

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

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

It is a shameful period in our history. It is shameful that these kids were rounded up, I guess, and sent away from Britain. However, it is hard to judge Britain in the post-war era from the safety of 2009. It was a country devastated: hundreds of thousands had lost their lives in the war; cities had been devastated; and many families, single mothers and widows were just unable to care—maybe incapable of caring—for children. The children were sent for a better life to places like Canada and Australia, including Western Australia. Some of them, maybe 10 000 in this state, were betrayed. When they came for a better life they were abused—physically,

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

sexually and mentally. It took place. All this generation can do is acknowledge that and express sorrow, which has been done quite properly, and this redress scheme does have support. The scheme received bipartisan support that this generation would recognise what happened in that period and that we would at least make some gesture of recognition, of sorrow and of regret.

The current government has to deal with the situation whereby there have been more applicants than anticipated and more hardship cases. However, the analysis indicated that very few would have received anywhere near \$80 000. Sadly, in talking to people at the rally after it had concluded, it was apparent that many of them probably had that expectation and now feel let down. I can understand that and I feel sorry for them, because there was an expectation that this \$80 000 was not a cap and that it might somehow be the norm. Every story would be horrific to the person concerned. I do not envy the people trying to assess these claims, reports and accounts—how do we compare one person's experience with another? One might be deemed to be more horrific, but the mental damage done to another for a lesser incident could be just as severe. How do we make those sorts of judgements? I do not know. Therefore, we are not compensating; we are not solving the problem; we are simply making a gesture. Hopefully, by putting the cap in place, we can ensure that all the applicants who are deserving of some payment in recognition of the suffering they endured as children can be paid that and it will be as fair, equitable and as quick as possible. If it is necessary to add to the \$90.2 million, this government will do it. We will judge people on the same criteria and we will pay them. I do not know what the final figure will be, I cannot even guess at that, but it will be above \$90.2 million and we will have to find the money to do it. To simply have said that we would not adjust that I think would have been a failing on our part. We could have said nothing. This is the essence of it: we could have said nothing and just let the scheme go through. I would not accept that; neither would the minister. We could have notionally ensured that a few people received payments around \$80 000, but I was not going to do that. I do not think anybody would expect us to sort of, if we like, fiddle the scheme. We did what we thought was necessary, up-front and honest and put in a cap and treated everyone within that. The vast majority of people will get—the vast majority—what they would have received in any case. We did not enjoy making this decision, and it has caused a great deal of stress to the minister responsible. It was a very hard decision to make but in the end it is, I believe, fair and equitable. I will conclude on this one point —

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

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

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

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

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

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

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

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

Mr R.H. Cook interjected.

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

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

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

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

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

Several members interjected.

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

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

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

Mr C.J. Barnett interjected.

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

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

Mr C.J. Barnett interjected.

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

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

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

I certainly know of a number of child migrants who have shared with me the horrific abuse that they experienced and who will not be applying for money because they say that it is not about money; it is simply about recognition that what happened to them was terrible and that it was not their fault. They carry a sense of shame, which often translates into dysfunctional behaviour that damages themselves as well as those around them. Rather than making huge cash payments, if any money is left in that fund at the end, I would love to see that money set aside in a trust fund for ongoing free counselling for people to help them work through the issues. Even though the maximum funding has been reduced from \$80 000 to \$45 000, I do not believe that in any way that will affect the value of a public recognition by this Parliament that what happened was horrendous and should never have happened.

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

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

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

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

MS A.J.G. MacTIERNAN (Armadale) [4.15 pm]: I was very much going to make the point that the member for Fremantle made; that is, to say that it is not about the money is ingenuous. We use financial compensation as a fundamental mechanism for recognising injustices and injuries that have occurred to people. That is the mechanism that we use in a wide variety of areas. Whether it is people who have suffered injury by way of

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

defamation or whether it is people who have suffered a physical injury, we provide compensation, and we make financial payment as part of that compensation mechanism. This is particularly the case here, when an undertaking for compensation was made, and not just by this side of the house. That undertaking was reaffirmed by the current government some months after it came to government. It is not that it was a statement made by the minister at a time when she was in opposition; it was a reaffirmation of the commitment to the quantum of money for individual payments to a maximum of \$80 000 that was made in November 2008, after the government had been in office for three months.

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

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

Amendment to Motion

Mr A.J. SIMPSON: I move —

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

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

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

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

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

Several members interjected.

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

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

Extract from *Hansard*
[ASSEMBLY - Tuesday, 11 August 2009]
p5640a-5649a

Speaker; Mr Eric Ripper; Mr Alan Carpenter; Mr Colin Barnett; Dr Kim Hames; Ms Lisa Baker; Mr Peter Abetz; Ms Adele Carles; Ms Alannah MacTiernan; Mr Tony Simpson

Ayes (31)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell
Mr G.M. Castrilli

Mr V.A. Catania
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day
Mr J.M. Francis
Mr B.J. Grylls
Dr K.D. Hames
Mrs L.M. Harvey

Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr A. Krsticevic
Mr W.R. Marmion
Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan

Mr C.C. Porter
Mr D.T. Redman
Mr A.J. Simpson
Mr M.W. Sutherland
Mr T.K. Waldron
Dr J.M. Woollard
Mr J.E. McGrath (*Teller*)

Noes (26)

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

Mr J.C. Kobelke
Mr F.M. Logan
Ms A.J.G. MacTiernan
Mr M. McGowan
Mrs C.A. Martin
Mr A.P. O’Gorman
Mr P. Papalia

Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts
Ms R. Saffioti
Mr T.G. Stephens
Mr C.J. Tallentire

Mr A.J. Waddell
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Amendment thus passed.

Amendment (insertion of words) put and passed.

Motion, as Amended

Question put and passed.