

CABINET DOCUMENTS, MINISTERIAL CODE OF CONDUCT

482. Mrs EDWARDES to the Minister for Planning and Infrastructure:

Does the minister acknowledge that gaining access to the cabinet decisions of a previous Government without the permission of the opposition leader, and the use of such documents in a public arena, constitute a breach of the Western Australian Government cabinet handbook and the Premier's ministerial code of conduct? Why did the minister make immediate reference to that document in answer to a question, if she had no intention of using that document publicly?

Ms MacTIERNAN replied:

I do not accept that there has been a breach. As I clearly explained yesterday, I sought an explanation from the department about why particular tender documents had been drawn the way they had been. I did not ask for a cabinet decision sheet. A copy of the cabinet decision sheet was included when the departmental information was provided to me, which I presume -

Ms Sue Walker interjected.

The SPEAKER: Order, member for Nedlands!

Ms MacTIERNAN: From looking at the file, it appears that the cabinet decision sheet had been provided by the previous minister because it was obviously needed by the department to form the basis of the drawing of the tender documents. There should be nothing controversial about this matter. The previous minister presumably sent the cabinet decision sheet to the department, so that it could prepare those tender documents. The matter was, therefore, on the departmental file. It is clear in the cabinet handbook that in those instances, it is part of the open departmental file to which the minister has access.

The member for Carine asked by way of interjection why I had the document in the Parliament. I was working on the file. We are trying to resolve a difficult problem. I had the file with me in the Parliament so that I could work on it during the parliamentary proceedings.

It is important to go back to first principles. This document is not controversial. It contained information about the previous Government's decision about the rail, and has now become part of the departmental files. As the minister responsible for the department, I have access to those files. Any ambiguity in the rules should be sorted out.