

# Legislative Assembly

Tuesday, 18 May 2004

## ESTIMATES COMMITTEE A

The meeting commenced at 9.00 am.

### **Division 1: Parliament, \$36 141 000 -**

Mrs D. J. Guise, Chairman.

Mr F. Riebeling, Speaker of the Legislative Assembly.

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

Mr R. Bremner, Executive Manager, Parliamentary Services.

Mr M. Crouche, Finance Manager, Parliamentary Services.

The CHAIRMAN (Mrs D.J. Guise): This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow.

The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated fund. This is the prime focus of the committee. While there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* when there remains a clear link between the questions and the estimates.

It is the intention of the Chairman to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister - in this case the Speaker - may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the Speaker to clearly indicate to the committee which supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the Speaker's cooperation in ensuring that it is delivered to the committee clerk by 11 June 2004, so members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available.

Details in relation to supplementary information have been provided to both members and advisers and accordingly I ask the Speaker to cooperate with those requirements.

I caution members that if the Speaker asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide will be sought by 11 June 2004.

Mr J.L. BRADSHAW: Before we start, can we split the two divisions in half? Sometimes the time on division 1 runs over and we do not get to ask questions on division 2.

The CHAIRMAN: I will be guided by the committee.

Mr J.L. BRADSHAW: I suggest that we spend the first half-hour on division 1 and the second half-hour on division 2.

The CHAIRMAN: Does the committee agree with that proposal?

The SPEAKER: In the past few years, 75 per cent of the time has been spent on division 1 and 25 per cent on division 2. Usually the committee asks more questions about the division on Parliament.

Mr J.L. BRADSHAW: I am happy that it be 75-25.

The CHAIRMAN: We will aim for 45 minutes on division 1 and 15 minutes on division 2. Members have indicated that that proposition is agreeable.

Mr J.L. BRADSHAW: The capital works program on page 49 of the *Budget Statements* refers to the security upgrade of Parliament House. What stage are we at with the security upgrade, and what future security upgrade is required?

The SPEAKER: As members probably know, over the past 18 months or so we have been upgrading security at Parliament House. The \$1.68 million upgrade is being funded over three budgets - \$750 000 from last year's budget, \$750 000 from this year's budget and the balance is coming out of next year's budget. The upgrade involves securing the perimeter of the building, rather than having security cameras and the like inside the building. It would be a backward step if someone else were looking at what was going on inside the building. We are in the process of putting

new security cameras on the exterior of the building. We are partly through that program. We have introduced swipe-card entrances into the building and we will upgrade and replace the X-ray screening equipment, which will come out of this budget. The physical infrastructure surrounding Parliament House has changed. I am sure the member would have noticed that bollards have been erected. That work will continue. Part of the security review we undertook indicated that we needed to remove vehicles as far away as possible from Parliament House. The next stage will hopefully see the ring-road at the old front of the building removed and bollards placed along Harvest Terrace to stop people getting close to Parliament House. That will reduce the number of car parking spaces, so we are hoping that Harvest Terrace will be restructured to make up those lost car parking spaces. Part of our security involves Harvest Terrace. It was also time for some changes to the vegetation that surrounds Parliament House and part of the upgrade involves new landscaping. Of course, there have also been changes to the members' car park, which the member would have seen. Further changes to the car park are envisaged.

Mr J.L. BRADSHAW: Are the security cameras monitored 24 hours a day and, if so, by whom?

The SPEAKER: They will be monitored 24 hours a day. The primary purpose of having the whole exterior watched is to avoid graffiti tagging and the like, which usually occurs well after Parliament closes. About a year or so ago there was an attack on the walls near my room. With the new security system, it is hoped that we will know if anyone has approached the building.

Mr J.L. BRADSHAW: It is all very well and good to put up bollards; however, people still come into the building. Has any thought been given to upgrading the security on the door; that is, will security guards be given firearms? Will we move to tighter security? If I were on the door and someone came in with a hand gun or a rifle, I would be putting my hands up or ducking - I would not try to be brave.

[9.10 am]

The SPEAKER: As would I.

Mr J.L. BRADSHAW: Has any thought been given to changing that type of security?

The SPEAKER: I do not wish to go into it in great detail, but the review that was undertaken looked at whether we should have armed security guards. The decision was made not to do that and to leave any weapons in the hands of the police. The management plan is really to endeavour to isolate whatever incident might occur and move whatever weapons might be required to the incident rather than have them at the entry points to the Parliament. The whole security system is based on making sure that the people who enter the building are there for a reason, such as through a member inviting them and being responsible for their activities within the building, and securing the perimeter.

Mr C.J. BARNETT: I refer to the capital works program at page 49 of the *Budget Statements*. The staff of the Parliament number about 100. There are also about 90 members of Parliament, ministerial staff, etc. When the House is sitting, there is a problem with the availability of parking. I am concerned also about the security of staff and their vehicles. I know that the attendants accompany staff when they walk across the road to the car park, and I appreciate that. What, if any, plans are in place to improve parking facilities and security for staff?

The SPEAKER: Under the security plan, a camera will be located in the staff car park so that security will be able to keep an eye on it. The current system is that when staff leave the building at night, they are escorted to their vehicles. There is a problem with the number of car parking bays that have been allocated to members in that if every member were to turn up with a car, we would not have sufficient bays.

Mr C.J. BARNETT: That would be a rare event.

The SPEAKER: Yes. Fourteen ministers are dropped off, and it would be a rare event if they were to take their car to Parliament House. On a couple of occasions, members have not been able to find a car park. We are trying to address that in the short term at least. If the Harvest Terrace solution comes into being and there is a greater allocation of parking bays to the Parliament on the western side of Harvest Terrace, there will be sufficient car parking bays to cater for all members, plus make up for the loss of the ring-road car parking bays. We are currently looking also at having a sticker for members of Parliament and members-only car parking bays in certain areas, which should help address that matter. As I understand it, there are sufficient car parking bays for staff in the car park across the road, and that car park will be monitored 24 hours a day.

Mr C.J. BARNETT: I am sure the Speaker understands the point, but on busy sitting days we can have a situation in which no parking bays are available in either the members car park or the parking area across the road. For example, my office has one government car, and on occasions there is no place to park it in the parliamentary precinct.

The SPEAKER: I am hoping that there will be an allocation of more bays for members only. The answer is to have more prescribed areas for members rather than allow the public to take up those bays that are essential for the operation of the Parliament. Hopefully that will ease the problem a little. I do understand that that is a problem.

Ms M.M. QUIRK: I refer to output 1 on page 44, administrative and procedural support to the Legislative Assembly, its members and committees. Have any particular trends emerged with regard to the allocation of funds for travel this year for members and committees?

The SPEAKER: As members would be aware, changes to the rules for committee travel were introduced at the start of this session of the Parliament. There has been a 55 per cent reduction in committee travel this year compared with the previous year, and in the year before that it was significantly reduced from the situation during the previous Parliament. Just to emphasise that, in 1997-98 just over \$700 000 was spent on committee travel. This year it will be about \$110 000. There has been quite a significant reduction in committee travel, and I think that trend, particularly with this being an election year, will become more pronounced.

Mr P.B. WATSON: I refer to page 45, statement of financial performance, liabilities assumed by the Treasurer. What does that entail?

The SPEAKER: That refers to the increase in superannuation liabilities for members of Parliament.

Mr J.L. BRADSHAW: I refer to the capital works program at page 49. The north wing appears to be completed now. Did that come in on budget?

The SPEAKER: My understanding is that it came in on budget and on time. It came in on time thanks primarily to the actions of the Legislative Council, which consented to sit in the area that had been restored for the Parliamentary Library, which not only brought the project in on time but also reduced the cost considerably. If the Legislative Council had not shifted, the scheduling of work would have been disjointed, and it would have cost a significant amount more. We do not like to praise the Council too much down here, but it is thanks to the members of the Legislative Council that the project came in both on time and on budget.

Ms M.M. QUIRK: I refer to the capital works program at page 48 and to new works at the bottom of the page. Over the past 18 months or so there has been extensive building refurbishment. Is it contemplated that this Chamber will be airconditioned at any stage in the near future?

The SPEAKER: It is hoped that at some stage we will aircondition the Chamber. The recent cost estimate for airconditioning the Chambers is quite a dramatic reduction from earlier estimates. It has gone from millions of dollars down to hundreds of thousands of dollars. I am hopeful that in the next 12 months there will be some action on that if our finances allow.

Mr C.J. BARNETT: I heard a rumour that it would be Western Australia's bicentennial project!

Mr P.B. WATSON: Hot air project!

The SPEAKER: I am committed to being here as the Speaker when it happens, so if I am still here in 100 years, who knows!

Mr J.L. BRADSHAW: I pay tribute to the Speaker and the President for the upgrading that has been taking place at Parliament House. The upgrading has been ongoing for some years now, and Parliament House is now starting to reach an acceptable standard. When I first came to the Parliament, the building was pretty run-down and quite unacceptable. I congratulate you, Mr Speaker, and the President, for continuing with that upgrading and making more rooms available, which is very important, and also for making available more meeting rooms, which has always been a problem. What further upgrades are envisaged for Parliament House, and when will the upgrading end? Will there be a finale?

[9.20 am]

The SPEAKER: A good event in the past couple of years has been planning for the upcoming hundredth year celebration of the building, which has enabled the Presiding Officers to weasel a bit more money out of the Government. The next two upgrades will involve the Leader of the Opposition's office and airconditioning of this Chamber. That is how I envisage it. No matter who is in opposition, the space allocated is insufficient and it is my plan that it be the next upgrade. I do not know whether that can be done in the environment we currently live in. It would probably do more harm than good at the moment, but some sort of planning needs to be in place for the next changes.

Mr P.B. WATSON: Page 49 of the budget papers shows that the allocation for computer hardware and software was \$312 000 in 2002-03 and \$195 000 in 2003-04. Many members had a lot of trouble with the new laptops they were given compared with the previous ones. Before we get to upgrading them down the track, can we find out first whether the system works?

The SPEAKER: The major problem we had with laptops was not within Parliament's control. A lot of the software put on the laptops was controlled by the Department of the Premier and Cabinet. That is one of those annoying areas between Parliament and the Premier's department; we get what it gives us. It would be far better if we controlled our own destiny. Some of the systems in the last roll out of laptops were not compatible with Parliament's and sometimes not compatible with those in electorate offices. I do not place any of the blame for that on our computer section; I place it down the Terrace.

Mr J.L. BRADSHAW: Are there any plans to bring it under one umbrella?

The SPEAKER: I pray for that. The problem is not only with laptops; it is also with imprest accounts and matters of that nature. They should all be controlled by Parliament and not by the Premier's department. I and the President of the Legislative Council have written about that; as yet there has been no significant movement.

Mr J.L. BRADSHAW: Is dialogue going on between the Department of the Premier and Cabinet and the Parliament on these issues?

The SPEAKER: I would not call it dialogue; I would call it letters going one way with not much response.

Ms M.M. QUIRK: I refer to page 49, the artwork acquisition program under works in progress and completed works. Can I receive an assurance that the artwork acquisition has been Western Australian art?

The SPEAKER: Yes. I had to check to make sure Warburton was inside our border. The main acquisition was the Warburton glass, which is above the former library, which is now a committee room. It is a sensational installation.

Ms M.M. QUIRK: Yes.

The SPEAKER: However, the artwork inside that committee room is on loan from the Art Gallery of Western Australia. We have quite an active arts committee headed by the member for Churchlands, who is upgrading our art collection by making sure that the new councils, especially those created by the split-up of the City of Perth, have a contribution on display. We received one of those contributions only yesterday. The main beauty of the committee that the member for Churchlands heads is that it has very little money and relies on donations. I am quite comfortable with the way the collection is being managed, and I think the Warburton glass was the major purchase.

Mr C.J. BARNETT: I have a question on policy on the use of Parliament House facilities. Is there any policy or guideline for outside parties - I include the Government and the Opposition - using this Chamber, or people holding conferences or meetings, when they are not strictly the conduct of the Parliament or members of Parliament?

The SPEAKER: All external bodies that utilise Parliament must, firstly, meet any extra costs that Parliament incurs. Those events are held, therefore, on a cost-recovery basis. I guess, other than the YMCA Youth Parliament and events of that nature, the question I must ask is: what benefit is there to the State from an event being held here? If there is no overtly political purpose for the event, I approve it. There have not been many events; we have held the Community Drug Summit and the water symposium.

Mr C.J. BARNETT: I think regional chambers of commerce have held their meetings in Parliament.

The SPEAKER: Yes. I am of the view that the more people who can utilise and visit Parliament, the better. However, there should not be an overtly political profile to the event. Sometimes that is not possible, but that is the plan. I think in years to come the use of Parliament for such events will grow rather than reduce.

Mr C.J. BARNETT: I make the observation that there is some resentment among hospitality function centres that the Parliament is being used as a de facto function centre. I agree that it has happened in a very limited way.

The SPEAKER: I hope that is not the case. I understand the economic circumstances of people in that game. There has to be a significant value for the State to host an event here that is not a Youth Parliament-type of event. The use of Parliament for such events has not exploded and I hope it does not, but I believe it will increase over the years.

Mr C.J. BARNETT: On a different topic, again reflecting future capital works, it is pleasing to see the courtyard area being used more often now. However, what hits people when they walk out there is the way the Strangers Bar has been tacked onto the building. Is there any longer term planning to restructure part of it and improve the courtyard?

The SPEAKER: Yes. Plans have been drawn up for the redevelopment of the area. It is probably a more sensitive issue in that I doubt very much whether the Press would appreciate several hundred thousand dollars being spent on improvements to the bar in Parliament. There are plans to have that area developed into a much more user-friendly environment; however, I do not support the current plans that were submitted for the redevelopment of that area. When more acceptable plans are submitted, the redevelopment will move, but it is not a high priority at the moment.

[9.30 am]

Mr P.B. WATSON: Do you think the money spent on the regional and youth Parliaments held in Albany was money well spent?

The SPEAKER: I do. The regional Parliament was a great success. Some press was given to the fact that it cost \$250 000. Despite the fact that I said that that was not the case, it was printed as being the case. We budgeted for \$95 000 for the event and certain costs blew out a little. The actual facility cost more than we anticipated and the technical backup for Parliament cost a little more. At this stage, the cost of accommodation is far less than we had envisaged. After the costs had increased for the hall and the like we thought the cost would be about \$110 000. That appears to be not the case at the moment. Members may not have lodged claims yet. However, if there are no more member claims, the cost will come in under the \$95 000 that we budgeted for. If the balance of the members lodge claims and they come in at the current rate at which members are claiming, the total cost will be approximately \$95 000. It came in on budget because we thought members' claims would be higher. It was a great success.

The function held at the start of the event at the Albany TAFE college was funded through a grant from the 175<sup>th</sup> anniversary celebrations, so the cost of that was external to our costs.

Mr P.B. WATSON: It was very successful.

The SPEAKER: I thought the week-long event was a success. The Leader of the Opposition, Minister for Education and Training and I addressed the students. From all accounts, the youth Parliament was a significant success.

**The appropriation was recommended.**

**Division 2: Parliamentary Commissioner for Administrative Investigations, \$2 784 000 -**

Mrs D.J. Guise, Chairman.

Mr F. Riebeling, Speaker of the Legislative Assembly.

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

Ms D.A. O'Donnell, Parliamentary Commissioner for Administrative Investigations.

Mr P. O'Connor, Manager, Corporate Services.

Mr J.L. BRADSHAW: One of the significant trends on page 54 refers to the fact that the budget reflects the transfer of responsibility for the investigation of misconduct allegations against the Police Service from the Parliamentary Commissioner. What is the difference in that funding? What does the budget reflect?

The SPEAKER: As members will appreciate, the Ombudsman and I are not in regular contact. If the committee agrees, I will allow the Ombudsman to answer those questions.

Ms O'DONNELL: In the short term, the transfer will be the equivalent of the number of FTEs who have moved across to the Corruption and Crime Commission. There is still some flexibility in my budget to allow for potential redeployment of staff. Once the final positions of all staff have been settled between the Corruption and Crime Commission and my organisation, it will be better reflected in the budget. At the moment, the decrease is the actual cost of the FTEs who have transferred across. That is in the order of around \$700 000.

Ms M.M. QUIRK: The second dot point on page 54 relates to the memorandum of understanding with the Corruption and Crime Commission. Is it proposed to undertake a formal evaluation of those arrangements?

Ms O'DONNELL: That is a good question that I had not anticipated. It makes a lot of sense and it would be worthwhile. At the moment, as I said, our focus is very much on ensuring that no-one falls between the cracks. So far, it has highlighted some opportunities that are in Western Australia's public interest. Some matters that might not have been dealt with otherwise are being captured. That is an excellent idea and I will make that an undertaking.

Ms M.M. QUIRK: What matters have fallen between the cracks?

Ms O'DONNELL: When, on my assessment, issues amount to a question of misconduct I formally notify the CCC, as I am required to do. The CCC's assessment may be that the matters are not significant enough for a CCC investigation. When I identify administrative matters that could also form part of that complaint, the CCC will now forward that back to me and we will ensure that the complainant knows that the matter has not been lost and which agency is dealing with it. Matters could arise in which administrative processes are not perfect but issues of misconduct are not serious enough for the CCC to take on.

Ms M.M. QUIRK: Is there any agreement on the time frames for that re-referral to take place?

Ms O'DONNELL: We have included in our MOU the words "as soon as practicable". Both of us agree that it is critical that a complainant understand as soon as practicable where his complaint is and how it will be dealt with.

Mr J.L. BRADSHAW: The second dot point on page 54 indicates that the office has entered into a memorandum of understanding with the CCC. Will other matters besides police complaints be dealt with by the CCC?

Ms O'DONNELL: The CCC will deal with broad allegations of misconduct against public sector officers. I think the CCC has made public pronouncements that it is receiving more referrals than it anticipated. From my office's perspective, more matters are definitely being referred. I cannot tell you the proportion of "police" and "other". However, now that people know we do not deal with police misconduct, our complaints will probably be predominantly about other public sector officers.

Mr P.B. WATSON: The fourth dot point on page 54 states that it is expected that the number of complaints the office will receive in 2004-05 relating to public sector organisations will be 1 800. Is this an increase on previous years?

Ms O'DONNELL: Based on the past couple of years, I expect it to remain steady. I hope that with improved accessibility to the office and heightened awareness, we should see some growth. However, for the moment I have made a conservative estimate.

Ms M.M. QUIRK: Output 3, on page 59, relates to telecommunications interception audits. Is it your role to inspect telephone intercepts conducted by the Western Australia Police Service and the ACC and what is now the CCC?

Ms O'DONNELL: Yes, the two agencies that we audit for their telecommunications intercept processes are those two agencies. In the past, we covered the Royal Commission Into Whether There Has Been Any Corrupt or Criminal Conduct by Western Australian Police Officers. Now that the royal commission and the ACC have been finalised, we are back to those two organisations.

[9.40 am]

Ms M.M. QUIRK: Has the number of staff involved in that process been reasonably static, or has it been increased or decreased?

Ms O'DONNELL: We have had a reasonably static number of staff. We have done either more or fewer audits, depending on our resources. That is the way we have balanced it. I think we have done a good job with the actual number of audits. We do fairly regular audits, not just of central business district locations, but also, where possible, of regional locations to keep the players up to the mark.

Ms M.M. QUIRK: Have any concerns arisen in the course of these audits?

Ms O'DONNELL: They have not.

Ms M.M. QUIRK: Further down on that page reference is made to the participation in the national network of inspectors. Can you explain what that involved?

Ms O'DONNELL: Certainly. There is not a formal network, but there is an informal network. At the end of last year, Tom Sherman, AO, conducted a review, from the Commonwealth's perspective, of telecommunications intercept capacities across the States and the Commonwealth. As a result of that, some recommendations were made about improvements to processes. Our submission was actually cited in the report as good practice. As a consequence, we have been liaising with the Commonwealth and with other inspectors on a current issue: the closing down of the Royal Commission Into Whether There Has Been Any Corrupt or Criminal Conduct by Western Australian Police Officers and of the Anti-Corruption Commission, and the best possible audit process to ensure transfer of all the intercept material to the new Corruption and Crime Commission, as well as a process about destruction of records and the Ombudsman's audit of destruction of records. Those sorts of current issues are being addressed through this informal network.

Ms M.M. QUIRK: As a consequence of that Sherman review, were any issues of concern in Western Australia identified?

Ms O'DONNELL: No, there were not.

Mr J.L. BRADSHAW: A lot of investigation will need to take place to investigate 1 800 allegations. How many full-time equivalents does the Parliamentary Commissioner for Administrative Investigations have? How many complaints does it deal with in a year, and how many are outstanding? Does the office go back several years in some of the investigations?

Ms O'DONNELL: I will take the last aspect of the question first. At the start of last year, we had about 146 longstanding investigations on hand, and we have reduced that to about 108. They were the longstanding matters that we carried over. In any year, I think our target is that we will address 90 per cent of matters within three months - 90 working days. We have been able to achieve that target consistently. In the next budget year we have 22 FTEs. Of those, five will be for corporate services functions, and about 14 or 15 will be investigations officers. That is our pool of investigations officers. In terms of case load, we have a lot of work; there is no doubt about that. To address the demand for our services, we have tried to refocus our practices. Some of the statistics in the budget reflect the refocusing of the practices. We now have an assessments team. The initial complaint letter is subject to a detailed assessment of the jurisdictional issues and the other issues raised. At the outset, we try to give a complainant an expectation of how much time the matter may take to investigate, based on our best estimate. We are looking at improving our work practices to deal with those matters. For me, the most important issue, which was raised before, is that we keep complainants informed and that we let them know the likely time for an investigation. Some investigations can take years.

Mr J.L. BRADSHAW: With regard to the outcomes of those investigations, how many have proved to be true?

Ms O'DONNELL: That is not actually an ombudsman measure. One of the ways in which we look at our performance is when we have made a recommendation for process improvements or changes to agency policies, practices or procedures. I think the figure is that in about 40 per cent of cases we do that. It is less a matter of true in terms of facts; it is often a perception issue. The complainant may feel aggrieved because he has not been treated fairly, in his perception. Very often we find that the issue at the core of it is communication between the agency and the complainant. Things may not have been communicated well. They may have been done abruptly, brusquely or without due consideration to the complainant's circumstances. We can really assist by smoothing those communication processes, sometimes by ensuring that an agency updates its brochures, its web site or its actual policies and procedures.

Sometimes an agency may need to retrain front-line staff to give correct information up front. They are the sorts of ways in which we deal with a complaint. Therefore, "true" is not really a relevant measure. I hope that helps.

Mr C.J. BARNETT: How does your office categorise those approximately 1 800 complaints in terms of agency, severity and type of complaint, and how does it publish that information to make it available?

Ms O'DONNELL: At the moment the primary method is by the agency complained about, and the primary publication of that information is through our annual report. I have my top 10 customers. Police used to be my best customer. That is no longer the case, now that that jurisdiction has moved. Now the Department of Justice and the prison system generate the most complaints to the Ombudsman, and then subsequent complaints come from local governments and the Department of Housing and Works etc. We do not yet have a formal means of classifying the severity of the complaint. This is something that I would personally like to be able to do. I think it is an important reflection of our work in terms of my accountability. It is also important that certain agencies get that feedback. I have made a point here about introducing a report card. I believe agencies need to know from me whether they are giving me the most complex, difficult and time-consuming complaints, because that shows a certain sort of issue. If I get a lot of transaction-based complaints from another agency, the numbers may be high, but the issues may be insignificant, and they may be more readily addressed. I see it as incumbent on me to provide that sort of feedback to agencies so that they can truly address the issues that are drawn to the Ombudsman's attention.

Mr C.J. BARNETT: I have a supplementary question, and you touched on this. The office does not publish information on matters that are classified by type of complaint.

Ms O'DONNELL: No.

Mr C.J. BARNETT: Does the office collect that information?

Ms O'DONNELL: The way we do publish it is anecdotally or qualitatively. When I refer in the annual report to Department of Housing and Works complaints, I highlight a couple of specific issues which have been qualitatively important to my office and which have consumed a lot of resources. In that way, I draw attention to those matters. I do not have categorisation in the way that an industry ombudsman does of level 1, 2 or 3 complaints, which indicates, by the number, the complexity. However, I am looking at whether we can deliver that in Western Australia.

Mr P.B. WATSON: On page 58, the last dot point of the major initiatives for 2004-05 states -

Expand outreach program, where possible in partnership with other accountability agencies or community organisations . . .

Does this mean that people in country areas will have better access to the Ombudsman?

Ms O'DONNELL: I would hope they have better awareness. One of the things that we have under way is a partnership with the CCC, the Ombudsman and the Commissioner for Public Sector Standards. Our three agencies will be targeting key regional areas, particularly for government employees, so that they understand the difference between our three agencies and our jurisdictions. I also have a program this year and next year, in partnership with the Commonwealth Ombudsman, for elected members' staff and for some key regional areas. Again, citizens may have complaints about Centrelink, the Australian Taxation Office or their local government shire. They need to know that one or other ombudsman will deal with it, but that an Ombudsman will deal with it. Therefore, where possible, I am trying to partner. Obviously, that is driven by cost and by staff who are available to make that sort of outreach campaign possible. It seems to me that if we can sell that message effectively, rather than in an ad hoc way, it is better for citizens.

Mr J.L. BRADSHAW: There was a bit of a problem with computer programming. I would like to know whether that has now been overcome and the system is working efficiently, or was another program brought in to take over from the one that was being worked on in the Ombudsman's office?

[9.50 am]

Ms O'DONNELL: We have the existing system, which is working efficiently. There are no issues. There has been minimal expenditure on it in the past two and a quarter years that I have been here. It is a good, core system for ombudsman data. We are looking at refinements, but they are marginal. In my judgment, it is a good, solid system.

Mr J.L. BRADSHAW: Is that the one that caused all the concerns?

Ms O'DONNELL: Yes. No new system has been bought. I do not have the capital, and, in my judgment, it is not necessary. The system does what the Ombudsman requires it to do.

Mr C.J. BARNETT: How many of the approximately 1 800 complaints are received from within the public sector, broadly defined?

Ms O'DONNELL: I am afraid I cannot give that answer. My feeling is that it would not be a large proportion, judging from the letters I read every day from complainants. Off the top of my head, I estimate it may be 10 per cent.

**The appropriation was recommended.**

[10.00 am]

**Division 28: Justice, Outputs 1, 2, 5, 6, 13 and 14 -**

Mr D.A. Templeman, Chairman.

Mr J.A. McGinty, Attorney General.

Mr A. Piper, Director General.

Mr P.J. King, Director, Financial Management.

Mr R.W. Warnes, Acting Executive Director, Court Services.

Mr P. E. Robinson, Manager, Budgets and Planning.

Mr G. Turnbull, Director, Legal Aid Commission.

Mr M.J. Cribb, Manager, Finance, Legal Aid Western Australia.

Mr G. Zimmer, Acting Executive Director, Corporate Services.

Mr A.J. Marshall, Director, State Administrative Tribunal Project.

Mr M. Byrne, Chief Consultant, Corruption and Crime Commission.

Ms S. Martin, Manager, Public Affairs.

Mr P. Nella, Manager, Executive Support, Office of the Director General.

The CHAIRMAN (Mr D.A. Templeman): This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated fund; this is the prime focus of the committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* when a clear link remains between the questions and the estimates.

It is the intention of the Chairman to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which supplementary information he agrees to provide, and I will then allocate a reference number to that information. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the committee clerk by 11 June 2004 so members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers, and, accordingly, I ask the minister to cooperate with those requirements. I caution members that if the minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide will be sought by 11 June 2004.

With regard to questions, as part of the estimates process, and if members have a further question, please refer to it as a further question, not a supplementary question. I have just outlined supplementary information in my preamble.

We are dealing with division 28 and a number of outputs relate to that division. It is my intention to work through division 28. If members have questions relating to specific outputs, could they progress through those rather than jump backwards and forwards.

Ms S.E. WALKER: Output 1 refers to judiciary and judicial support. Does that output relate to the provision of judges and magistrates?

Mr J.A. McGINTY: Yes.

Ms S.E. WALKER: In the Chief Justice's annual review of Western Australia's courts 2003 he states that the Supreme Court is in crisis and needs a further judge. Why has another judge or two judges not been provided for the Supreme Court this year?

[10.10 am]

Mr J.A. McGINTY: An additional judge was appointed to the Supreme Court last year. That was Justice Narelle Johnson. That appointment was made in anticipation of the formation of the State Administrative Tribunal, which at that stage we hoped would come into effect on 1 July last year. We had hoped that the legislation would be passed in time. Justice Johnson is working in the general area of the Supreme Court and as such represents the addition of one extra judge to the Supreme Court last year.



It is true that Justice Michael Barker has been spending some of his time, in addition to his Supreme Court duties, working on the establishment of the State Administrative Tribunal. In addition, we have appointed a number of commissioners or acting judges of the Supreme Court. For instance, at the moment Mr Michael Odes, QC is a commissioner of the Supreme Court. There have also been other appointments of that nature during the course of the past 12 months, all designed to alleviate the pressure on the court. We also propose, and there is provision in this budget, that a further additional judge be appointed to the Supreme Court through the establishment of the court of appeal. It is my hope that legislation to amend the Supreme Court Act and to establish the court of appeal will be introduced into the Parliament in the current session and that an additional appointment will be made in that area. If I can summarise my answer, we have recently appointed an additional judge to the Supreme Court, and we are about to appoint another, and we also have acting judges or commissioners of the Supreme Court, all of which is designed to alleviate some of the pressures on the Supreme Court.

Ms S.E. WALKER: I again refer to the comments of the Chief Justice of Western Australia in his "2003 Annual Review of Western Australian Courts", and more recently in the *Sunday Times* of this week. Why has the Attorney General not responded to the Chief Justice's call for additional judges, in view of the fact that the Supreme Court deals with serious indictable matters such as murders, and bearing in mind also - perhaps the Attorney can confirm this as well - that the daily muster is now 3 100, according to Mr Piper, and that the imprisonment rate is back up to what it was previously?

Mr J.A. McGINTY: As I have mentioned, there is provision in this year's budget for the appointment of an additional judge to the Supreme Court on account of the establishment of the court of appeal. There was an additional appointment to the Supreme Court last year in the form of Justice Narelle Johnson. An extra judge has also been appointed this year. In addition, Michael Odes, QC is on a three-month acting appointment to the Supreme Court. Late last year, retired judge Henry Wallwork, QC accepted what I think was a two-month appointment - it could have been a three-month appointment - up until Christmas to help alleviate some of the problems that have occurred. The appointment of extra judges to the Supreme Court has been undertaken. The question of efficiency in the courts is very important to us. Seven Bills are currently before this Parliament, all of which have been passed by the Assembly and are now in the Legislative Council. Those Bills are designed to modernise and make efficient the Magistrates Court, which is, of course, where most people have their interaction with the justice system. That will lead to a far more efficient Magistrates Court. That of course complements the abolition of preliminary hearings or committals some two years ago. In addition, we have been working closely with the District Court - namely with former Chief Judge Kevin Hammond, and the new Chief Judge, Antoinette Kennedy - to ensure that that court operates at maximum efficiency. I will hopefully be able to provide some information later during the course of these estimates hearings on the impact of legislation that has been passed by this Parliament and what we expect will happen with the great number of criminal cases in the criminal jurisdiction of the District Court. Some modelling has been done between the Police Service and the Department of Justice that indicates that the effect of transferring jurisdiction in lesser matters from the District Court to the Magistrates Court should have an enormously beneficial effect on the listing intervals or delays for trials in the District Court. I am very happy with the great progress that we are making in the District Court and the Magistrates Court.

Mr P.B. WATSON: I refer to page 456, significant issues and trends, the third dot point from the bottom of the page, which states -

Supplying justice services that are appropriate and responsive for those living in regional and remote communities.

What does that mean?

Mr PIPER: As the member would be aware, there has been an ongoing commitment to improving the facilities, particularly for the delivery of justice services, in regional Western Australia. Work has commenced in the past couple of months on a significant new justice complex in Albany. The first stage of that is due for completion early next year. The work will be done in three stages, including, in the second stage, a significant refurbishment of the old heritage courts in Albany, through to a new police complex that will sit alongside the courts and provide not only much needed additional court capacity and new police facilities but also the capacity for the courts to work much more efficiently. The older court design did not provide the auxiliary spaces that are required for interviews or for victim support services and other services to work. All of those facilities will be built into that new complex. That will significantly improve the quality of services in that regional town. That follows a pattern of construction of new regional centres. In terms of remote service delivery, the commitment of funds in response to the Gordon inquiry will result in multi-functional police facilities, of which justice will be a significant part. That will improve the delivery of court services in these remote locations, as well as policing, which is the obvious front-runner in the way in which it has been put together. A range of significant initiatives are operating around the State to ensure that both regional and remote Western Australians receive better services.

Ms S.E. WALKER: I again refer go output 1. At page 36 of the Chief Justice's annual review he refers to the under-resourcing of the Drug Court and the need for more courts assessment and treatment services officers. Why has that not been provided for in the budget?

Mr J.A. McGINTY: There has been a review of the operations of the Drug Court. The Drug Court was established some years ago as a pilot. At the expiry of its pilot status, I gave an undertaking that the Drug Court would continue and that legislation would be introduced to deal with a range of matters affecting the Drug Court. We have introduced legislation dealing with pre-sentence orders to extend the time for which the Drug Court can have jurisdiction over an offender, and we are currently drafting further amendments to deal with post-sentence orders, as requested by the presiding magistrate of the Drug Court. The results of the assessment of the Drug Court were disappointing.

Ms S.E. WALKER: Is that the Crime Research Centre report?

Mr J.A. McGINTY: Yes. The assessment did not reveal the success that I had hoped the Drug Court would have brought about. In part that is because of legislative constraints on the Drug Court.

Ms S.E. WALKER: The Chief Justice disagrees with your view.

Mr J.A. McGINTY: I think it is up to individuals to read the evaluation of the Drug Court. It is quite clear that the Drug Court has not been the success that people had hoped. We have identified that the proposed legislative changes could enhance its operation. It is an idea that is worth persevering with, and it is one that I hope will have longer-term beneficial effects, but it must be said at this stage that the runs are not on the board yet.

[10.20 am]

Ms S.E. WALKER: I have a further question of the Attorney General. The Chief Justice's report states -

... independent evaluation of the ... Court undertaken by the Crime Research Centre ... found that the ... Court's pilot phase was a positive and innovative step forward in dealing with drug-dependent offenders. The DCP is under-resourced as there is only one Courts Assessment and Treatment Services officer allocated. The intensity of the program and its holistic nature are key features to keeping young people out of trouble. However, without additional resources, the numbers of participants on the program will always remain low.

Is that not of concern to the Attorney General? This Drug Court is keeping people out of trouble, yet the Attorney General is not resourcing it adequately. Does he want it to fail?

Mr J.A. McGINTY: The Drug Court was set up basically using the provisions of the Bail Act, which everyone recognises is an inadequate legislative basis for it. We want the Drug Court to succeed -

Ms S.E. WALKER: You are not resourcing it.

Mr J.A. McGINTY: We want the Drug Court to succeed because it can address drug-related behaviour, which everyone recognises is the major contributor to criminality in the community. I do not think anyone denies that link. We therefore must deal differently with people whose criminality is related to their drug taking. For that reason, legislative changes are being put in place. We will not simply throw resources at something that is not currently delivering the goods. We hope that the Drug Court will have a greater success rate with the legislative changes, in which case it will be resourced to a higher level. However, we must be prudent in the way we manage resources. Until the legislative changes are in place and demonstrably good results are being achieved, we will not throw good money after bad.

Ms S.E. WALKER: That is nonsense.

Mr J.A. McGINTY: However, once the appropriate legislative framework is in place, we hope to make a greater investment in the future by being able to turn around the lives of a lot of drug-affected offenders.

Ms J.A. RADISICH: I refer to page 456, the third dot point, "review of fines enforcement and expanding time to pay options". As the Attorney General is aware, none of us should offend, but from time to time, particularly with traffic matters and so forth, we do - no-one is immune to Multanovas and such things. Some people have a greater ability to pay a fine and avoid an increasing debt compared with others who are unable to immediately pay a fine. What is proposed by this reference in the budget papers?

Mr PIPER: In the current fines enforcement system people either pay a fine in full at the enforcing agency or it passes into the Fines Enforcement Registry. A fine that goes to the Fines Enforcement Registry incurs a reference fee and the fine is, therefore, increased. However, at that point people can opt to pay the fine under the current time-to-pay arrangements. Clearly, some people in Western Australia do not have the capacity to pay immediately but have the intention to pay in full. In the same way that many other agencies of government have introduced a periodic-payment option as part of their normal billing services, it makes sense for people who have fines and intend to pay them, but cannot pay the full amount straight away, to opt at the originating agency to pay in instalments, as they do with Water Corporation and Western Power bills. If this option were introduced, which is the intention, people will not then incur an extra cost from a reference to the Fines Enforcement Registry. It is also clear, as it is with any other debt, that the sooner the fine is paid or agreed to be paid, the higher the recovery rate. Both of those aspects will go together to provide a better service and to increase the efficiency of the system. They are currently being considered at a policy level and are planned for introduction.

Ms J.A. RADISICH: In what rough time frame might we expect implementation of the proposal?

Mr PIPER: The proposal is fairly fully formulated at policy level and is, therefore, subject to the normal review process for introduction. As indicated in the budget papers, I expect that its introduction is planned for the next budget year. I see no reason why it would be delayed.

Ms S.E. WALKER: I refer again to output 1 on page 461, which states -

A prime task of the justice system in serving the community is the determination of cases brought before a court or tribunal. This output relates to financing the cost of judicial officers (and their support staff) to enable them to make those determinations.

My last question to the Attorney General on the Drug Court is about my great disappointment - and I am sure the judiciary's - at the Attorney General's lack of support for the Drug Court. The evaluation of the Drug Court found that the court's program, at least in the short term, reduces the number of offenders with substance abuse problems and addictions who are being imprisoned. There was evidence to suggest that there was reduced drug abuse by those subjected to the Drug Court regime; and that although the cost of dealing with those offenders through the Drug Court was considerably more expensive than through conventional courts, the new costs associated with the Drug Court were largely offset by the reduction in prison and detention costs for offenders through traditional sentencing. Although the results of recidivism were inconclusive, no significant differences were observed in the recidivism rates between Drug Court offenders and comparison groups. Why has the Attorney General not supported - or will he consider supporting - what the Drug Court is requesting, which is not another judge, but a person who can assist the judge in her work in the Drug Court?

Mr J.A. McGINTY: The answer to the member's question, in fact, is found in the question; this is what caused me concern about the Drug Court. During the Drug Court's trial period the evaluation indicated no significant difference in recidivism rates between offenders who went through the Drug Court and offenders who did not.

Ms S.E. WALKER: It was inconclusive.

Mr J.A. McGINTY: It found no evidence to suggest that it had been beneficial in reducing recidivism rates.

Ms S.E. WALKER: It was inconclusive, Attorney General. It may be that it needs more resources and you might find -

The CHAIRMAN: Member for Nedlands, the Attorney General is attempting to answer your question.

Mr J.A. McGINTY: The evaluation found that there was no significant difference in recidivism rates. The whole purpose of innovative programs such as the Drug Court is to make our community safer by preventing people from reoffending. To my mind, if the evidence from a number of years of operation of the Drug Court is inconclusive, it indicates that it is not yet achieving what the Government hoped it would achieve. The primary problem that has been identified, including a declining number of people going to the Drug Court, is the legislative basis for the Drug Court. That, in part, has been addressed with the changes that have been made to the Sentencing Act. It will be further addressed when we bring into the Parliament provisions for post-sentence orders, all of which are aimed fairly and squarely at making the Drug Court more efficient and able to deliver better outcomes. We are not throwing resources at a program that appeared to be a good idea at the time; we are trying to do something that is evidence-based.

Ms S.E. WALKER: You are letting it run down.

Mr J.A. McGINTY: When we provide the proper legislative basis, we will then examine the way in which the Drug Court is operating and whether it is delivering the results we hoped for. When it is, I think the member will find that far more resources will be invested in a program that works rather than a program that at this stage the jury is out on.

Ms S.E. WALKER: Not the Chief Justice.

Mr P.B. WATSON: I refer to the sixth dot point on page 456, which reads -

Implementing a Drug Plan to manage both the prevention of, and access to, drugs amongst offenders as well as assistance in rehabilitation programs in prison and the community.

Can I have some more details on that?

[10.30 am]

Mr J.A. McGINTY: Part of the difficulty with today's session is the division of responsibilities for justice between the Minister for Justice and me as Attorney General. Matters of a prison or community justice orientation should be put to the Minister for Justice later today. My involvement is of the more limited basis relating to the operation of the courts and some of the other related justice agencies, not so much the prisons.

Ms M.M. QUIRK: The sixth output on page 457 is for preparation of legislation. Does parliamentary counsel have sufficient resources to meet current drafting needs?

Mr J.A. McGINTY: When the Government of the day wishes to have legislation "drafted yesterday", the question is always asked about whether the resources are adequate to meet that need. Regardless of resources, in seeking excellence in its drafting, parliamentary counsel will sometimes deliver something that is not in accordance with the

political agenda of the Government of the day; namely, the requirement for it to be done very urgently. There has been an increase in this year's budget of \$252 000 to ensure parliamentary counsel is able to manage the increase in demand of volume and complexity of legislation required by the Government. That additional funding will enable parliamentary counsel to continue to provide the standard of service that it has in the past. As I said, sometimes the time frames taken to draft legislation are not those that meet the Government's agenda. Nonetheless, those time frames must be set in order to achieve a high standard of drafting. Often an agenda requires legislation to be drafted quicker than parliamentary counsel is humanly able to do so. However, I am satisfied that it has sufficient resources to provide the necessary drafting.

Ms M.M. QUIRK: I note on page 469 under "Output Performance Measures" that the estimated target for the number of pages of output is decreasing. Does that factor in that there is likely to be less parliamentary business because of the election later this year?

Mr J.A. McGINTY: Over the past several years some very lengthy and complex pieces of legislation have been drafted. The State Administrative Tribunal legislation was the biggest piece of legislation ever introduced into this Parliament. As we move into the election period, we are likely to see a fall-off in the length and complexity of some of the legislation. However, I expect that to pick up again in the following financial year.

Ms S.E. WALKER: I refer to output 1 for judiciary and judicial support on page 457. The Attorney General introduced legislation that came into effect on 1 December 2002 to allow de facto couples to apply to the Western Australian Family Court to have their financial differences dealt with. Although the Commonwealth has given the Family Court of Western Australia an additional \$4.1 million to enable the appointment of additional judicial resources to hear federal family law matters, the Attorney General has allocated the Family Court for this legislation only \$183 000 to cover increased costs and nothing else. I understand from talking to a Family Court judge on Friday that no further funding has been forthcoming. In his report, the Chief Justice raised that issue. Why is the Attorney General not resourcing the Family Court given that his legislation is having an impact on it?

Mr J.A. McGINTY: The agreement between the Commonwealth and the State provides that, because Western Australia is the only State to have a state-based Family Court, all the judicial resources of the Family Court are met by the Commonwealth Government, as they are everywhere else in Australia. In other words, when the Commonwealth Government meets the entirety of the judicial resourcing of the Federal Court, it is not appropriate for the State to pick up the commonwealth responsibility of funding the Family Court. That is why former commonwealth Attorney General Daryl Williams agreed to a recommendation that I put to him - I think two years ago or a bit longer - that a joint commonwealth-state study be undertaken of the resourcing requirements for the Family Court. That resulted in the Commonwealth making provision in its budget 12 months ago for an extra \$1 million a year - \$4 million over four years - to which the member referred. That was designed to ensure that Western Australia received a fair share of the funds made available for family law throughout Australia. That has resulted in the appointment of Mr Stephen Thackeray as an acting judge of the Family Court. I am delighted to be able to report that the additional judicial resources funded by the Commonwealth, as it should do, have resulted in a significant reduction in the delay of trials in contested matters in the Family Court.

The Commonwealth has responsibility for funding the Family Court. We raised with it the inadequacy of the funding and it responded by increasing it by \$1 million a year. That has had an immediate and beneficial effect on the operations of the court.

Ms S.E. WALKER: I think the Attorney General is being tricky here. I refer to page 16 of the Chief Justice's report. It is true that the Commonwealth has provided \$4 million for additional judicial resources. However, that is for matters of expenditure agreed to between the States. The Attorney General introduced this legislation with which the Commonwealth did not agree, and now he is not resourcing it. According to the Chief Justice, the Commonwealth has declined to provide additional funding to cater for the increased workload from the granting of the new jurisdiction of the court. In his report, the Chief Justice states -

In the year under review, the State Government provided \$183,000 to cover increased costs associated with it . . .

He is referring to the legislation introduced by the Attorney General, and he says it was most welcome. It continues -

To date, however, no further funding has been made available by the State. If it is not forthcoming, there will be two possible consequences, namely:

- (a) moneys intended for additional judicial resources may not be available to be used for that purpose; and,
- (b) the Court will be placed in the position of carrying on its business, contrary to the Commonwealth/State Agreement, a fact of which the Attorney-General has been made aware.

Is the Attorney General aware that, in the first seven months of the legislation, the court opened 128 new files involving financial issues between de facto partners? The Attorney General introduced this legislation with a lot of fanfare, giving

hope to women and de facto couples that the court would be able to deal with their financial settlements. However, he is not resourcing it. Will he reconsider giving resources to this area so that the court can properly function?

Mr J.A. McGINTY: The court is not only properly functioning but also it is dealing with all the applications more expeditiously as a result of the extra \$1 million made available by the Commonwealth.

We have a unique Family Court in Western Australia. Whether it is the best model is something that can be perhaps debated on another occasion. It is unique in that Western Australia is the only place in which there is a state-based Family Court. As a result, we have been able to offer de facto couples that have a broken relationship the resources of the Family Court to resolve their property disputes. That has not been possible anywhere else in Australia. The federal Government - when Daryl Williams was federal Attorney-General - requested that each State refer power over de facto relationships and property matters arising out of de facto relationships to the Commonwealth so that the Commonwealth could follow the Western Australian model; that is, to amend the commonwealth Family Law Act to include provisions for dealing with the property of de facto couples.

[10.40 am]

Ms S.E. WALKER: But not of same-sex couples. That is the difference.

Mr J.A. McGINTY: In Fremantle there was a meeting of Attorneys General about 12 months ago - it might even be a little longer than that; it might be 18 months ago - in which each of the States agreed to refer powers to the Commonwealth in respect of de facto couples' property disputes in the event of a breakdown of that relationship. The federal Government is very keen to follow the Western Australian model and to invest the Family Court of Australia with jurisdiction to deal with de facto property matters.

The Western Australian Government has in the past reacted to these issues - for instance, in respect of exnuptial children or the children of a de facto relationship - and each of the other States has referred power to the Commonwealth in respect of those matters, so that the Family Court of Australia deals with de facto children in the same way that it deals with children of a marriage. The Commonwealth Government funds the State Government in Western Australia to deal with de facto children matters. The federal Government is currently working on legislation to mirror Western Australia's provisions regarding de facto property in the federal Family Law Act.

Ms S.E. WALKER: No; be truthful.

Mr J.A. McGINTY: I have no doubt, when that legislation passes the federal Parliament, that funding will be made available to Western Australia for de facto property issues. Therefore, I do not see a problem with de facto property matters.

Ms S.E. WALKER: Be truthful, Attorney General.

Mr J.A. McGINTY: Just let me answer the question.

The CHAIRMAN: I remind members that our intention is to get through as many questions as possible so that we have a proper and correct review of the estimates. This is not a time for debate. This is a time to have questions asked and answered.

Mr J.A. McGINTY: Put succinctly, the federal Government supports the notion of the Family Court dealing with de facto property matters. I have no doubt that the federal Government, in the same way that it funds de facto children matters, will fund de facto property matters when that is resolved. It is early days. Western Australia has led the field in this matter to date.

It is true to say that the current federal Government does not support providing a mechanism for resolving the property disputes between same-sex couples in the same way that it does for other de facto couples. At this stage we are at odds with the current federal Government. I suspect that, in the fullness of time, the federal Government legislation will fall in line with the Western Australian legislation and provide a mechanism for the Family Court of Australia to resolve property disputes between same-sex couples as well. In a sense we are in an in-between phase at the moment. We have a difference with the federal Government over same-sex couples; we do not have a difference in principle over de facto couples. However, each of those matters is being properly handled by the Family Court in a very efficient way and in a way that is bringing an improved service to the people of Western Australia.

The CHAIRMAN: For the benefit of Hansard, I need to ask the member for Nedlands to identify the document from which she has been reading, so that Hansard is clear about where she has been quoting from.

Ms S.E. WALKER: Certainly. It is the "2003 Annual Review of Western Australian Courts" - I think it was December - by Hon David Malcolm, AC, Chief Justice of Western Australia.

The CHAIRMAN: I would be grateful if the member would provide Hansard with a copy of that at the end of the session.

Ms J.A. RADISICH: I refer the Attorney General to output 9 on page 460, which deals with the Guardianship and Administration Board. A concern that I have held for some time is that when somebody's property goes into

administration, there is no independent assets register of their belongings, or any register whatsoever, whether that be done by the family or the Guardianship and Administration Board. I am aware of such a case. The administrator may fall out with the family concerned, and the family may find that some important and prized family possessions owned by the person whose property is in administration suddenly disappear. The family has no way of proving they ever existed or of reclaiming them from the administrator, although it may be known by hearsay that those items still exist and are in the possession of the administrator. I would like to know the Attorney General's views about whether the system is proposed to be changed or could be changed in any way so that people's possessions can be properly accounted for and put on a public record.

Mr J.A. McGINTY: It is a difficult question to answer because of the overlap between the responsibilities of the Minister for Justice for the Public Trustee and also for the Public Advocate. I think the minister will be here this afternoon, and she might be in a better position to answer that question. It is a real issue; I acknowledge that. However, I suggest that that question might best be put to the Minister for Justice this afternoon. I am sorry about that.

Ms M.M. QUIRK: I refer the Attorney General to page 456 and to the reference in the fourth dot point from the bottom of the page to the planning and construction of the new central business district court complex. How is that progressing?

Mr J.A. McGINTY: I am very pleased that we will see a significant improvement in the court facilities in Western Australia as a result of the construction of the new District Court building on the corner of Hay and King Streets in Perth. It will also be a public-private partnership. Cabinet has approved the funding, which is estimated at \$152.996 million. It will give the District Court its own dedicated court facilities. It will also enable the existing Central Law Courts to be refurbished as a Magistrates Court, and will significantly enhance the operations of the intermediate and lower courts in Western Australia. One of the very significant things that will come out of the new CBD courts project that is planned is a high-security, state-of-the-art courtroom. That will be the centrepiece of the new CBD courts development. The court will incorporate the latest security measures to protect witnesses, particularly vulnerable witnesses and children, and to protect jurors, the judiciary and members of the public.

We expect that all criminal trials that currently take place in the Supreme Court will also take place in this new facility. Therefore, the worst criminal trials in the State will take place in this new building. That is the reason we are providing a state-of-the-art, high-security, high-tech court in this building. The security measures that will be incorporated in it include separate entry routes for the judiciary, persons in custody, jurors and the public; security scanning equipment and systems to screen people entering the court for weapons; surveillance equipment in and around the courts; and mail and parcel screening for incoming deliveries. The court will also incorporate the latest audiovisual and computer facilities. The technology will not be dissimilar to the facilities that are in place for the trial that is taking place in Darwin at the moment of Bradley John Murdoch, who is accused of murdering Peter Falconio. Currently, high-security trials involve significant and costly modifications to existing facilities. An amount of \$1.8 million has been allocated in 2004-05 for the planning and management of the CBD court project, and two consortia led by some of Australia's top financiers and builders are bidding for the right to develop the new facility. The consortia will present their concepts to the State Government later this year. The construction of the new facility and refurbishment of the existing building are expected to be under way by the end of the year, with some demolition perhaps occurring a little earlier than that.

[10.50 am]

Ms M.M. QUIRK: I have a further question. When the Attorney General talked about the fact the project was to be a public-private partnership, the Leader of the Opposition uttered the words that he thought it was disgraceful. What assurances is the Attorney able to give in terms of the arrangements -

Mr C.J. BARNETT: I raise a point of order, Mr Chairman. If the member for Girrawheen wishes to question me about the court complex, I am happy to answer any question. It is not up to the member for Girrawheen to ask a question of the Attorney General about my comment that I happen to think a public-private partnership for that sort of deal is not sensible economics. That is my opinion. It is not up to the member to ask such a question. If she wants to ask a question of me, she should jump over to the other side of the Chamber with the Attorney General and ask questions this way.

Ms M.M. QUIRK: I can rephrase the question.

Mr C.J. BARNETT: No, the member cannot do that.

The CHAIRMAN: Members! The member for Girrawheen's question needs to refer to a line item.

Ms M.M. QUIRK: It relates to the fourth dot point from the bottom of page 456 of the *Budget Statements*.

The CHAIRMAN: The member will repeat her question without reference to the Leader of the Opposition.

Ms M.M. QUIRK: I refer to the fourth dot point from the bottom of page 456 relating to the CBD court complex - that is, hyphen point number three.

The CHAIRMAN: What is your question, member for Girrawheen?

Ms M.M. QUIRK: I understand that the building of the CBD court complex will be on a public-private partnership basis. What guarantees are being put in place to ensure that the project meets all the transparency and accountability requirements?

Mr J.A. McGINTY: I will make one or two brief introductory comments, and then ask the director general to add comment.

The previous Government built the Fremantle Courthouse under a similar public-private partnership arrangement. We have learnt from that experience: I believe additional costs were foisted on the State as a result of that arrangement regarding the Fremantle Courthouse. We have worked closely with Treasury to ensure that the State will get value for money in the provision of not only the courthouse, but also the services to go with it, particularly security services. Member should bear in mind the fact that the worst criminal trials in the State will take place in this CBD court, as well as the inadequacy of the current facilities. Anyone who has been to the Supreme Court in this State will be unfavourably impressed by its lack of security. Difficult trials have been conducted there. I think particularly of the two bikie trials involving the murder of Don Hancock and Lou Lewis. The first trial had to take place amid much secrecy. The closure of the court was the only means by which that security could be provided on that occasion. The subsequent trial was accompanied by enormous security measures in a building not designed for that purpose. In future, such trials, although still conducted in the Supreme Court, will be transferred to a purpose-built facility.

On one occasion, in the presence of the former Chief Judge of the District Court, I went through the lockup and the other facilities that back up to the courts in the existing Central Law Courts, and as the two of us were walking along one corridor, Graeme Slater, the bikie charged with the murder of Don Hancock, was walking along the corridor and brushed past both of us. That signified the lack of security. I will get the director general to comment.

Mr PIPER: Two issues were raised by the member, both of which I am happy to address. First, why would one undertake a public-private partnership in this deal, which is complex and needs to add real value? The simple answer is that the facilities that are being sought are particularly complex, not only in their design but also in their relationship with the services to be delivered. The full cost to the people of Western Australia is not only in the cost of building a building, but also the cost of running the building with incorporated services. What normally happens in a government-run project that is built and operated afterwards is that services become an add-on. In an area of significant complexity around criminal trials, particularly when seeking a significant upgrade in security, the capacity is provided to focus a consortium in one proposal on the physical and security issues as well as the service delivery. Ownership of the total package can be taken over a period in a way that gives a better outcome and manages the risk to the State. It has been carefully looked at.

Regarding the member's question about project control, guidelines for a public-private sector partnership have been published and are well and truly in the public arena. This project is being run strictly in accordance with those guidelines. Unlike other such projects around Australia that have reached the end and do not feel right when people from Treasury, for example, run a rule over them, risk assessment has been involved in the Central Law Courts proposal every step of the way, and the private sector comparator has been built into the project. It is thoroughly worked through in detail by Treasury, and the process requires the Government to also review the documentation as part of the process. It is not as though the department takes it and runs the project. It has been thoroughly scrutinised. It is also run through a strict steering committee structure that includes probity audit of all relationships and arrangements as they proceed. It is our view, based on where we are - we are mid bid at the moment - and the responsiveness we are starting to see from the bidders, that this will be a very successful project.

Ms M.M. QUIRK: I have a further question on this matter.

The CHAIRMAN: The member for Girrawheen can come back to her line of questioning. We need to move on. I call the member for Nedlands.

Ms S.E. WALKER: I note that the one and a half pages of significant issues and trends starting on page 455 are exactly the same as those of last year, except for the last point that states that Western Australia has the highest rate of imprisonment of all Australian States; that is, last year the sentence concluded with "except the Northern Territory", and that reference is deleted in this year's papers. Staying with the construction of the new CBD court complex, it is true, is it not, Attorney General, that there is not a single plan yet for the project and there is nothing to show for this proposal after three and a half years in government? The Attorney General looks a little quizzical.

Mr J.A. McGINTY: I refer to the director general.

Mr PIPER: A typical construction process would see the State employ an architect, who works out a design. That design then goes out to contract, and the design is built. The way that a private sector partnership works is that the State undertakes what is called a technical public sector comparator. Architects have been working on the technical brief in a substantial amount of detail. This process gives flexibility to the bidders to introduce the innovation spoken about. The bid process will result in a fully formulated service plan and a design that will be submitted as part of the proposal back to government. Two competing design teams are working in parallel to offer the best innovations to the State. No, we have not settled on a design yet as all matters need to be balanced. However, the State will have a design, and it is expected to be taken to contract in the fourth quarter of calendar year 2004.

Ms S.E. WALKER: Attorney General, what is the effect of the cost of capital - interest rates, for example - conferred through financing the projects directly through Treasury?

The CHAIRMAN: Is this still in reference to page 456?

Ms S.E. WALKER: Yes.

Mr PIPER: We do not yet have proposals on financing. They will be part of the bid. The total cost of the project is not a financing cost. It is a case of the total cost of ownership, including services. Part of the bid that will come in will include the cost of services, the cost of construction and the cost of financing. We have a public sector comparator that will allow that to be compared.

[11.00 am]

Ms M.M. QUIRK: I refer to the third bullet point from the end on page 456 relating to supplying justice services to regional and remote communities. What is the Government doing to deal with the problem of petrol, glue and paint sniffing, the results of which are wreaking havoc in the remote Aboriginal communities?

Mr J.A. MCGINTY: I think everyone is aware of the acute nature of the problem and the effect it is having on young children, particularly Aboriginal children, in the remote parts of Western Australia. While it is something that is substantially confined to young Aboriginal males living in these communities, it is by no means exclusively confined to those people. The Department of Health has advised that research shows that approximately 20 per cent of all young people have tried sniffing volatile substances, such as petrol, glue, lighter fluids, aerosols and spray paints. It is a very significant issue. Surveys conducted in other States, particularly in South Australia and Arnhem Land, estimated that nearly half, some 49 per cent, of people in those communities were using petrol for sniffing. The effect of petrol sniffing has been described as similar to being very drunk and has similarly contributed to accidents and antisocial behaviours as well as death. Short-term effects can include euphoria, slurred speech, double vision, excitability, uncoordinated movements and, on occasions, unconsciousness from overdose. We are all aware of the longer-term effects, which can include brain damage, weight loss, fatigue, tremors, violent outbursts, depression, social and sociological developmental problems. We need to address all of those issues, because it amazes me that supplying volatile substances such as petrol for the purposes of sniffing is not a criminal offence. We intend to bring into the Parliament in the second half of this year legislation that will make it an offence to supply for the purposes of inhalation any of those drugs or volatile substances. This was requested by the magistrate in Kalgoorlie, Mr Sharratt, when I recently visited him to discuss justice issues in the goldfields, and he said that it had come from people in the Aboriginal communities, particularly the community at Warburton, which sought greater powers to be able to address the very damaging crime-related issues in that community. The story that was relayed to me, which I believe, is that older people are providing small quantities of these volatile substances, often either for exorbitant prices or in return for sexual favours. These people will often be - and I use the term deliberately - paedophiles in these communities who exploit young people for the purposes of sexual gratification and destroy their lives in the process. That seems to be something crying out for a criminal justice response. There is no capacity to do that at the moment. While not seeking to impact on people who legitimately provide petrol or glue for legitimate purposes, when it is provided in a small quantity - maybe one centimetre or less amount of petrol in the bottom of a jam tin - it can only really be used for one purpose. When the purpose for which it is supplied is inhalation, we will regard that as a serious criminal offence with a penalty of imprisonment associated with it in order to offer some assistance to those communities to get them back to a functional level.

Ms S.E. WALKER: The planning and construction of the new central business district court complex is referred to on page 456, but plans have not been prepared as yet. What is the cost of capital construction alone and can it be guaranteed that this is less than the cost of financing directly through Treasury?

Mr PIPER: As I indicated in my earlier comment, the way that the PPP process works - and it is fully documented in the publicly available document - is that we require both a detailed finance and risk model that incorporates the total cost of ownership and finance, including the cost of financing. A formula is developed well in advance of getting bids for deciding whether that will operate to deliver best value to the people of Western Australia. The bids that come in either meet that hurdle or they do not. On that basis the evaluation will be of the total financing and outcome package in accordance with that model and it will be audited by Treasury.

Ms S.E. WALKER: Is it cheaper than Treasury finance or not?

Mr PIPER: The private financing usually operates at a premium. We do not have a finance bid, and will not have, until the bids close. What happens in the total basket is that we pay for the financing, but what the total package delivers is financing and an operating model incorporating the total cost. If financing is a little more, which it may well be, but the total service delivery over 20 years is less to the people of Western Australia, then it is a good deal. That is the evaluation that needs to be done. The nature of the bid process is that the bid will include a design and construction proposal, a financing proposal and a services proposal. All of those are bid in the sense that we do not have an offer of finance until the bid closes, and the bid has not yet closed. It will close in the next short while. At that point we will know what the cost of offered finance is and how it sits within the financial model. There is then a period of evaluation to carefully assess whether that offer is best value overall.



Ms S.E. WALKER: I have a further question.

The CHAIRMAN: The member has one further question on this point.

Ms S.E. WALKER: Can I have an indication of how much higher the premium is for financing from other than through the Treasury? Have you looked at it?

Mr PIPER: It is not appropriate that I do.

Ms S.E. WALKER: Why not?

Mr PIPER: It is up to the finance companies to propose a cost of finance on the day. Yes, there will be a financing cost. In advance of someone giving a bid -

Ms S.E. WALKER: It is the estimates committee.

Mr PIPER: In advance of someone giving a bid, it is impossible to determine how they will price the risk of delivering that project on the day. I cannot guess. It is up to them to decide what price they put on this project and how they bid it, and then it is up to us to evaluate whether it delivers value.

Mr J.A. McGINTY: And to decide whether to accept it.

Mr PIPER: If it is helpful in the context of estimates, the way the process works, and what you see in front of you, is the budget provision for a fully publicly funded project. When you look at the capital works budget for the department, the full amount of this project is in the budget on the basis that it would be done as a conventional government project and is therefore fully funded in the forward estimates. What happens if the State accepts a PPP project is that it converts that into a payment stream as opposed to a capital stream. As far as our discussion today is concerned, there is enough money in the budget to fully fund the project if it were done by conventional procurement. That procurement, on a value-based assessment, would then be converted in the forward estimates to a payment stream, rather than a capital stream, and flow out over the life of the projects, which would be in excess of 20 years. Unlike past projects that tended to be done a little bit out of the estimates, the new policy requires that the money be put into the budget so that it is visible and fully costed. Either way, as a determination on the value that is delivered, this project can be delivered.

[11.10 am]

Ms J.A. RADISICH: Output 14 on page 479 of the *Budget Statements* refers to legal aid assistance. I am curious about the precise additional contribution made by the Department of Consumer and Employment Protection to support community legal centres. Which community legal centres will benefit from the additional funding?

Mr TURNBULL: A bidding process is under way at the moment - it will be concluded later this month - in which community-based legal services have been invited to apply for a share of the proposed new funding arrangement that will hopefully commence on 1 July. So far as I am aware, at this stage there is no indication of which non-government agencies will receive the funding.

Ms J.A. RADISICH: The first part of my question related to the total additional funds received from DOCEP. Will you clarify that?

Mr TURNBULL: My understanding is that it is in the order of \$200 000.

Mr J.A. McGINTY: That might have been the total amount involved in transferring money into one central fund. The specific amount transferred from existing community legal centre funding from DOCEP was \$113 000. The negotiations are continuing to transfer the remaining state community legal centre funding from various government departments. It will obviously be more than that. DOCEP is one of the biggest contributors.

Ms S.E. WALKER: I again refer to page 456 of the *Budget Statements* and the planning and construction of the new central business district court complex. The Attorney General mentioned that the Supreme Court would have courts in the new CBD complex. However, we do not know when that court will be built because there are no plans. The Attorney General also said this morning that the Supreme Court deals with very serious matters. In his annual report the Chief Justice of Western Australia states that the Supreme Court deals with criminal charges of a most serious nature, such as wilful murder, murder, manslaughter, armed robbery and serious commonwealth drug offences. In his introduction and overview he states that he is very concerned about the delivery of justice in the superior courts in Perth because we are not putting a priority on ending stop-gap measures and providing the Supreme Court -

... with the kind of accommodation and facilities in the one place so that it can fulfil the expectations of the people of the State in terms of efficiency and effectiveness. This can only be achieved if all of the Judges, Masters and Court officials are located in the one place.

For a considerable period, the Supreme Court's appalling accommodation has meant that some Supreme Court judges have been relocated to a building at 111 St Georges Terrace, and that has raised security issues. The Government has had the opportunity to deal with this problem. The Chief Justice of Western Australia also said -

We had high hopes following a Cabinet decision in April 1992, which approved major extensions to the Supreme Court on the present site, that our accommodation problems would be solved.

He states that it is almost impossible to be efficient and effective.

The CHAIRMAN: Does the member have a question?

Ms S.E. WALKER: I am being longwinded, but it will save asking extra questions. Why has the Government not done the extensions that it apparently approved and of which the Supreme Court is in need?

Mr J.A. McGINTY: As the member rightly said, in 1992 the Lawrence Government adopted a plan for the significant upgrading of the courts in this State, particularly at the Supreme Court level. Unfortunately, for eight years during the 1990s, nothing was done by the then Government. When we came to government at the beginning of 2001, time had obviously moved on and we needed to look again at the best way to provide these facilities. The commitment is to a complete refurbishment of the Magistrates Courts and a dedicated court so that the Central Law Courts, as they are currently known, will become dedicated Magistrates Court facilities. A new building will be erected to house the District Court, and construction is due to be completed in mid 2007. That will provide us with the state-of-the-art security facilities that we need to conduct major criminal trials in this State. In addition, \$3.5 million has been allocated - I refer to page 482 of the *Budget Statements* - to the upgrade of services and fitout at the Supreme Court. It is true that the District and Magistrates Courts will be the major beneficiaries. The Supreme Court will use the District Court courts for the purposes of criminal trials, and that will provide the measure of security that is necessary. I expect that Supreme Court judges will maintain their Chambers at the Supreme Court building and not in the District Court building. The precise details remain to be worked out. About a month ago, I had a meeting with the Chief Judge of the District Court to discuss some of the operational details to ensure that the nature of the relationship with Supreme Court judges, who I suspect might be circuiting through the new building - that is, treating it as a circuit court rather than as their base court or home court - will be worked through cooperatively with the heads of those two jurisdictions.

Ms S.E. WALKER: That does not answer my question. Why has the Government not resourced the Supreme Court when the Attorney General said this morning that it has used the serious nature of the work it does as a justification for some of its policy measures? The Supreme Court is crying out for two extra judges and for proper accommodation, instead of being split all over the place. Instead of consolidating the Supreme Court, as was asked, the Government will split it into three locations - that is, if it is ever built.

Mr J.A. McGINTY: I am reluctant to make the obvious political point that for eight years absolutely nothing happened under the conservative Government. The Magistrates Courts are dirty and substandard, as a result of eight years of neglect. The District Court does not have its own building and existing security provisions are inadequate. The problems with the Supreme Court building, to which the member alluded, were not addressed in any way at all during the eight years of the conservative Government. This Government is in its first term. By the end of its first term, it will have in place the money, plans and construction to address the problems confronting our city courts at the Magistrates and District Court levels, and it will have significantly ameliorated the issues confronting the Supreme Court, although it will not have addressed them completely. That is a far more impressive track record than that during the eight years of the previous conservative Government.

Mr P.B. WATSON: I refer to one of the major initiatives on page 481 of the *Budget Statements*, which is to improve access to legal assistance for persons in rural, regional and remote Western Australia. Will the Attorney General provide more details about that?

[11.20 am]

Mr J.A. McGINTY: Is that the first dot point, which deals with legal aid?

Mr P.B. WATSON: Yes.

Mr J.A. McGINTY: The director general will respond to that question.

Mr TURNBULL: We have increased the mix of outreach duty lawyer services and legal advice and case work services to Albany, Carnarvon, Leonora, Laverton, Mandurah, Merredin and Southern Cross. We are almost at the stage at which we are providing a permanent duty lawyer service to the Geraldton Court of Petty Sessions. The court has provided a facility for that duty lawyer service to be delivered from the court itself. We are also about to enter into an arrangement with the Aboriginal Legal Service to better coordinate the legal aid services that are provided in the remoter areas of the State.

Ms S.E. WALKER: I refer again to the judiciary and judicial support at page 457. I cannot find any provision for additional magistrates or an additional judge in the Children's Court. Why have no extra judicial officers been put into the Children's Court?

Mr J.A. McGINTY: We do not need an additional judge in the Children's Court. Judge Denis Reynolds has recently taken up appointment as President of the Children's Court. I spoke to him only yesterday, and he told me that he is very much enjoying the challenge that that presents. There is no need for an additional judge in that area, and no suggestion has been raised with me that there needs to be any increase in other judicial resources in the Children's Court.

Ms S.E. WALKER: The Chief Justice states in his 2003 annual review -

Due to the heavy demands of the criminal jurisdiction, successive Presidents of the Children's Court have not been involved to any great extent in the "care and protection" jurisdiction. It is rare for the President to have a day out of the criminal court. This is unacceptable given the importance of the jurisdiction and the consequences for families if a child is declared in need of care and protection. The situation is unlikely to change unless an extra judge is allocated to assist the President in the work of the court.

The Attorney General has said he is not aware of this situation. Has he not read the Chief Justice's report?

Mr J.A. McGINTY: No suggestion has been made to me that a judge in addition to Judge Reynolds should be appointed to the Children's Court. I do not intend to move in that area. There are other more pressing areas of need within the justice system.

Ms S.E. WALKER: I find it extraordinary, given that the Children and Community Services Bill has passed through the Legislative Assembly, that the Attorney General would say that he is providing no more resources to the Children's Court. The Chief Justice says also -

The Children's Court expects its workload will substantially increase once the *Family and Children's Development Bill 2003* is enacted.

The CHAIRMAN: That is the same question rather than a further question.

Ms S.E. WALKER: No, it is not, Mr Chairman.

The CHAIRMAN: Is it specific to the budget?

Ms S.E. WALKER: It is, Mr Chairman, because the Chief Justice says also that in order to carry out its requirements under that Bill, the Children's Court will need an additional 1.8 magistrates for the first year of operation, increasing to two magistrates in year four. The Attorney General and his Government have failed miserably in addressing that issue. I am now raising that issue with the Attorney General - it is his alleged child protection Bill - and I am asking whether he will provide the resources to the Children's Court to enable it to deal with the new care and protection applications that the Government and the Department for Community Development expect will flood in.

Mr J.A. McGINTY: When, and if, the Children and Community Services Bill is passed, the resourcing implications will be provided for.

Ms M.M. QUIRK: I refer to page 478, and to major achievements for 2003-04, one of which is the development and launch of the Western Australian Aboriginal Justice Agreement. What progress has been made in that area?

Mr J.A. McGINTY: I will make an introductory comment, and the director general, who has been intimately involved in that matter, will elaborate further. One of my great concerns is the intention of the federal Government to remove the funding for the Aboriginal Legal Service in this State. Concerns have been raised by each of the state Attorneys General with the Commonwealth Government and Senator Vanstone about this matter. In my view, the Aboriginal Legal Service in Western Australia, being one statewide service, provides an excellent facility, particularly in the regional parts of the State, for Aboriginal people. I have raised this matter personally with the federal Attorney-General, Philip Ruddock, and have voiced my disapproval of the move to de-fund the Aboriginal Legal Service and, as I understand it, to put out for tender the provision particularly of criminal work for Aboriginal people. I believe that will be a retrogressive step for Aboriginal people. I believe there is a recognition that the Aboriginal Legal Service in Western Australia provides a very high standard of legal representation for Aboriginal people. I cannot for the life of me understand why the Commonwealth Government would want to disrupt the current funding arrangements for the ALS as it operates in Western Australia. I cannot speak for any of the other States, but I favour a continuation of the operations of the Aboriginal Legal Service and the very excellent and difficult job it does in providing representation for Aboriginal people, particularly in the remote parts of the State. The director general will elaborate on the Aboriginal Justice Agreement.

Mr PIPER: I am happy to report that an extensive program of regional discussions has been embarked upon with regard to the projects supporting the Aboriginal Justice Agreement. In fact, Ms Kate George, who is director of Aboriginal policy and services, is personally project-managing that, with policy support from the department. The process of discussing the delivery of justice services with regional and remote Aboriginal communities across the State is moving at a rapid pace, which I hope she can sustain. Clearly because of the implementation of the Government's response to the Gordon report, the introduction of multi-function police facilities, and some of the matters that the Attorney General has foreshadowed with regard to volatile substances and other things, there will need to be a different way of working with Aboriginal communities. Communities that have not previously had quite the same level of court attendance or police supervision will now have new facilities. We need to know and understand how that will relate, for example, to the existing wardens schemes for the delivery of services for the protection of woman who are subject to violence, some of which services are run by community organisations, and should continue to be, and some of which are provided by the Government. It is absolutely essential that this program of agreement frameworks at a regional level go out in parallel with some of those service changes so that Aboriginal people can have their say and we can formalise the ways in which we work together. I am very confident that over the next year that will substantially be put in place.

Ms S.E. WALKER: I am still dealing with output 1, the judiciary and judicial support. Notwithstanding the Chief Justice's comment that the Children's Court will have an increased jurisdiction and will need 1.8 additional magistrates, is the Attorney General aware that the number of criminal charges heard and determined in the Children's Court has increased over the past year; and, if so, does the Attorney General know by how much? If that is the case, can the Attorney General tell me why he has not put on any additional judicial officers in the Children's Court?

[11.30 am]

Mr J.A. McGINTY: I am aware that there has been a rise in recent times. Interestingly, the number of serious offences that were finalised in the Children's Court remains below the level that were finalised in 2001-02, which is when we came to government. In 2001-02, 9 197 serious offences were finalised in the Children's Court; in the following year that number had dropped to 8 480; and it had risen to 8 733 in 2003-04. Over that three-year period, therefore, there was a drop in 2002-03, the number rose again in 2003-04, and my understanding is that it is rising again in 2004-05. However, as best we can anticipate the figures, the number of charges will be no higher than the number finalised in 2001-02. The number is increasing, but we constantly monitor movements in the judicial workload to make sure that judges are adequately resourced. However, there is no suggestion that the current level of resourcing through Judge Denis Reynolds is inadequate; in fact, I think he is doing an excellent job.

Ms S.E. WALKER: So do I. However, the point is, as the Chief Justice said in his report, it is unacceptable that the President of the Children's Court has had to hear an increased number of criminal charges. As I understand the legislation, the President of the Children's Court is the only one who can hear certain charges. It is unacceptable to refuse to appoint a further judge. Contrary to what the Attorney General said, the Chief Justice said that it is unacceptable. Given the importance of the jurisdiction, I presume that it will have an additional jurisdiction with the soon to be proclaimed Children and Community Services Bill 2003, after it has passed through the upper House.

Mr J.A. McGINTY: I noted those points the first time they were made.

Mr J.J.M. BOWLER: I refer to the fourth dot point on page 465 on a subject near and dear to me, which is the appointment of an additional magistrate to the goldfields. Does the Attorney General have a timetable for that appointment?

Mr J.A. McGINTY: Yes. We were extremely lucky to have secured the services of Magistrate Kate Auty, who was responsible for setting up the Koori courts, or the Aboriginal courts, in country Victoria. She will be an excellent addition to the magistracy in Western Australia, by all reports, and as an experienced magistrate I am sure she will complement the excellent work Magistrate Sharratt is doing in Kalgoorlie. Her appointment has been approved by Executive Council, and she has accepted the position. She will move with her family to Western Australia in July and be sworn in on that occasion. I expect that she will be working in Kalgoorlie in September. That is the time frame in which we are currently working. Many magistrates spend three months by way of introduction in the Central Law Courts. Although she comes from a different jurisdiction, she is an experienced magistrate. I do not think she will be required to spend as much time by way of induction as other magistrates. I expect she will be in Kalgoorlie at an early time.

I am delighted too, given that the major justice issues that affect the people of Kalgoorlie also affect the Aboriginal community, that we will have two people who are both personally committed to and involved in Aboriginal justice issues. I hope that for the first time the Magistrates Court and justice will be taken out of Kalgoorlie onto Aboriginal lands to the east and north of Kalgoorlie, by way of very innovative programs designed to address the level of Aboriginal offending in Aboriginal communities and by Aboriginal people in that area. I saw Magistrate Sharratt in operation at Yandeyarra when he was a magistrate in Port Hedland. He piloted the development of circle-court sentencing there, where he sat with community elders and dealt with offending that had taken place in the community. I thought the offenders had more respect or fear for their own elders than they did for the white magistrate who came to town to deal with them. I expect that we will see a lot of innovation coming from Kalgoorlie. I expect that we will see a lot of the real issues that have bedevilled the communities for some time, both in Kalgoorlie and outside Kalgoorlie, being addressed in a very innovative way. I am very much looking forward to the interaction of those two magistrates, how they will deal with issues differently and, hopefully, help to provide a safer community for all concerned. I am therefore personally delighted at the appointment of Dr Kate Auty.

[11.40 am]

Ms S.E. WALKER: I refer to legal services under output 5 on page 457. Does that output include the provision of legal services to parents who have an application against them for care and protection orders, or does that come under legal aid assistance under output 14?

Mr J.A. McGINTY: I do not think so. I think this provision relates to the State Solicitor's Office.

Ms S.E. WALKER: I refer to legal aid assistance under output 14. How much assistance does the State Government provide, if any?

Mr TURNBULL: With regard to applications for care and protection orders, Legal Aid Western Australia aids all parents at least through the initial stages when they need advice. A merit test is applied before legal representation is

provided. Not every parent who is faced with an application for removal of his or her child is legally aided. The guidelines have been in place for many years. The rationale is that it is not sensible to pour money into what are considered to be hopeless cases.

Ms S.E. WALKER: On the same matter, the Chief Justice's 2003 annual review states -

Judicial officers in the Children's Court continue to be most concerned at the numbers of parents and other family members responding to applications to have children declared in need of care and protection who are not legally represented. . . . The intervention of the State in a family's life resulting in the removal of children from the care of parents is a grave step to take.

Judicial officers are concerned that, given the Children and Community Services Bill, legal representation should be considered for unrepresented respondents because they do not understand the nature of the proceedings and the possible consequences. According to the Chief Justice, it would be better, economically, if legal representation were provided. He said it would minimise the number and reduce the length of trials, and give a voice to parents who otherwise can be alienated and traumatised. Why has the Attorney General not given any consideration to that in light of the range of orders that will be available?

Mr J.A. McGINTY: If the Children and Community Services Bill is passed, the new facilities provided for in it will be appropriately funded. We will address that at that time. The legislation has not yet passed the Parliament.

Ms S.E. WALKER: It has been addressed. In collaboration with representatives from the Department for Community Development and lawyers involved in the care and protection jurisdiction, the Children's Court has already published a booklet on this.

Mr J.A. McGINTY: That is right.

Ms S.E. WALKER: Is the Attorney General telling me that he will hold up this Bill now for another year? Is the Government not pushing it through? This is this Government's child protection Bill, yet the Attorney General has not provided the resources for it. Given it has not been provided for in the budget, will it be stalled in the upper House?

Mr J.A. McGINTY: The answer to that question is no.

Ms S.E. WALKER: No to what?

Mr P.B. WATSON: One of the major initiatives for 2004-05 on page 481 is to improve interventions and assistance for mentally impaired persons in contact with the criminal justice system. What is being put in place to enable this?

[11.50 am]

Mr J.A. McGINTY: I defer to the Director of Legal Aid.

Mr TURNBULL: The major initiative that has been undertaken is to establish a position of a dedicated lawyer to deal specifically with people with mental impairment. That is the major initiative.

Ms S.E. WALKER: On page 457, output 2 is case processing. I presume that refers to items such as court conferencing in the Children's Court.

Mr J.A. McGINTY: This covers all the administrative costs associated with the courts. Therefore, it is a processing of all cases proceeding before all courts.

Ms S.E. WALKER: Yes, and that would include court conferencing in the Children's Court and issues around that.

Mr J.A. McGINTY: Yes.

Ms S.E. WALKER: Is any additional money to go towards court conferencing? Can the Attorney General tell us about court conferencing and what has happened in the Children's Court? If there is more money, why is that?

Mr J.A. McGINTY: I do not have that information at my fingertips, I am sorry.

Ms S.E. WALKER: Perhaps one of the Attorney General's advisers can answer this question. Court conferencing is for serious and repeat offenders. According to the Chief Justice's statistics, in the Children's Court, 92 conferences have been held for offences in which there was a victim, but only 51 of those had a victim in attendance. Why was that? I am sure one of the Attorney's officers will be able to tell us. The Chief Justice also states that the current victim attendance rate is 55 per cent. According to the overview of the sentencing in the Children's Court, it appears to me that 5 544 matters were dealt with in 2003. Is it true that in all those thousands of matters, only 92 conferences were held, and only 51 had a victim in attendance?

Mr J.A. McGINTY: I do not know the answer to that question.

Mr M.J. BIRNEY: I refer the Attorney General to page 455, and in particular to the third dot point, which states -

For the State, the costs of offending extend to legal and court costs, running prisons, managing offenders in the community as well as providing health care, rehabilitation programs and education.

Does the cost to the State include settlement of prisoner compensation claims; and, if so, or even if not, how many prisoners have lodged public liability claims against the Government in the past 12 months?

Mr J.A. McGINTY: The best answer I can give to that question is that we are aware of some old claims that go back some years, a number of which relate to deaths in custody. I understand that the provisions of the legislation are that there can be no claim against the State or the prison service, unless gross negligence is involved. The officers who are with me advise me that they are not aware of any recent claims. If there are any, they are very small in number. However, it is not something that has been brought to their attention.

Mr M.J. BIRNEY: Is the Attorney General prepared to supply, by way of supplementary information, a definitive answer to that question about how many, if any, prisoners have lodged a public liability claim against the State in the preceding financial year?

Mr J.A. McGINTY: I am happy to provide that by way of supplementary information. However, I make this point: there is the one department, but two ministers. This question really comes under the area of prisons, which is the responsibility of the Minister for Justice. However, I am sure that she would have no objection to my undertaking to provide that information on her behalf.

[*Supplementary Information No A1.*]

Mr M.J. BIRNEY: Included in that answer, will the Attorney General also give me the nature of each of those claims, if there are any?

Mr J.A. McGINTY: Yes. We intend to provide all relevant information.

The CHAIRMAN: We will include that additional information under supplementary information No A1.

Mr M.J. BIRNEY: On page 455, the fourth dot point states that crimes associated with drug use cost the State some \$220 million each year. How many prisoners tested positive for drugs in prison during the preceding financial year, and has that number increased or decreased from the preceding financial year to the last financial year?

[12 noon]

The CHAIRMAN: That is essentially a new question, member for Kalgoorlie.

Mr J.A. McGINTY: I knew that if I showed some laxity in moving to areas covered by the Minister for Justice - namely, prisons - I would get into trouble. That question clearly lies in that area of responsibility.

Ms S.E. WALKER: Attorney General, an increase occurred this year in the amount allocated to criminal injuries compensation. I refer the Chamber to the penultimate reference on page 464 of the *Budget Statements* concerning the assessor of criminal injuries in relation to judiciary and judicial support. Why does the estimate appear to decrease, given that the Attorney General introduced legislation on this matter? Admittedly, the measure will apply to only a limited number of people.

Mr J.A. McGINTY: Is the member talking about the actual for 2003-04 - the year concluding?

Ms S.E. WALKER: Yes. What increase was provided to the assessor for compensation?

Mr J.A. McGINTY: A number of factors are involved in this area. First, the chief assessor was involved in the current financial year in extensive work associated with the legislation. That meant that she did not spend her time dealing with claims for criminal injuries compensation. Therefore, the number of claims finalised were below what is expected to be the case in the coming financial year. This is as a result of the time of Helen Porter, the chief assessor, being taken up on other matters.

Ms S.E. WALKER: I think the Attorney will find comment in the papers that her time was not taken up on that matter. I am trying to find that comment. Why is less money to be made available? How much money is available?

Mr J.A. McGINTY: My point is outlined on page 463 of the papers before us.

Ms S.E. WALKER: There will be only a 3.5 per cent increase in cases finalised.

Mr J.A. McGINTY: The figures about one-third down page 463 in reference to the assessor of criminal injuries indicate that the assessor dealt with 1 100 claims in 2002-03. The budgeted figure for 2003-04 was 1 050 claims, but the estimated actual is 1 250 for the current financial year. This will increase to 1 300 for next year. I think the figures might be a little on the conservative side for two reasons.

Ms S.E. WALKER: A little on the nose, does the Attorney think?

Mr J.A. McGINTY: No, they are a little on the conservative side. First, the reason for significant variation outlined in the final column shows that a significant amount of the chief assessor's time was taken up as the instructing officer for the new Criminal Injuries Compensation Amendment Bill. She will in future spend her time settling claims. Therefore, I expect more claims to be settled. Second, an assessor had her appointment doubled from half time to full time. A

combination of an assessor having her time increased by 100 per cent and the chief assessor having all her time to spend assessing claims will see an increase in assessments not only in the coming budget year but also in years ahead. The number of claims being settled will rise more significantly than is indicated in the papers, and more money will be spent as a direct consequence of more claims being settled. The waiting time for claims to be finalised will also fall. That will have a beneficial effect on outcomes for victims of crime but a deleterious effect on finances.

[Mrs D.J. Guise took the Chair.]

Mr M.J. BIRNEY: I notice among major policy decisions on page 457 that the Attorney General has noted some \$899 000 for court security and custodial services renegotiated contract savings. What is that about?

Mr J.A. McGINTY: I presume this has to do with the AIMS Corporation contract, for which the Minister for Justice has responsibility. It would be more appropriate to direct the question to the responsible minister. The AIMS contract is the responsibility of the Minister for Justice.

Mr M.J. BIRNEY: The Attorney has been very vocal about the AIMS contract; I thought he might care to comment.

Mr J.A. McGINTY: And then the Premier took responsibility for it away from me!

Several members interjected.

The CHAIRMAN: Order, members! I gather the impression that members are finished with this division.

Ms S.E. WALKER: No.

The CHAIRMAN: I remind members that they have taken two hours with one division. Seven divisions and only two hours remain.

Ms S.E. WALKER: I refer to page 462 and output 2, case processing. It reads -

Case processing is a key court service that meets the needs of the judiciary and the community, including victims of crime.

That service includes the provision of transcripts, the responsibility for which rests with the Attorney; those transcripts are in the possession of Spark and Cannon for indictable matters through the District and Supreme Court.

Mr J.A. McGINTY: Yes.

Ms S.E. WALKER: That is right. Victims of crime are entitled to the provision of transcripts, which is part of the requirement under the Spark and Cannon process as part of court services. Why is Mrs Margaret Hunter, the mother of a victim who was killed by Mr Marks in a high-profile matter, unable to get her court transcript from the Office of the Director of Public Prosecutions? She is entitled to that transcript as a victim of crime. She is a secondary victim, as defined under the Victims of Crime Act. Has there been a change in policy?

Mr J.A. McGINTY: Many people make contact with me seeking access to transcripts free of charge. Generally speaking, particularly with a victim or a family member of victim, access is approved. I do not know the circumstances the member raises. Although I have discussed a range of matters with Margaret Hunter affecting her case, this is not a matter, to the best of my recollection, she has raised with me.

The CHAIRMAN: I remind members that this is not a general policy discussion. Debate must be directed to the appropriation of funds.

Ms S.E. WALKER: In relation to court services, victims of crime are usually entitled to their court transcripts, yet Mrs Hunter has been trying unsuccessfully for a long time in getting her court transcript. Why is she unable to access her transcript from the Office of the DPP? Is there a new policy in that regard relating to output 2, case processing?

Mr J.A. McGINTY: No.

Ms S.E. WALKER: If not, can she get it today?

Mr J.A. McGINTY: There has been no change of policy, but, to the best of my recollection, it is not a matter she has raised with me in various discussions held.

Ms S.E. WALKER: It is because the Attorney has refused to see her. I ask whether she can have the transcript.

Mr J.A. McGINTY: From the various discussions we have had, it was not a matter she raised with me. I am not in a position to respond to this question because I have no knowledge of the matter.

Ms S.E. WALKER: The director does.

Mr J.A. McGINTY: The committee is not dealing with his section yet.

Ms S.E. WALKER: I ask the Attorney General, in relation to output 2 on page 462 as part of court services, for provision of the transcript.

The CHAIRMAN: The question before the Chair concerns the appropriation for division 28.

Ms S.E. WALKER: In relation to page 462 and output 2, concerning court services and victims of crime, if a victim of crime is unable to get a transcript from the DPP, how would a victim of crime obtain that transcript - through the Attorney General's office?

[12.10 pm]

Mr J.A. McGINTY: If they are having any difficulty, my office is often the way in which an answer can be found to those issues. I would certainly appreciate some communication with her.

Ms S.E. WALKER: I have a further question. Is there any impediment to any victim of crime getting a copy of the court transcript of the trial?

Mr J.A. McGINTY: I do not have that policy with me. I am not able to respond to the question as posed.

**The appropriation was recommended.**

Mr J.A. McGINTY: There may be an issue that some elements of this division have to be debated, which cannot be done if this division has been carried by the committee. I suggest that we revisit that matter. I think the vote is to be taken later tonight on the entire division, including the matters we are dealing with now.

The CHAIRMAN: To clarify the issue, I will ask whether there is anything further for outputs 1, 2, 5, 6, 13 and 14 that members wish to raise. If members wish to raise questions I will put them separately; otherwise, is there a willingness for me to put those as one?

Mr J.A. McGINTY: I am happy, if the Opposition is, to have the entire division put at the conclusion of tonight's proceedings. Administratively, that is probably the easiest way, and we will not then be barred from raising further matters.

Ms S.E. WALKER: I am in agreement with that.

Mr J.A. McGINTY: We would then simply go to the next division and come back to the outputs.

The CHAIRMAN: If there is agreement by the committee, we will separate outputs 1, 2, 5, 6, 13 and 14 and the remaining divisions and put them as a whole at the end of the session at 3.00 pm.

Ms S.E. WALKER: Some matters may overlap, particularly in relation to things such as the new court complex and how prisoners are held.

The CHAIRMAN: If they are contained within those divisions and those outputs, the member will be allowed to raise questions and I will just put the whole lot as a job lot at the end of the session.

Ms S.E. WALKER: I am happy with that.

Mr J.A. McGINTY: Yes.

The CHAIRMAN: If other committee members are in agreement, that is what we will do. Members will then have a fair bit of scope to continue with the remaining divisions and outputs as listed, because they will be separate questions.

**Divisions 29, 30, 31, 32, 33, 34 and 36: Corruption and Crime Commission, \$20 525 000; Parliamentary Inspector of the Corruption and Crime Commission, \$390 000; Commissioner for Equal Opportunity, \$2 199 000; Law Reform Commission, \$884 000; Office of the Director of Public Prosecutions, \$13 221 000; Office of the Information Commissioner, \$1 194 000; Western Australian Electoral Commission, \$16 215 000 -**

Mrs D.J. Guise, Chairman.

Mr J.A. McGinty, Attorney General.

Ms L.M. Auld, Electoral Commissioner.

Mr M. Byrne, Chief Consultant, Corruption and Crime Commission.

Mr R.E. Cock, Director of Public Prosecutions.

Ms Y.D. Henderson, Commissioner for Equal Opportunity.

Mr M.J. BIRNEY: This question might be better directed to Mr Byrne from the Corruption and Crime Commission. Dot point 5 on page 490 relating to division 29 states that the role of the commission is to continuously improve the integrity of the public sector, to reduce the incidence of misconduct therein and to assist in combating and reducing the incidence of organised crime. I wonder whether the action of passing the Lewandowski affidavit to the now Minister for Small Business might have constituted misconduct and, therefore, might have attracted the attention of the Corruption and Crime Commission? I am happy for the gentleman from the CCC to answer that question.

Mr J.A. McGINTY: I have no difficulty with asking Mr Byrne to answer that question, but I can answer it directly. The former Attorney General referred that very matter to the predecessor body, the Anti-Corruption Commission, and the ACC looked into the matter properly and made a positive finding that no matter warranted its further intervention. In other words - to put it in my terms, not theirs - the ACC dismissed the complaint. That matter arose before the CCC



came into existence, and I would have thought that the commission would have come to a conclusion similar to that of the ACC; that is, there is nothing further to warrant its investigation.

Mr M.J. BIRNEY: Does that mean that you, as the Attorney General, have the legal capacity to pass on legal documents that come to you, by virtue of your position, to anybody you see fit?

Mr J.A. McGINTY: Does this relate to a particular line item?

Mr M.J. BIRNEY: Yes, it certainly does. Dot point 5 on page 490 refers to misconduct and the role of the commission.

Mr J.A. McGINTY: I cannot see the connection.

Mr M.J. BIRNEY: It is a simple question. I will rephrase the question. Would that kind of behaviour attract the attention of the CCC based on the fifth dot point, which states that the commission is there to investigate misconduct? Would the action of the Attorney General passing on a legal document that came to him by virtue of his position as Attorney General to a third party attract the attention of the CCC?

Ms M.M. QUIRK: I have a point of order. I believe that that question may offend standing orders in that it is seeking a legal opinion from the Attorney General.

Mr M.J. BIRNEY: Not at all; it is not even close.

Mr J.A. McGINTY: The answer is that the Anti-Corruption Commission looked into the matter and found nothing that would warrant its further investigating the matter once relevant people had been interviewed.

[12.20 pm]

The CHAIRMAN: I remind the member for Kalgoorlie that a procedural motion is before the committee, so that negates any further discussion. Before I rule on the matter, I ask the member to please clarify his line of questioning. Is the member seeking a response in terms of a decision, or is he seeking an opinion? If the member is seeking an opinion, then I will rule in favour of the member for Girrawheen and uphold the point of order.

Mr M.J. BIRNEY: I am certainly not seeking a legal opinion, Madam Chair. I am simply seeking an operational opinion as to whether that kind of conduct would fit into the definition of misconduct as listed in dot point five and whether it would attract the attention of the Corruption and Crime Commission. If the Attorney General of this State were given a document by virtue of the fact that he is the Attorney General, and if he were then to hand that document to a third and unrelated party, would that be the kind of action that the Corruption and Crime Commission would be likely to investigate in accordance with dot point five?

Mr J.A. McGINTY: I am happy to answer that question.

The CHAIRMAN: Given that the Attorney General is happy to answer that question, there is no point of order and I will let the debate continue.

Mr J.A. McGINTY: The answer to the question is that the predecessor body did look into the allegation that was raised, and it found no substance in it. Therefore, there has been no relevant change in the Corruption and Crime Commission legislation that would impact on that particular matter such as to bring it within its jurisdiction. It is a matter that would be investigated, but the predecessor body found no substance in it, so I have no reason to think that that would be any different with the new body.

Mr M.J. BIRNEY: Would the Attorney General be prepared to provide to the committee by way of supplementary information the finding of the Anti-Corruption Commission with respect to the fact that the Attorney General handed the Lewandowski affidavit to the Minister for Tourism?

Mr J.A. McGINTY: With respect, that does not relate to the Corruption and Crime Commission.

The CHAIRMAN: Correct.

Mr M.J. BIRNEY: It does.

Ms M.M. QUIRK: I refer to page 490, significant issues and trends, dot points two and four. My question relates to the selection of staff for the new Corruption and Crime Commission. It was hoped that the CCC legislation would be passed a bit sooner than it was. Does that mean that some staff who were hoping to join the new body have decamped east? Do any of the staff who were employed on contracts by the ACCC now have separate contracts or are they still serving their contracts with the CCC?

Mr J.A. McGINTY: I will defer to Mr Byrne.

Mr BYRNE: With regard to the first part of the question about whether the CCC lost the opportunity to engage staff who decamped east, the answer to that question is yes. However, through the merit-based selection process, it was always open to those people who did go back to the eastern States to apply for permanent positions with the CCC. It was probably less likely that they would do so, bearing in mind the fact that they had actually gone back to the eastern States and to their home agencies. With regard to the second part of the question, a number of Anti-Corruption Commission staff have been employed at the Corruption and Crime Commission on short-term contracts, as have a number of staff from the Ombudsman's office and from the former Kennedy royal commission. A number of ACC

staff have been redeployed directly into positions at the Corruption and Crime Commission under the redeployment regulations. That aspect is being managed by the Department of the Premier and Cabinet, not the CCC. A number of ACC staff have applied for substantive long-term contract positions with the CCC, and as that recruitment process is ongoing it is probably inappropriate to comment on the success or otherwise of those applications at this stage.

Mr M.J. BIRNEY: I raise a point of order. If I can take you back to the previous question that I asked, Madam Chair, I requested the Attorney General to table the advice exonerating him for his handing over the Lewandowski affidavit to the Minister for Tourism. The Attorney General refused to answer that question on the basis that it did not relate to the Corruption and Crime Commission, and you upheld that, Madam Chair. Dot point four at page 490, under significant issues and trends, states that the Corruption and Crime Commission will “take over the functions of the Anti-Corruption Commission”. That effectively makes the Corruption and Crime Commission the replacement for the Anti-Corruption Commission. The two are intrinsically linked. Madam Chair, I ask you to reconsider the question that I put to the Attorney General. There is no reference in the *Budget Statements* to the Anti-Corruption Commission, because it has been taken over by the Corruption and Crime Commission. Therefore, our only opportunity to probe this issue is through the reference to the Corruption and Crime Commission in the *Budget Statements*.

Mr J.A. McGINTY: That is not correct, Madam Chair. The Anti-Corruption Commission was an area of responsibility of the Premier, and a budget provision is made in that regard. The responsibility for the CCC has been transferred to the Attorney General from the date on which the CCC came into operation, so there is plenty of scope, under a different section of these estimates, to deal with that matter. There is nothing in a closed file from a former agency that relates to a function of the CCC.

Mr M.J. BIRNEY: Dot point four states clearly -

The CHAIRMAN: The member needs to be speaking to the point of order, not debating the issue.

Mr M.J. BIRNEY: I am, Madam Chair. Dot point four states clearly that the Commission and Crime Commission will “take over the functions of the Anti-Corruption Commission”. The two are intrinsically linked. Therefore, you cannot say, Madam Chair, that questions about the Anti-Corruption Commission do not relate to the Corruption and Crime Commission.

The CHAIRMAN: In relation to the point of order, the rules that govern this committee are such that the minister responsible for a portfolio can choose how he or she responds to a question. With regard to this issue, the Attorney General responded by indicating that he cannot answer the question, so I ruled accordingly. The Attorney General has since done that again, so I make the same ruling again. The member may not necessarily like the answer or the fact that the Attorney General will not answer the question in the way that he wishes. If that is the case, a number of options are open to the member. The member can couch the question in another way and try again to see whether he can elicit the answer that he wishes, or he can put a question on the notice paper and seek an answer in that manner. There is no point of order.

Mr M.J. BIRNEY: I seek a clarification of your ruling, Madam Chair. It is important that we understand whether the Attorney General has just refused to answer the question or whether you have ruled the question out of order. It is important that *Hansard* correctly records what has happened. Either the Attorney General has refused to answer the question -

The CHAIRMAN: Order! The member for Kalgoorlie is canvassing the ruling of the Chair. If the member wishes to do that, there is a process for that also. I have already ruled. I will move on.

Mr M.J. BIRNEY: I raise a point of order. I am sorry, Madam Chair, but I am unaware whether you have ruled my question out of order. Will you please clarify that.

The CHAIRMAN: Order! I am going to move on.

Ms S.E. WALKER: I refer to dot point five, which states that the role of the Corruption and Crime Commission is to continuously improve the integrity of the public sector. I ask the Attorney General: when he is given material by the Solicitor General in which the Director of Public Prosecutions implicates a third party in a crime, does he believe he can make a unilateral decision to hand it over to the person who has been implicated?

Mr J.A. McGINTY: I do not think that relates to the functioning of the Corruption and Crime Commission.

Ms S.E. WALKER: It relates to the integrity of the public sector, of which the Attorney General is a part. It is an important question, because it goes to the heart of the criminal justice system in this State. The Lewandowski affidavit came to the Attorney General via the Office of the Director of Public Prosecutions, through the Solicitor General, undoubtedly with an opinion attached, and it implicated a third party in a crime. Does the Attorney General believe that, as the first law officer of the State, he can make a decision to simply hand it over to that third party who has been implicated in that document?

[12.30 pm]

Ms M.M. QUIRK: I believe this question also trespasses Standing Order No 77 in that it seeks an opinion on a hypothetical matter.

Ms S.E. WALKER: I am asking the Attorney General what his decision is when he has to deal with those sorts of items.

Ms M.M. QUIRK: It is hypothetical.

Ms S.E. WALKER: I am seeking his judgment, not his legal opinion.

Ms M.M. QUIRK: Arguments, allegations, imputations, epithets, ironic expressions and hypothetical matters.

Mr J.A. McGINTY: A hypothetical question about what I might or might not do in a hypothetical situation in my function as Attorney General has absolutely nothing to do with the function of the Corruption and Crime Commission.

The CHAIRMAN: Correct, and I rule accordingly. I remind members that we are dealing with the appropriation of funds. It is wise at this point to remind members that they need to be focused a little more on the budget papers and try to link their questions a little more closely to what is before us. I understand the Opposition's wish to explore a number of matters, but those matters must be very closely aligned to the papers before us. I will allow a further question from the member for Nedlands

Ms S.E. WALKER: I refer again to the fifth dot point on page 490. Is the jurisdiction of the Corruption and Crime Commission larger than the former Anti-Corruption Commission?

Mr J.A. McGINTY: Again, that is seeking a legal opinion.

Ms S.E. WALKER: Does the Attorney General not know? I am talking about jurisdiction, not a legal opinion.

The CHAIRMAN: To get around this problem, the member for Nedlands must point directly to a set of words in this budget paper that relates exactly to her question; then she might get around it. I point that out as clarification for all members.

Ms S.E. WALKER: I refer to the first dot point on page 490 under significant issues and trends, which states -

The Corruption and Crime Commission was established by the *Corruption and Crime Commission Act 2003* and came into existence in January 2004. As such the agency is still very much in its infancy and concentrating on developing its infrastructure and engaging staff.

Is the Corruption and Crime Commission's jurisdiction more extensive than its predecessor, the Anti-Corruption Commission? That is not asking for an opinion; the Attorney General should know that.

Mr J.A. McGINTY: Yes is the answer.

Mr P.B. WATSON: I refer to page 494 under major initiatives for 2004-05, which states in part -

Commence the Regional Outreach Program to take corruption prevention education and training to regional areas.

Could I have some more detail on that, please?

Mr J.A. McGINTY: I defer to Mr Byrne.

Mr BYRNE: The rural outreach program is a responsibility of the corruption prevention education and research directorate within the CCC. This is a brand-new area for WA in corruption investigation. To date we have invested a lot of time in developing that directorate so that the rural outreach program can travel to rural and regional areas of WA to assist government departments and address community groups on corruption prevention and education programs. We will be rolling out that program during the course of this first year of operation. Currently, information and education sessions are planned as part of that outreach program for Karratha, Kalgoorlie and Bunbury, and there are more to follow.

Mr P.B. WATSON: I have an additional question. Will this education program also go into metropolitan areas?

Mr J.A. McGINTY: On that issue I will ask Mr Byrne whether he could elaborate on the emphasis that is being placed on corruption prevention and education as part of the function of the CCC.

Mr BYRNE: One of the most important factors about the CCC is to move away from the attention on statistics and details on arrests, prosecutions, convictions etc. Prevention is one of the major functions of the CCC. The legislation refers to prevention before it refers to the investigation function. We are very keen to ensure that the indicators of performance of the CCC are the extent to which it gets into the community and into the public sector and gives information and education about corruption prevention, not just the investigation aspect. I am certainly not suggesting that is not an important aspect, but prevention is a very important function of the CCC.

Ms M.M. QUIRK: I refer to the first bullet point on page 493, which states -

Recruitment of staff and the development of infrastructure . . . whilst at the same time carrying out a range of operations and functions.

The Attorney General may have to defer to Mr Byrne on this question. In the context of the organised crime functions, some concerns have been expressed in the other place that there may be an overlap between the WA Police Service,

CCC and the Australian Crime Commission. I want to know whether any protocols have been developed or discussions have taken place so that demarcation or the allocation of work will eliminate the duplication of work in the organised crime area.

Mr BYRNE: A memorandum of understanding has been developed with the Australian Crime Commission. The Chief Executive Officer of the Corruption and Crime Commission, Mr Milroy, met with both Commissioner Hammond and me last month - it might have been earlier this month - to ensure that both the Australian Crime Commission and the WA Corruption and Crime Commission did not overlap. Applications for the exercise of the organised crime function are really the area of the Commissioner of Police, as he is the person who makes the applications. However, I note that under the Australian Crime Commission Act, in order to avail an investigative agency with the powers of the Australian Crime Commission, the application must fit within one of its investigation areas, which obviously would have a more national or transnational focus than the operational areas of the CCC.

Mr M.J. BIRNEY: I refer to division 29 on page 490. Given that the fourth dot point states that the Corruption and Crime Commission, for which the Attorney General has responsibility, has now taken over the functions of the Anti-Corruption Commission, will the Attorney General supply by way of supplementary information the advice from the Anti-Corruption Commission that the Attorney General says exonerates him of any wrongdoing when he handed over the Lewandowski affidavit to his in-law the Minister for Small Business?

Mr J.A. McGINTY: The member should go to his parliamentary colleague who has just lost his preselection in a quite ignominious way and ask him, the complainant in that matter, for a copy of the advice that would have been provided to him by the ACC rejecting his complaint.

Mr M.J. BIRNEY: Will the Attorney General supply that by way of supplementary information?

Mr J.A. McGINTY: No, I will not. The member can proceed by other means if he likes, but this question does not relate to the Corruption and Crime Commission. I therefore do not intend to expand the scope of this estimates committee to deal with it.

Ms J.A. RADISICH: My question relates to division 31. Is that okay, given that we will vote for them all en bloc?

The CHAIRMAN: Yes.

Ms J.A. RADISICH: I refer to the second dot point on page 507. I am interested to know exactly what the proposals are on racial vilification, what the community education strategy will involve and how it will be communicated to ethnic groups around Western Australia, which I assume are the target group to benefit from this project.

Mr J.A. McGINTY: I think the Commissioner for Equal Opportunity is in the Chamber.

Ms S.E. WALKER: Have we gone on to another division?

The CHAIRMAN: Members have agreed that they will allow a free-ranging debate between the remaining outputs right up to and including division 36, and I will move the lot as a job lot at the end of the session.

[12.40 pm]

Ms HENDERSON: Thank you for the question. This project came out of the Premier's antiracism steering committee, a broadly based committee that includes representatives of a wide range of ethnic bodies and some public servants, various agencies and so on. One of the projects that has arisen from the committee is the issue of racial and religious vilification, which has been discussed extensively by the steering committee. The groups that the commission intends to consult will include all those community-based ethnic groups that have an interest. Many other human rights and advocacy type groups will be consulted that have an interest in and are concerned about racial vilification. Two papers - the short version and the long version - are almost ready for distribution. They will be distributed to all those groups for their comments.

Ms J.A. RADISICH: Will both the short and long versions contain an education component? Will they be distributed in the relevant language to the relevant organisations?

Ms HENDERSON: The papers are not in fact intended to be solely educative. They are intended to stimulate discussion of the issues and to focus on the various ways in which this issue can be addressed. They invite groups to indicate their preference for a legislative model. The papers canvass two or three different legislative models from other States. We are one of the only States that does not have any racial vilification legislation. The papers will allow people to indicate which model they prefer.

Ms J.A. RADISICH: The second part of my question was about the language in which those papers will be presented to the various ethnic organisations.

Ms HENDERSON: It will be appropriate for those papers to be translated before being distributed to the various ethnic groups that will benefit from the opportunity to comment on those proposals.

Ms S.E. WALKER: I refer to significant issues and trends on page 490, in which reference is made to the Anti-Corruption Commission and the Corruption and Crime Commission. Are they excluded from freedom of information applications and, in particular, from opinions?

Mr J.A. McGINTY: Yes.

Mr P.B. WATSON: I refer to major initiatives for 2004-05 on page 510. The third dot point refers to a review of the strategic direction for outreach programs, which includes both rights-based and fee-for-service training in regional and remote Western Australia. Can I have more information on that please?

Ms HENDERSON: The outreach program predominantly reaches Aboriginal communities in remote parts of the State. An Aboriginal person, who is attached to the training section of the commission, visits Aboriginal communities regularly to ensure that they understand their rights under the legislation and that they are assisted if they want to lodge complaints. It is also a matter of keeping in contact with those people, having a profile within the communities and liaising with all the various advocacy and welfare bodies in the various towns so that they can put a name to a person from within the Equal Opportunity Commission. The reference in that section to rights-based and fee-for-service training is about the commission providing training to advocacy and community groups free of charge. However, we charge a fee to corporations and government agencies. In part, that fee-for-service cross-subsidises the free training that is provided to the community-based organisations.

Mr P.B. WATSON: Although the dot point refers to remote Western Australia, do Aboriginal communities in major resource centres such as Albany, Geraldton and Bunbury have the same rights under this outreach program?

Ms HENDERSON: Yes. You may be aware that the commission has been conducting a housing inquiry over the past 12 months. During this time, we have visited Albany, Mt Barker, and all the towns in the great southern, the south west, the Kimberley, the mid west, the Pilbara, the goldfields etc as part of that project, so that people can make oral submissions should they choose to do so. That has replaced our normal outreach program, with the exception of some training that we conducted in Kalgoorlie.

Ms M.M. QUIRK: I refer to the Office of the Director of Public Prosecutions on page 523. Output 2 relates to confiscation of assets. Have any legal impediments resulted from legal decisions concerning property seizures over the past year? Have any issues arisen in the context of the interests of third parties in relation to seizure of property?

Mr COCK: The most significant seizure that has occurred in the recently has been the seizure of \$3.671 million from a company called Centurion Trust Ltd, which is registered in Jersey in the Channel Islands. That money was seized pursuant to an order of Justice Scott on 14 November last year. No person has written in the time allowed by the statute and objected to the forfeiture of that money. Accordingly, today my office has applied to the Supreme Court for a declaration that \$3.670 million be forfeited to the State. That is the most significant of those issues.

I understand that the Attorney General has also recently received a request from the Australian Bankers' Association about a request it made some years ago to obtain security rights over property affected by the Criminal Property Confiscation Act. I understand that the Attorney General has recently indicated that he is amenable to the suggestion that the interests of banks and bankers generally, as with any other stakeholder, be specifically recognised by the statute so that persons having legitimate interests in property are entitled to receive their right back if it is not to be forfeited pursuant to the provisions of the Criminal Property Confiscation Act.

Ms M.M. QUIRK: Have any legal decisions been made in the past year or so that make it necessary for changes to the law to be contemplated?

Mr COCK: Yes, a number of Supreme Court judgments have now informed us of the operation of the provisions of the Criminal Property Confiscation Act such that I think it is felt necessary that the interests of innocent third parties be specifically recognised by the statute to ensure, and give them comfort, that their interests will be protected. My office has a policy of recognising those interests. However, as I understand it, the Attorney General is generally amenable to a suggestion that in due course an amendment be brought into this place to ensure that those rights are specifically recognised.

[12.50 pm]

Ms M.M. QUIRK: I understand that additional forensic accounting capacity has been delivered in the past year or so. Has that effectively expedited these matters, from your perspective?

Mr COCK: Yes. In the recent financial year, the Attorney General has approved the provision of a sum of \$150 000 from the confiscation proceeds account to the Western Australia Police Service. The Police Service has in turn used those funds to employ a forensic accountant and for additional forensic accounting resources. That has been quite beneficial to us in managing some matters under the Act that had been stalled because of the inability to obtain appropriate evidence to present to the Supreme Court. The Police Service has again requested that that resource be continued in the next financial year. I think it was yesterday that I sent a letter to the Attorney General seeking support for the further provision of funds to enable the forensic accounting capacity to continue.

**Consideration of the divisions was interrupted.**

**Division 28: Justice, Outputs 1, 2, 5, 6, 13 and 14 -**

The CHAIRMAN: Before I move on and give the member for Kalgoorlie the next call, I wish to clarify the question I put before. For the purposes of *Hansard*, it needed to be that the appropriation for division 28, outputs 1, 2, 5, 6, 13 and

14 be agreed to, rather than the question that I put, which was just that the appropriation for division 28 be agreed to, because we were not dealing with the whole of the division; we were dealing only with those outputs. Therefore, I will restate that question, knowing that what we have agreed to is to deal with the remaining divisions - that is, 29, 30, 31, 32, 33, 34 and 36 - as a job lot, and I will put all those divisions as a whole at the end. I just need to clarify that little nicety for the purposes of the correct minuting of the division. Therefore, the question will be as stated; that is, that the appropriation be recommended for division 28, outputs 1, 2, 5, 6, 13 and 14.

Ms S.E. WALKER: I thought we had agreed that we would leave that open completely in case there was an overlap when we came to deal with Justice.

The CHAIRMAN: Unfortunately, the question about leaving the remainder as a job lot was asked after the question was put. Then I realised that I did not put the question in the right context anyway, because we were not dealing with the division as a whole; rather, we were dealing with the outputs as listed. Therefore, I need to go back and correct the record.

Ms S.E. WALKER: Did we vote on that?

The CHAIRMAN: We had already voted on the division. The division, in terms of those outputs, has been passed. However, for the purposes of *Hansard*, it needs to be recorded correctly; that is, that the outputs listed within that division be agreed to. That is what I am attempting to do now to correct the record.

Ms S.E. WALKER: I thought the Attorney General and I agreed that we would do it all at the end of the session.

The CHAIRMAN: No. The Attorney General asked the question after the recommendation had already been agreed to.

Ms S.E. WALKER: No, I do not think that is the case.

Mr J.A. McGINTY: The difficulty is that the resolution has been carried.

Ms S.E. WALKER: Is the Attorney General going back on his word now?

The CHAIRMAN: I need to seek clarification, members.

Mr J.A. McGINTY: I will explain the situation, as I understand it. A resolution was put and carried that the entirety of division 28 be endorsed. That was not what was desired. We have agreed that there be maximum flexibility to make sure that any questions of overlap continue to be debated. I am agreeable to that. However, we have a resolution on the books that stops any further debate, and that needs to be corrected. I think all that the Chairman is saying is that the wording of that resolution needs to be corrected, without seeking in any sense to limit debate.

The CHAIRMAN: Yes, that is correct. I just need to correct the record for minuting purposes. Therefore, I will correctly put the question that the appropriation for division 28, outputs 1, 2, 5, 6, 13 and 14 be agreed to.

**The appropriation was recommended.**

The CHAIRMAN: I put that question on the understanding that general debate is allowed, and the remaining divisions will be put at the end of the session. I thank members for their forbearance.

**Consideration of divisions 29, 30, 31, 32, 33, 34 and 36 resumed.**

Mr M.J. BIRNEY: I refer the Attorney General to division 29, and in particular to page 493. At the top of the page, the second point refers to matters under investigation. I note that last year some 150 matters were under investigation by the Corruption and Crime Commission, and that the target for the following year is some 300. Can the Attorney General tell me, either now or by way of supplementary information, how many of those matters under investigation arose as a result of the royal commission, and how many prosecutions have been successful as a result of the royal commission?

Mr J.A. McGINTY: I say by way of introduction on this issue - I will get Mr Byrne to deal with the particulars about which the member has asked - that the Anti-Corruption Commission will cease to exist next week, on 25 May. It will cease to have any presence in the Western Australian system, and its functions will be taken over by the CCC. However, I will ask Mr Byrne to respond to the questions that have been posed.

Mr BYRNE: With matters under investigation, it is important to recognise that not every complaint that is received by the Corruption and Crime Commission becomes an investigation. Certain powers under the Corruption and Crime Commission Act can be used only for the purposes of an investigation. The estimated number of matters under investigation is 150. The Corruption and Crime Commission has received a large number of complaints, some of which may become investigations and some of which have already become investigations. The total number of complaints received since 1 January, when the Corruption and Crime Commission was established, is more than 1 200. A breakdown of that shows that about 500 matters have come from the Ombudsman's office, because we have taken over an aspect of the functions of the Ombudsman's office, and 100 matters have come from the Anti-Corruption Commission. That leaves about 650 complaints direct to the CCC just in the first couple of months of operation. It is an average of about 150 a month. Extrapolated over a 12-month period, that is about 50 per cent more than the number of complaints made to the ACC and the Ombudsman combined. The expectation is that there will be a levelling off of

those complaints over the course of the 12-month period. However, I do not think that there will be any problem in meeting those estimates of matters under investigation as outlined on page 493.

Mr M.J. BIRNEY: I am not quite following you, Mr Byrne. You said that the CCC has received quite a number of complaints, yet in the budget papers only 150 of them appear for the previous year and 300 for this year. Does that mean they are the only ones that are being investigated and all the other ones are banked up waiting for investigation? Perhaps that could be clarified.

Mr BYRNE: It is not a matter of investigations being banked up. I will explain the process. When complaints are received by the Corruption and Crime Commission from wherever - from the Ombudsman's office, from the Anti-Corruption Commission, from the Kennedy royal commission or, indeed, from members of the public - they are passed through on a complaints assessment process. Certain criteria are applied to those complaints. If in the opinion of the commissioner those matters warrant investigation by the Corruption and Crime Commission, an investigation is commenced. The other option, after the assessment process has taken place, is that those complaints are referred, or referred back, to government agencies, which then conduct investigations of their own. The Corruption and Crime Commission can then oversight those investigations to ensure that they are being done properly, or when those government agencies require assistance in building a corruption-resistant public sector, the Corruption and Crime Commission can go in and assist. It is not a case of backlog; it is a case of assessment of complaints - as I said, there are more than 1 200 of them to date - and then either the instigation of complaints as investigations directly by the Corruption and Crime Commission or the referral of those complaints for investigation by government agencies.

Mr M.J. BIRNEY: How many of the 450 matters under investigation, both last year and this year, arose from the royal commission?

Mr J.A. McGINTY: I ask Mr Byrne to give an indication of that.

Mr M.J. BIRNEY: Perhaps by way of supplementary information if Mr Byrne does not know.

Mr BYRNE: I will give some clarification, if I may. The member has referred to 450 matters. The figure of 300 on page 493 is the estimated number of investigations for 2004-05. The figure of 150 is the estimated number in the first establishment phase. The number of investigations that have come from the royal commission again comes down to terminology. They were royal commission investigations. What they become when they are handed to the CCC are matters of complaint or matters for assessment. Once they are assessed, a decision is then made by the commissioner of the CCC about whether those matters become investigations.

Mr M.J. BIRNEY: Perhaps I could clarify my question. Through the Attorney General, maybe Mr Byrne could tell us, even by way of supplementary information, how many complaints the royal commission has to date referred to the CCC.

The CHAIRMAN: I advise members that under Standing Order No 261 this committee hearing is suspended until the ringing of the bells at 2.00 pm. The Attorney General will be able to respond at that time.

Mr J.A. McGINTY: We will pursue it straight after lunch, and we will have that information.

*Sitting suspended from 1.00 to 2.00 pm*

Mr BYRNE: As I recall, I was asked about statistics relating to the royal commission and the Corruption and Crime Commission. I was able to obtain those statistics during the luncheon adjournment. First and foremost, I should say that the bald statistics are never and should never be the sole performance indicators of an agency like the CCC, because the functions of that commission, and other commissions, are so much broader than the bald statistics. A large amount of intelligence and evidence from the royal commission has been passed on to the royal commission investigation team, which is a unit of the Western Australia Police Service. That team is currently assessing those matters. Following that assessment, those matters will, if appropriate, be referred to the relevant prosecution authority. Usually that is the Office of the Director of Public Prosecutions. Clearly, that will take some time. The royal commission referred that body of intelligence and evidence at the end the royal commission, which, as the member knows, was only a few months ago.

Eleven full investigations and 34 intelligence probes have been handed over to the Corruption and Crime Commission from the Kennedy royal commission. As I mentioned earlier, it is for the corruption and crime commissioner to decide which of those 45 matters become investigations of the Corruption and Crime Commission, bearing in mind that the Corruption and Crime Commission itself undertakes proactive investigations and is not solely a reactive investigation agency. As a result of the police royal commission, 14 police officers were either stood down or stood aside and seven officers resigned or retired. Three resignations that took place prior to or during the royal commission have been attributed to the royal commission. One hundred and twenty-one officers were adversely named, and they are currently the subject of the royal commission investigation team's investigations. Two officers were charged and four officers are under consideration for the institution of criminal proceedings. Twelve officers have been disciplined by the internal disciplinary processes of the Western Australia Police Service.

Mr M.J. BIRNEY: Mr Byrne, can you tell us how many successful prosecutions have arisen from the royal commission?

Mr BYRNE: I cannot say whether those prosecutions have been fully completed. As I understand it, one person has pleaded guilty. Three criminal prosecutions were instituted under offences under the Criminal Code and two criminal prosecutions were instituted under the provisions of the Royal Commission (Police) Act. A total of five prosecutions have commenced. I believe a guilty plea has been entered into in one of those prosecutions. I am not sure what sentence has been handed down, if, in fact, the case has proceeded to the sentencing stage.

Mr M.J. BIRNEY: I want to clarify that there has been one successful prosecution to date arising from the royal commission.

Mr BYRNE: I go back to the matter I raised before: that is, bald statistics are never and should never be an indicator of the performance of a corruption investigation agency. If that were the case, the big successful royal commissions like the Wood, Kennedy and Fitzgerald royal commissions would be considered failures and clearly they are not. A bald statistic like one, five or 10 is not really an indicator of the performance of a corruption investigation agency or a royal commission. It is about building a corruption-resistant police service or, in the case of the CCC, building a corruption-resistant public sector and police service. How we measure that is a little more intangible. It is a bit harder to measure the reduction of corruption in the police and public sectors than to say that we have had one, two or three prosecutions. I emphasise that point. Working for the CCC, and having a background in corruption investigation agencies, I know it is important to ensure that people understand that bald statistics are not and never should be an indicator of performance.

Mr M.J. BIRNEY: I accept that royal commissions have several roles to play and can be judged on several fronts. One of those is the number of successful prosecutions. I want to clarify for the parliamentary record whether the royal commission has led to one successful prosecution.

Mr J.A. McGINTY: That question has been answered.

[2.10 pm]

Ms S.E. WALKER: I refer to the first two dot points on page 523 of the *Budget Statements*, which read, in part -

A greater recognition of the rights of victims and their relatives and a growing sensitivity to their needs . . .

The continuing issue for the Office of the Director of Public Prosecutions (DPP) is the requirement to provide the State with an independent and fair prosecution service . . .

The Attorney General has refused to see Mrs Margaret Hunter on a one-to-one basis in relation to the killing of her daughter. Recently he approved the release into the community, on social day release, of Mr Marks, who killed her daughter. Mrs Hunter has been trying for some time to obtain a copy of the trial transcript of the killer of her daughter, and it is causing her some distress. She is having difficulty obtaining it from the Director of Public Prosecutions. What is the problem with her being able to obtain a copy of the trial transcript? Can the Attorney General give me a reassurance that the Office of the Director of Public Prosecutions does not have an understanding with him about the provision of trial transcripts in high-profile cases?

The CHAIRMAN: That question has been asked and answered, I believe. Are there any new points the Attorney General wishes to address?

[Interruption from the gallery.]

The CHAIRMAN: Members of the public in the gallery are more than welcome to come into this place and listen to the debate. However, they are not able to participate. If they wish to sit and listen, they are more than welcome to do so. Any other behaviour is unacceptable. I would kindly ask the person who asked for them to stop to do so, otherwise we would like them to leave.

Mr J.A. McGINTY: In answer to the question of the member for Nedlands, on two occasions -

[Interruption from the gallery.]

The CHAIRMAN: If the people in the public gallery choose to ignore the ruling of the Chair and wish to remain in this building, they must be cognisant of what I am asking of them. There are a number of ways in which they can get across their point, and this, unfortunately, is not one of them.

[Interruption from the gallery.]

The CHAIRMAN: I do not wish to have to ask members of the public to leave, should this behaviour continue.

[Interruption from the gallery.]

The CHAIRMAN: Could I have that person removed from the gallery.

[Interruption from the gallery.]



The CHAIRMAN: I advise members that I am vacating the Chair until the gallery is cleared.

*Sitting suspended from 2.14 to 2.25 pm*

The CHAIRMAN: I indicate to those in the public gallery that I was prepared to reach a compromise. That is clearly not going to work. I do not know whether you understand the processes of this Parliament, but the estimates committee hearings are somewhat different from the normal processes of this House and are time limited. You are clearly disrupting the process of this Chamber and cutting into time for members to question the Attorney General on very serious issues. Unfortunately, you leave me no option other than to ask the staff to clear the public gallery. Thank you.

[The public gallery was cleared.]

The CHAIRMAN: Members and advisers, I apologise for the disruption. I advise that the public gallery will remain closed for the remainder of this session to allow some catch-up in time lost. I apologise for the disruption. Perhaps the member for Nedlands could re-ask her question of the Attorney General. We might be able to proceed. I thank all for their forbearance.

[Mr D.A. Templeman took the Chair.]

Ms S.E. WALKER: Although I am not averse to the Attorney General getting this attention, I was asking a very serious question.

Ms M.M. QUIRK: Get on with it!

Ms S.E. WALKER: I am asking a question about a mother whose daughter was killed; I will not get on with it, member for Girrawheen! I ask the Attorney General why the Director of Public Prosecutions is being tardy, if one likes, in handing over the transcript of the trial of Mrs Hunter's daughter's murderer? While the Attorney was out of the Chamber, I spoke to the director, and he told me that he will make the transcript available.

The CHAIRMAN: Member for Nedlands, I ask which -

Ms S.E. WALKER: I referred to it, Mr Chairman; namely, the following reference under significant issues -

A greater recognition of the rights of victims and their relatives and a growing sensitivity to their needs . . .

The CHAIRMAN: The member will please bring her question to a conclusion so the Attorney General can answer it.

Ms S.E. WALKER: I am trying to explain that I spoke to the Director of Public Prosecutions in the Attorney General's absence so the Attorney may not need to answer the question. I am trying to explain that, Mr Chairman. Mrs Hunter has been up to view the transcript and tried to get a copy of it. I understand that the DPP will make it available provided the victim support services are with Mrs Hunter at the time because her daughter died of horrific injuries, although the prosecutor did not convey that information - I asked her. I thank the director. The transcript will be made available, as it should be.

Ms M.M. QUIRK: My question relates to the Office of the Director of Public Prosecutions. I refer to page 524 and output 1, criminal prosecutions, in the *Budget Statements*. I seek advice on whether studies have been conducted into the effects of the Criminal Code Amendment Act 2003, which will increase the number of criminal matters heard in the Magistrates Court rather than requiring a full jury trial in the District Court.

Mr J.A. McGINTY: I refer that question to the director.

[2.30 pm]

Mr COCK: Although my office has done no analysis itself, the Western Australia Police Service, which presently prosecutes most matters in the summary jurisdiction of the courts in Western Australia, has done some comprehensive modelling based upon the 2000-01 statistics produced by the Department of Justice. That modelling has shown that as many as 420 jury trials that went to the District Court in that year would have been able to be dealt with in summary jurisdiction if the new laws were in place in 2000. Therefore, when the new law commences next week, and it is anticipated that magistrates will be dealing with most of the each-way offences, up to 400 matters per annum that would ordinarily have gone to trial in the District Court will be dealt with by the Court of Petty Sessions. When members consider that we conduct only about 700 trials per annum in the District Court, our optimistic view is that perhaps as early as three years away the long waiting list at present of 18 months to two years for a trial in the District Court could be reduced so significantly that the delay may be a matter of only two or three months.

Mr M.J. BIRNEY: I will ask the Attorney General a question about division 32, but I am keen to get onto division 36, the Western Australian Electoral Commission, at some stage. I am not sure whether the Attorney General's advisers for that are here.

Mr J.A. McGINTY: Yes, they are.

Mr M.J. BIRNEY: The mission statement on page 516 of the *Budget Statements* states -

*To assist in keeping the law up to date and relevant to the needs of society by making recommendations for the reform of areas of law referred to it by the Attorney General.*

Can the Attorney General tell me whether any recommendations were made to him during the year by the Law Reform Commission that he did not take on board; and, if so, what were they?

Mr J.A. McGINTY: To the best of my recollection, the answer is no. Some recommendations from the Law Reform Commission were made during the course of the past year or so. One dealt with contempt of court, and there has not been a response to that matter. The Law Reform Commission has made its recommendations and they are being considered. We do not intend to act on them this year, which is not unusual with Law Reform Commission recommendations. The Law Reform Commission wrote to me regarding Aboriginal justice issues, not in the form of a report as it normally does but in the form of a letter from Gillian Braddock, who I think is now the Chair of the Law Reform Commission. In that letter, she made some suggestions about the way in which Aboriginal justice issues can be better addressed in the short term while we are awaiting the outcome of the Law Reform Commission's final report on Aboriginal customary law, which is not expected for another year or two. They relate to, as best I can recollect, some administrative changes in prisons for Aboriginal prisoners. The major change was in Aboriginal courts. Earlier today, I made reference to the potential for some innovative work to be done with Aboriginal communities in the member's area of Kalgoorlie and the surrounding countryside, and the way in which magistrates will address Aboriginals offending in those communities. The Law Reform Commission has made those recommendations, which I have not rejected. In fact, I was in Kalgoorlie a fortnight ago and spoke with the magistrate there, Mr Sharrat, and indicated that I expected that he and the newly appointed magistrate in Kalgoorlie, when she takes up her position in the second half of the year, would substantially lead the implementation of innovative ways of dealing with Aboriginal offenders, particularly those from Aboriginal communities. I do not think I have rejected any recommendations made to me by the Law Reform Commission.

Another matter that might come under the member's question is that a lot of what I, as Attorney General, have tried to do is to implement previous recommendations from the Law Reform Commission. The most useful and substantial guide to that was a report delivered in 1999 when Wayne Martin was the Chair of the Law Reform Commission and Mr Cock was also a member. That report recommended a significant reform of the civil and criminal justice system. In many senses, that has been the blueprint for what we are seeking to now write into criminal and civil laws. A lot of the recommendations came before the House in the form of magistrates Bills, which we recently dealt with; over 200 recommendations from the Law Reform Commission can be found in that legislation. In the Criminal Law (Procedure) Amendment Bill, which will soon come before the House, is a further host of recommendations from the Law Reform Commission, in particular, that seminal 1999 report. I am sorry that this has been such a long way of answering the member's question, but I am sure that there have been some recommendations from the Law Reform Commission from 1999 and prior that we are not implementing in these Bills. I cannot put my finger on exactly what they might be at this stage but they are longstanding recommendations to Government, some of which have been implemented, some of which have been implemented in part, and some of which are not proposed to be implemented at this time.

Ms M.M. QUIRK: I refer to significant issues and trends on page 523 and the first dot point regarding a greater recognition of the rights of victims. Has any work been done with regard to the rights of secondary victims of homicide by the officers of the Director of Public Prosecutions?

Mr J.A. McGINTY: Before I hand over to the Director of Public Prosecutions to answer in respect of his office, the Criminal Injuries Compensation Act, which came to effect on 1 January, has different provisions for secondary victims of crime; that is, people who were not a direct victim of a crime. We have put a number of limitations on the extent to which secondary victims can be compensated as a victim of crime if they did not witness the crime with their own eyes or if they are not a close relative. We have sought to put some limitation on the claims for mental and nervous shock for people who were not present at the crime, which has been motivated by a couple of cases. One involved the mother of a burglar who had broken and entered into a hotel in New South Wales and was assaulted by the publican. His mother saw that individual on the television and then made a claim for nervous shock as a result of seeing her son in a beaten-up condition on his way to hospital, in hospital or something of that nature. I do not think criminal injuries compensation or taxpayers' money should be made available to the relatives of criminals in those sorts of situations. However, we made some drafting errors in the legislation we brought before the Parliament. Recently, we introduced a Bill to correct that and to ensure that those people who are secondary victims and who witnessed the event with their own unaided senses - in other words, saw it directly rather than on television - or are a member of the immediate family of the victim are still eligible to claim criminal injuries compensation. The Director of Public Prosecutions might talk about what he has done through his office in respect of secondary victims.

[2.40 pm]

Mr COCK: My office has recently joined with the Police Service and the Department of Justice to negotiate and agree a set of homicide and secondary victim protocols, the effect of which is to streamline and make as easy as is practicable the passage of the prosecution of homicides through the justice system. It starts, naturally, at the investigation stage with the Police Service, which has nominated a particular contact officer. When the matter comes to the attention of my office for prosecuting, my office has committed to very stringent time lines within which we will be providing advice throughout the system to the secondary victims of homicide. The victim support service is also a key stakeholder in the protocols. We are very proud of the achievement we have made in working in partnership with the Department of

Justice and the Police Service to minimise to the extent possible the problems that used to arise. Different agencies had different responsibilities and not only was there no overlap, but also sometimes there were gaps in the process. Now we think we are providing the secondary victims of homicide with the best service we can in the circumstances of their case.

Ms S.E. WALKER: I refer to the protocols that have just been outlined by the Director of Public Prosecutions. The first dot point of significant issues and trends on page 523 refers to the greater recognition of the rights of victims. Is the Attorney General suggesting that secondary victims are not contacted until they reach the director's office, because his office does not normally get the brief until some time after the death? Secondly, is the Attorney General suggesting, for instance, that Mrs Hunter, who did not witness the event but found her daughter with her own mother, should not get compensation?

Mr J.A. McGINTY: I defer to the director in respect of questions involving his office.

Mr COCK: The protocol requires that the Police Service identify immediately a case officer who will deal exclusively with the secondary victims immediately the Police Service becomes aware of a suspected homicide. That way the secondary victims have an immediate point of contact in the bureaucracy. The minute my office gets involved, we also now endeavour to allocate the matter immediately to a senior counsel, who it is anticipated will not only deal with the matter from the first day it gets to my office but also to trial. Homicide cases are now allocated immediately to trial counsel, and that trial counsel's identity and access details are provided to the secondary victims immediately the matter comes to my office. The secondary victims are encouraged to deal exclusively with them for that purpose.

Ms S.E. WALKER: Does that mean that the file manager is the counsel rather than another individual?

Mr COCK: The counsel will manage the file to minimise the problems that can be caused to secondary victims by the file movement from one officer to another within my department. We recognise that that has been a problem in the past. We now generally seek to ensure that the counsel who will conduct the matter at trial will also be the file manager, for obvious reasons.

Ms S.E. WALKER: I did not get a response to the other part of my question. The Attorney General did not answer me.

The CHAIRMAN: Can you state the question, member? I am conscious of the time.

Ms S.E. WALKER: Did the Attorney General say that a relative who finds the body of a child, say, will not be eligible for criminal injuries compensation as opposed to someone who sees a crime?

Mr J.A. McGINTY: I do not think so. It would be necessary to look at the provisions -

Ms S.E. WALKER: You do not think what?

Mr J.A. McGINTY: I do not think the answer to the member's question is yes.

Ms S.E. WALKER: You do not think they are eligible - someone like Mrs Hunter?

Mr J.A. McGINTY: The member put to me a proposition and I am saying the negative about it. The member would need to look at the precise provisions of the Criminal Injuries Compensation Act and to align it with the factual circumstances that the member is talking about. I am reluctant to give an opinion on what the Act might say without having it in front of me.

Mr P.B. WATSON: The major initiative referred to in the final dot point on page 511 states -

Continue to review the nature of legal assistance provided to complainants with a view to increasing the rate of negotiated settlements.

What is the ratio between negotiated settlements and settlements?

Ms HENDERSON: Approximately 50 to 60 per cent of all matters are settled within the commission itself. If the matter is not settled and proceeds to the tribunal, the first part of the tribunal process is a further mediation attempt. Quite a large number of matters are settled at that point. I think the final ratio is that somewhere in the vicinity of 80 to 90 per cent of matters are settled. Some of those are not actually settled; some lapse and some are withdrawn. Even though some are withdrawn, that does not mean they will not settle; it just might mean that a private settlement was reached between the parties. The final percentage that goes to hearing is somewhere between 10 and 15 per cent.

Mr M.J. BIRNEY: The first dot point of significant issues and trends on page 590, referring to the Western Australian Electoral Commission, indicates that a state general election is due to be conducted by early 2005. I believe the Attorney General will introduce a Bill for fixed terms in Western Australia. When is that Bill likely to be introduced, if at all?

Mr J.A. McGINTY: The Bill has been introduced and I have second read it, but it has not progressed beyond that stage owing to other priorities. It is something we support as a matter of policy. I recently had a meeting to look at the backlog of legislation in the Legislative Council. We are turning our minds to the problems that will be created by that backlog of Bills in the Legislative Council and what will not be passed by this Parliament this year, even though it

might be passed by the Legislative Assembly. We are now entering the stage at which we know we have an acute backlog and one that might mean that some Bills will not be passed this year, when we might otherwise have hoped they would have been.

Mr M.J. BIRNEY: I would have thought that a fixed-term election Bill would have been a priority in an election year. Is it not a priority for you? Also, is this Bill the same Bill that you introduced when you tried to introduce the poll tax - just minus the poll tax?

Mr J.A. McGINTY: I am not sure what the poll tax is. I know Margaret Thatcher did something like that in Britain when imposing a tax on families in their homes.

Mr M.J. BIRNEY: I am sure the Attorney General knows what I am talking about.

[2.50 pm]

Mr J.A. McGINTY: The misnomer to which the member refers. The legislation that has been introduced provides for fixed-term elections and some other amendments to the Electoral Act. If that legislation is passed, it would, in substance, require that an election be held on the third Saturday in February every fourth year. That would create a coming together of the election dates for the Legislative Assembly and the Legislative Council. It is as close as we can get constitutionally to fixed terms without saying it in one simple sentence. That Bill is before the Parliament. It does not rank as highly as a range of very important law and order initiatives that we have before the House, nor does it rank as highly as the implementation of the recommendations of the police royal commission. I expect it will be dealt with by the Assembly this year. Whether it will be dealt with by the Legislative Council is another thing. I understand that the member's party is opposed to some significant provisions that would bring about fixed-term elections. At least, the upper House members are opposed.

Ms M.M. QUIRK: I refer to page 507 of the *Budget Statements*, which refers to the Commissioner for Equal Opportunity. The last dot point refers to a number of projects arising from the Premier's Anti-Racism Steering Committee. I would like some amplification on which projects are being undertaken to address systemic racism.

Ms HENDERSON: As I mentioned earlier, the Anti-Racism Steering Committee has sponsored a number of projects. The largest single project is that which attempts to tackle racism in the public sector. A consultant from Britain, Dr Charles Husband, is an expert in these areas and has worked with police forces in Britain and Europe. He has been engaged to come to Western Australia to provide advice and support. A strategy or partnership team is driving the project, which consists of representatives from the Department of the Premier and Cabinet, the Office of Multicultural Interests, the Equal Opportunity Commission, the Department of Indigenous Affairs and one other agency, the name of which escapes me for the moment. Four government agencies have agreed to be in the pilot program: the Western Australia Police Service, the Department of Justice, the Department of the Premier and Cabinet and the Department for Community Development. The program is aimed at addressing recruitment and retention to ensure that the diversity in the community of Western Australia is reflected in the public sector. It is also aimed at closely examining policies and practices throughout the agencies to ensure that they do not contain any impediments to persons of diverse backgrounds from progressing within the public sector. Finally, it looks at service delivery to the public. Are those members of the public from diverse backgrounds getting the kind of services they need from those agencies? The ultimate intention is that once the pilot program is completed in those four government departments, a program will be devised that can be rolled out across the entire public sector.

Ms S.E. WALKER: I refer to the second dot point under significant issues and trends at page 523 of the *Budget Statements*. The DPP said that, as a result of an analysis, 420 jury trials could possibly be sent to summary jurisdiction; that is, the Magistrates Court. May I have a copy of the details of what sorts of trials are involved? Alternatively, can the Attorney General inform us now? May I also have a copy of the analysis in summary or tabular form? I note that the amount of briefing out of cases will increase. Will these matters be briefed out? Have more inexperienced prosecutors been appointed to deal with indictable matters?

Mr J.A. McGINTY: I will answer the first part of the question but I will start by asking the DPP to answer the second part concerning the briefing out.

Mr COCK: My office will continue to prosecute all the matters before the President of the Children's Court, the District Court of Western Australia and the Supreme Court of Western Australia that are within the state jurisdiction. There is no anticipated increase in our staffing in the next reporting period. As such, I will not have the resources to deal with matters in the petty sessional courts. Those matters will be prosecuted, as they presently are, by trained police officers.

Ms S.E. WALKER: The 420 cases?

Mr J.A. McGINTY: The Criminal Code Amendment Bill, which was passed by the Parliament and comes into effect this week, requires all either-way cases to be dealt with by a magistrate. Any indictable offence that can be dealt with summarily will, in future, more than likely be dealt with by a magistrate rather than a District Court trial.

Ms S.E. WALKER: Trial by judge alone?

Mr J.A. McGINTY: No. There are very few trials by judge alone. They are cases which, in the normal course, would have a full jury trial. Generally speaking, they are middle to lower-order offences which, in many cases, are currently dealt with summarily by a magistrate. This is very important groundbreaking legislation in taking pressure off the superior court when dealing with criminal matters. That is important for victims as well as efficiencies within the court. In addition, the offence of aggravated burglary in company has been made an either-way offence. It was an acute problem in remote areas of the State. Classically, two Aboriginal youths would be involved. One would wait outside and stand guard by a house. The other would go into the unlocked house and take a biscuit or can of Coke from the fridge. That is aggravated burglary in company. It is an indictable offence that can be dealt with only by the District Court. As a result of the changes just made - I appreciate the support of the member's party in the passage of legislation - it is a matter that will be dealt with by a magistrate rather than being referred to the District Court. Magistrates will still have the discretion to refer cases to be dealt with in the District Court. I expect more serious matters to be dealt with in that way. It is designed to complement an early initiative, which was the abolition of preliminary hearings or committals. On our best estimates, that frees up the full-time equivalent of one and a half magistrates. We have now completed the loop by taking a significant amount of work from the District Court and adding to the workloads of the magistrates. The net effect of the Criminal Code Amendment Bill on either-way offences and the abolition of committals will be a dramatic shortening of time in the District Court for people who are awaiting trial for what are quite often very serious criminal charges. I have not seen the study but from what I have heard it appears to be very optimistic in its likely impact. If we can dramatically reduce the waiting time for serious trials in the District Court, it will be a tremendous achievement.

Ms S.E. WALKER: May I have a copy of the report and a list of the jury trials identified?

Mr J.A. McGINTY: The jury trials are all either-way offences listed in the Criminal Code. We went through those.

Ms S.E. WALKER: Yes, but I am specifically asking about the 420 jury trials and the report.

Mr J.A. McGINTY: The Director of Public Prosecutions referred to the report. When I have seen it I will give consideration to whether that is appropriate. I cannot think of any reason why it would not be.

The CHAIRMAN: Our time is at an end. The question is that the appropriations be recommended for divisions 29, 30, 31, 32, 33, 34 and 36.

### **The appropriations were recommended.**

[3.00 pm]

### **Division 3: Premier and Cabinet, Outputs 10 and 12 -**

The CHAIRMAN (Mr D.A. Templeman): This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow.

The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated fund. This is the prime focus of the committee. While there is scope for members to examine many matters, questions need to be clearly related to a page number, item program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the *Budget Statements* where there remains a clear link between the questions and the estimates.

It is the intention of the Chairman to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the committee clerk by 11 June 2004, so members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available.

Details in relation to supplementary information have been provided to both members and advisers and accordingly I ask the minister to cooperate with those requirements.

I caution members that if the minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide will be sought by 11 June 2004.

Dr E. CONSTABLE: I refer to the capital works program at page 707. The minister will not be surprised by my question. I want to follow up on last year's estimates committee hearing during which Mr Matthews referred me to page 774, which showed that \$100 000 had been allocated for the next financial year under the item for the central and west metropolitan accommodation review. That does not appear in the budget papers as work completed or work in progress. I presume the review has been completed. I am very disappointed that there is no mention of a replacement

police station for Wembley and Subiaco, and maybe even Claremont and others. As I pointed out last year, there is a dire need for capital works to be completed and a new police facility in the area. How much of that \$100 000 was spent on that review? Was the review completed? What was the result? Is there a report and can I have a copy of it?

[Mrs D.J. Guise took the Chair.]

The CHAIRMAN: For clarification, was the member for Churchlands' question in relation to division 3?

Dr E. CONSTABLE: Are we dealing with capital works?

The CHAIRMAN: We are dealing with division 3, outputs 10 and 12.

Mrs M.H. ROBERTS: To clarify it, the first two items listed deal with the Office of Road Safety and the Office of Crime Prevention.

Dr E. CONSTABLE: I will ask my question later.

Mrs M.H. ROBERTS: I am not sure whether a message was given, but I am happy to deal with division 43 first, which relates to the Police Service.

Dr E. CONSTABLE: I presumed that that was what we were dealing with.

The CHAIRMAN: That is division 43. Do I have agreement from the committee to do that? In that case, that is exactly what we will do.

Mrs M.H. ROBERTS: The first two divisions to be dealt with related to the Office of Road Safety and community and crime prevention. The intention is to bring those divisions on after seven o'clock. That has been done with the agreement of the member for Carine, who will be here at that time as the opposition spokesperson on road safety matters.

The CHAIRMAN: Is there a time for dealing with those matters?

Mrs M.H. ROBERTS: No, there is no separate time; it is just an informal agreement that those matters come on after 7.00 pm. A couple of members who are more interested in those areas have been rostered on later.

**Division 43: Police Service, \$659 309 000 -**

Mrs D.J. Guise, Chairman.

Mrs M.H. Roberts, Minister for Police and Emergency Services.

Mr B.E. Matthews, Commissioner of Police.

Mr M. Hay, Assistant Commissioner, Acting Deputy Commissioner, Operations.

Mr K.J. O'Callaghan, Acting Deputy Commissioner.

Mr C.J. Dawson, Acting Assistant Commissioner, Strategic and Corporate Development.

Mr R.J. Mitchell, Executive Director.

Mr M. Bowler, Acting Director, Human Resources.

Mr P.M. de Mamiel, Director, Finance.

Mr A. Taylor, Director, Asset Management.

The CHAIRMAN: The question before the committee is that the appropriation for division 43 be recommended.

Dr E. CONSTABLE: Does my question stand?

The CHAIRMAN: The member for Churchlands' question stands.

Mrs M.H. ROBERTS: To clarify the issue, I did not want to tie up officers from the Police Service for indefinite periods, so my view was that we would deal with the police areas first. Then they can get back to doing more important work.

Dr E. CONSTABLE: This is pretty important.

Mrs M.H. ROBERTS: I know. Of course it is very important. However, there is policing work to be done in this State as well and there is no point tying them up in sitting around and listening to other estimates areas. Division 43 deals with the Police Service. The member for Churchlands referred to page 707, and particularly to capital works. She asked what had occurred since last year with the \$100 000 and was that allocated to the central area review. That central area review was undertaken. Progress has been made. It may be appropriate that Mr Dawson responds, because he has been involved in that.

[3.10 pm]

Mr DAWSON: The Police Service engaged external consultants, aside from those internal people from the asset directorate and the central and west metropolitan districts. There was quite extensive consultation. An amount of

\$235 000 has been expended. I cannot refer you directly to where the moneys allocated in the previous budget are displayed, but that amount has been expended. There has also been some carryover of some of the moneys that were allocated in the original budget. The survey and the analysis have been presented to the minister and subject to quite extensive consultation with local government authorities and other stakeholders. The outcome of the analysis has been a three-station model in the western suburbs. Those stations are primarily located in Leederville, Vincent-Subiaco and Claremont-Cottesloe. Those are the three main hubs in the western suburbs. The Government has made an allocation for one of those police stations; that is, the Vincent Police Station. I am happy to provide further details. I think an amount of over \$5 million has been provided for the first of those three stations.

Dr E. CONSTABLE: Where will the Vincent Police Station be located?

Mrs M.H. ROBERTS: That location has not yet been determined. An informal discussion took place with the Mayor of Vincent, who had at an earlier stage suggested some council property might be available. I understand that is no longer the case. One of the options under consideration is the current site of the Leederville Police Station, which I am advised is a large site. However, much more consultation will have to take place before we determine whether the new station will be on that site or another site.

Dr E. CONSTABLE: Just to clarify the point, do I understand that Wembley will be without a police station once the three new police stations are built?

Mrs M.H. ROBERTS: Not necessarily. A number of options can be looked at. Those kinds of options would include housing detectives at Wembley. Although there would not be a police station in the same sense that there is now, it could possibly house -

Dr E. CONSTABLE: I hope that it will not be the same one, because it will be falling down by then.

Mrs M.H. ROBERTS: No. There is a lot to be worked through. Quite clearly, we have a significant upgrade program occurring to take into account occupational health and safety standards. Sadly, many of our police stations do not meet appropriate standards. We have allocated money for those purposes, and we are ensuring that the working environment of police officers and public servants working in the Police Service meets current day occupational health and safety standards.

Dr E. CONSTABLE: Mr Dawson mentioned that local authorities and others have been briefed. Would it be possible for the members of Parliament involved in these areas to be briefed as well?

Mrs M.H. ROBERTS: I am sure that he is more than happy to ensure that occurs.

Dr E. CONSTABLE: It is really important that we know what is happening.

Mr R.A. AINSWORTH: On page 707 the capital works program refers to works in progress. I was disappointed to see that no significant works are occurring in country areas. Will any of the \$5.7 million budgeted for facility maintenance and occupational health and safety modifications in 2004-05 go to country police stations; and, if so, which ones and how much will be allocated? Will any of the \$230 000 allocated to the cellblock upgrade program in 2004-05 go to country police stations; and, if so, which ones and how much will be allocated? I understand that the minister may not have those figures in front of her. If necessary, the question could be on notice, but I would like a breakdown of those figures, if possible.

Mrs M.H. ROBERTS: With regard to page 707, it is certainly my view that a lot of money is allocated to country regions; in fact, most of the new police stations that we are building are in country areas. The total cost of the new projects is some \$61 million. They include the Gordon reform program multifunctional police stations. There will be police stations at Bidyadanga, the Dampier Peninsula, Jigalong, Warakurna and Warmun. A new police complex is to be built in the Kimberley. As I understand it, the member is more interested in the upgrade to existing country police stations rather than the building of new police stations.

Mr R.A. AINSWORTH: I am interested in new police stations, of course. I fully understand that there will not be a program for the replacement of every police station that needs some work on it. Therefore, upgrading is obviously the way to go to overcome some of the shortcomings that have been identified in many of those stations. It would be useful if we could get some detail on the amounts of money and the direction in which that money is going and to which stations. If that information is not available immediately, I am quite happy to take it on notice.

Mrs M.H. ROBERTS: I will ask Mr Alex Taylor if he can comment on that.

Mr TAYLOR: In summary, about 65 per cent of the expenditure will be in regional Western Australia. In terms of the detail, if we can take the question on notice, we will provide the member with the detail of spending by region and district.

Mr R.A. AINSWORTH: Could that detail be by way of supplementary information?

The CHAIRMAN: Will the minister clarify what she will provide, and then I will allocate a supplementary information number?

Mrs M.H. ROBERTS: We can provide by way of supplementary information the expenditure on country police station upgrades for the 2004-05 budget.

[*Supplementary Information No A2.*]

Mr R.A. AINSWORTH: To save my asking a similar question with regard to new works, could we have similar information relating to country stations for new works as well as upgrades?

Mrs M.H. ROBERTS: We have here the new works information. The dollar amounts for each of those is as follows: the expenditure on the Bidyadanga Police Station, \$1.186 million; Dampier Peninsula Police Station, \$1.238 million; Jigalong Police Station, \$1.291 million; Warakurna Police Station, \$1.576 million; and Warmun Police Station, \$1.291 million; giving a total of \$6.582 million. The expenditure on the Kimberley police district complex is \$9.900 million. The expenditure on the Albany police complex is \$6.554 million, which is planned for 2004-05. It is part of the total cost of the complex of \$9.265 million. There is also the Balgo multifunctional police facility. The estimated total cost for that new facility is \$1.426 million. That is due for completion in 2005. Expenditure on the Carnarvon Police Station is \$4.255 million. The expenditure on the Kalumburu multifunctional police facility is \$1.38 million. The total cost of that facility will be \$1.558 million. The new Laverton Police Station, which involves the construction of a replacement station in Laverton, has a budgeted expenditure of \$3.237 million in 2004-05. The total cost is estimated to be \$3.5 million. Again, it has a completion schedule of mid 2005. The construction of the replacement police station at Newman has a total budgeted expenditure of \$3.009 million in 2004-05. The total cost of that station is \$3.797 million. The completion of that is also scheduled for mid-2005. Warburton multifunctional police facility has budgeted expenditure of \$1.359 million. Its total cost is \$1.439 million. The Bidyadanga Police Station has an estimated total cost of \$1.186 million and a budgeted expenditure of \$20 000 in 2004-05.

[3.20 pm]

Mr M.J. BIRNEY: In the first instance, I will ask the minister for a number of supplementary lists relating to about five specific budget line items. The first is on page 710 of the *Budget Statements*. I refer to the item on land and buildings under the non-current assets, for which the budget for the forthcoming year is \$292.413 million. The second item on which I seek information is two points down on the same page. The item for "other" under non-current assets has a budget of \$59.819 million. I also refer to the section on cost of services on page 709. Under the expenses from ordinary activities is a figure of \$131.217 million for supplies and services. I am also hoping to get a supplementary list for the last item under new works on page 708, which is the replacement equipment program, which has an estimated total cost of \$14 million. As an addendum to that last item, I ask that the \$3 million of equipment that will be provided in this year's budget be listed separately. I ask the same for the item directly above, on the police station upgrade program, which has been allocated \$4 million. As an addendum to that list, I seek further information on the \$1 million to be provided in this financial year.

Mrs M.H. ROBERTS: Before the member for Kalgoorlie goes too much further, the point about supplementary information is that it is to provide information that is not available during the estimates hearing. I understand that we will be able to provide some of the requested information now. I will check with the commissioner and others, because the member asked for some information that would take longer to provide than the period allowed for supplementary information; we would not be able to provide it in that time frame. The member may need to put those requests for information on notice.

Mr M.J. BIRNEY: That is the last of them.

The CHAIRMAN: So that we can keep up, I suggest that we start with the first request and work through them. I have allowed a fair bit of latitude.

Mrs M.H. ROBERTS: I will start to answer the member's questions, because I have some of the information here. We will not need to provide those responses by way of supplementary information. In terms of the police station upgrade referred to on page 708 -

Mr M.J. BIRNEY: The \$4 million.

Mrs M.H. ROBERTS: A four-year, \$4 million accommodation upgrade program commences in 2004-05. The program will address the ongoing need to upgrade the operational functionality of police stations to enhance the delivery of contemporary policing services. That item has budget expenditure of \$1 million in 2004-05. The Police Service operates some 200 facilities statewide. Some 73 per cent of those facilities are more than 20 years of age and lack functionality. The new and replacement police stations and major police station upgrades are funded on a project specific basis. The police station upgrade program funds a range of minor accommodation needs. I will need to check, perhaps with Mr Taylor, whether all the programmed items have been identified at this stage.

Mr TAYLOR: Not as yet. The budget is a forward budget. In terms of the \$1 million to be spent next year, we are going through a list of priorities at the moment. Come 1 July we will have a list of priorities for what the \$1 million will be spent on. I cannot give a list of how the \$1 million will be spent next year or in the out years. However, as



suggested, we seek feedback from all stations on minor upgrades that would assist their operations. We prioritise that list and come up with an independent program on 1 July to roll out during the year.

Mr M.J. BIRNEY: So the \$4 million is an arbitrary figure. Have you done any background research to arrive at that figure? Is it just a figure that you have put aside for upgrades?

Mrs M.H. ROBERTS: Figures such as that are arrived at following information that is received and previous expenditure in those areas. There has obviously been an assessment undertaken in recent years of occupational health and safety to make sure that we can meet our obligations.

Mr M.J. BIRNEY: Do you have a list that totals \$4 million?

Mr TAYLOR: No.

The CHAIRMAN: I will deal with these questions. I allowed a fair deal of latitude. This is not an opportunity to place a wish list before the estimates committee, but an opportunity to ask a question on particular items. The member for Kalgoorlie listed a range of questions that he would like answered. I do not know whether the minister has the answer to them all. We will work through them one at a time. The member can ask further questions later, because I want to give other members a chance to ask questions.

Mrs M.H. ROBERTS: I appreciate your advice, Madam Chairman. The other item the member for Kalgoorlie asked about was the replacement equipment program, which has a budget of \$14 million and is listed on page 708. The advice in front of me is that the Police Service has about 44 000 items of equipment, with an estimated replacement value of \$75 million. As the member pointed out, there is a four-year, \$14 million program, with planned expenditure of \$3 million in 2004-05. Again, specific detail of what equipment will be bought in the coming financial year has not yet been finalised. If the member would like, I can provide him with a list of what the money was spent on in 2003-04 as part of that program. At this stage, I cannot provide the figures for 2004-05, nor would I be able to provide them by way of supplementary information.

Mr M.J. BIRNEY: I will not trouble the minister for the previous figures. Can the minister give me a list that outlines the \$14 million that has been put aside for equipment upgrades?

Mrs M.H. ROBERTS: No. Essentially, it is determined on a year by year basis. In terms of the \$3 million to be provided in the coming financial year, that equipment has not been determined at this stage. Categories of equipment include audiovisual, communication, photographic, radio, scientific, traffic and safety equipment, firearms, vehicles, vessels and aircraft. That is the range of equipment. The budget to the next level has not been done at this point in time.

Mr M.J. BIRNEY: On that point, the minister said that there was a list of \$75 million worth of equipment that had been identified as being in need of replacement.

Mrs M.H. ROBERTS: No.

Mr M.J. BIRNEY: The minister did not say that?

Mrs M.H. ROBERTS: No. That is the value of all recorded equipment.

Mr M.J. BIRNEY: Okay. There are still two or three other points on my list of questions.

Mrs M.H. ROBERTS: I seek the Chairman's advice on whether she wants me to answer other parts of the member for Kalgoorlie's questions or whether she will come back to him.

Mr M.J. BIRNEY: It is one question.

The CHAIRMAN: A range of rather lengthy items were raised. Perhaps we could address two more and then come back to the member for Kalgoorlie. I will put the member for Kalgoorlie on the list so that we can be fair to other committee members.

Mr M.J. BIRNEY: I would be happy to have addressed my question on supplies and services, which is detailed under the cost of services as an expense from ordinary activities on page 709. I am sure it would be easy for the minister to provide a list of supplies and services totalling \$131.217 million. Madam Chair, you said that I could get an answer to a second question -

The CHAIRMAN: Just let us deal with the first one and you can then tell me the question to which you would next like a precise answer. We can then move on to other members and I will put you on the list to come back to.

[3.30 pm]

Mrs M.H. ROBERTS: There is an increase in the budget for supplies and services of \$9.063 million, which is mainly attributable to the following: realignment of expense elements between major accounts, \$6.713 million; salary capitalised from capital works program, \$3.865 million; royal commission initiatives, \$1.5 million; motor vehicle operating lease cost increases, \$1.002 million; police assistance centre, set-up and running costs, \$1.291 million;

national police certificate costs, \$0.467 million; regional support unit and targeting of volume crime costs \$0.363 million; and, child sex covert line and child sex register costs, \$0.347 million.

Mr M.J. BIRNEY: With respect, that was not the question I asked. I asked the minister to supply the entire list that totals the \$131 million of supplies and services, as totalled in the 2004-05 budget figures.

Mrs M.H. ROBERTS: Within broad categories, I am advised that that information could be provided by way of supplementary information, but it may need to be based on last year's expenditure. I am happy to provide the member with whatever information the Police Service has available.

[*Supplementary Information No A3.*]

Mr M.J. BIRNEY: I am chasing a register of land and buildings, which appears on page 710 of the *Budget Statements* under non-current assets. The total figure budgeted for in 2004-05 is \$292.413 million. Can the minister provide me with a full and comprehensive list of the land and buildings owned by the Police Department, which totals \$292.413 million?

Mrs M.H. ROBERTS: That information is published in the Police Service's annual report. We are happy to provide the member with a copy of that report as supplementary information.

The CHAIRMAN: For the purposes of Hansard, I will clarify what it is the minister is agreeing to supply.

Mrs M.H. ROBERTS: I agree to supply information on land and building holdings by the Western Australia Police Service.

Mr M.J. BIRNEY: Is that an itemised list?

Mrs M.H. ROBERTS: A list is provided in the Police Service's annual report. I will provide the member with that list.

Mr M.J. BIRNEY: Is it itemised?

Mrs M.H. ROBERTS: That is my understanding.

[*Supplementary Information No A4.*]

Ms M.M. QUIRK: I refer the minister to the Wanneroo Police Station on page 707 of the *Budget Statements*. Will the minister provide more detail about the new Wanneroo Police Station and why this station, in particular, must be constructed. Would the minister provide advice on the progress of construction and what progress will be made during 2004-05? Concerns have been expressed to me that the construction has been held up because of planning approval problems. I would like some assurance that the matter will proceed forthwith.

Mrs M.H. ROBERTS: The Wanneroo Police Station, with which I am sure the Chairman is familiar, was built in 1971. Wanneroo is one of the fastest growing areas in Western Australia, let alone the metropolitan area. The member is right: the station is overcrowded and lacks facilities required for contemporary policing stations. The new building will be built to accommodate a staff complement of some 20 general duties and traffic staff. It will include office accommodation, an operations room, a video interview room, staff amenities and a custodial facility. As to the question regarding progress and construction, I understand that the site acquisition and design work is progressing. Construction is due to commence in early 2005 and the station is expected to be occupied in the second half of 2005. The total cost of that new station is some \$3 million. This year's budget allocates \$1.779 million for that project.

Ms M.M. QUIRK: Is the minister aware of any hold ups that have been caused by activities at a local government level?

Mrs M.H. ROBERTS: I understand there have been some hold ups with allocated money. The Government is keen to get on with the project. Hopefully, work will be able to progress faster than it has done to date, but there have been some issues with regard to the local authority.

Mr S.R. HILL: I refer the minister to Aboriginal police liaison officers, which is the third dot point on page 698 of the *Budget Statements*. Can the minister advise whether the Government is on track to recruit an additional 40 APLOs?

Mrs M.H. ROBERTS: Yes. Since February 2001 the Government has recruited an additional 20 Aboriginal police liaison officers. Another 10 APLOs will be recruited this month and the final 10 of the additional 40 APLOs will be recruited by December this year. The authorised strength of APLOs as at 30 June 2004 will be 134, compared with 104 at 30 June 2001. That figure takes into account the additional 10 APLOs who will be trained at the end of this month. As I said, the final 10 APLOs will be trained in December. The marketing campaign to attract APLOs has been successful. I understand that some 62 applicants across the State applied for the May 2004 vacancies, which is good. Some postings have been harder to fill than others. A lot of care must be taken with the recruitment process and in aligning APLOs with their eventual posting. The recruitment of APLOs has now become a fully-fledged function of the police recruiting unit. Where it can, the Government is encouraging APLOs to move into mainstream policing, which is a significant advance. In 2003-04, three APLOs have successfully moved to mainstream policing.

Dr E. CONSTABLE: I refer the minister to the first dot point under major initiatives for 2004-05 on page 705 of the *Budget Statements*, which refers to the targeting of antisocial behaviour and volume crime hot spots in the metropolitan area through the regional operations group and other initiatives. Is the Scarborough beachfront among those hot spots?

Mrs M.H. ROBERTS: It certainly is. It has been an area with which there has been a lot of concern. I hope that the hoon legislation - as it is colloquially called - which was introduced recently and will hopefully be debated in the upper House in the next week or two, will make a difference. Alongside that, the Government has formed the regional operations group, to which the member referred. That was organised largely in response to a number of instances. Some pretty unruly instances involving youth have occurred, particularly at the Scarborough beachfront, a party in Kalamunda and a wedding in Ballajura in which the police response was unacceptable. Since then, the police have proactively put in place that regional group and the Scarborough beachfront is one of those areas that it has targeted. Special police operations on weekends have targeted the beachfront. Officers from other specialist units have been involved in those operations.

Dr E. CONSTABLE: How many full-time equivalents are currently employed in that group? Will the number of officers allocated to that group increase in the next financial year?

Mrs M.H. ROBERTS: Currently, 60 police officers are allocated to that group.

Dr E. CONSTABLE: Will more police officers be involved in that group in the coming year?

Mrs M.H. ROBERTS: Yes. It is intended that in the near future the number of police in that group will be ramped up to about 75 officers.

Dr E. CONSTABLE: In light of the minister's comments, she will be aware that a few days ago the City of Stirling announced plans to upgrade the Scarborough beachfront. Does the minister and the Police Service consider that upgrade will help in combating antisocial behaviour in Scarborough?

Mrs M.H. ROBERTS: It is absolutely essential that the Police Service work with local government authorities on the environmental design of areas because it can have a big impact on the social or antisocial behaviour of people in an area. Things can be done to the ingress and egress of an area and to its design to make it more difficult for people to behave in antisocial ways, particularly with regard to hoon-style activities and drag racing. That can work hand in hand with more effective legislation. I have not actually seen the designs and I do not know what will be determined by the City of Stirling in its final approval, but I hope the police will have input to that.

[3.40 pm]

Ms S.E. WALKER: I refer to the major policy decisions listed on page 692. One of the items listed in the table is the child protection offender register. Where will that register be held and how does a person get on the register?

Mrs M.H. ROBERTS: As the member for Nedlands will be aware, currently the situation is that child sex offenders and other persons convicted of serious offences against children, once they have completed their terms of imprisonment and are no longer subject to parole conditions, are able to move throughout the community without being monitored. In the past this has resulted in some offenders being able to locate themselves near childcare centres and schools, and they have been able to be completely anonymous. Legislation for the child protection offender register will be introduced into Parliament in the near future. I understand it is currently being drafted. The intention is that the details will be kept by the police about offenders' addresses, occupations, the make and registration numbers of the cars they drive and so forth. The offenders will have a limited period of time after completing their sentence in which to register. As they exit the justice system details will be provided to the Police Service, and there will be a very limited period during which the offenders will be required to register with the police.

Ms S.E. WALKER: Is the minister saying that only convicted child sex offenders will be included on the register; that is, people with a criminal record?

Mrs M.H. ROBERTS: How is it determined that someone is a child sex offender if that person has not been convicted?

Ms S.E. WALKER: For instance, that person could be in the SafeCare program. Five hundred paedophiles have been through that program without being subject to conviction, so we would not know about them.

Mrs M.H. ROBERTS: This is not a budgetary matter; it appears to me to be a policy matter that the member will be able to debate when the legislation comes before the House.

Ms S.E. WALKER: I asked whether only paedophiles with police criminal records will be going on the child protection offender register and the minister replied that that was the case. My second question was whether the names of those people will remain on the register indefinitely.

Mrs M.H. ROBERTS: I can understand that the member for Nedlands is fishing for some of the details of the legislation that the Government is yet to introduce.

Ms S.E. WALKER: That is what we are here for.

Mrs M.H. ROBERTS: No, this is not a fishing expedition on policy.

Ms S.E. WALKER: The minister allowed the member for Girrawheen to ask such a question.

The CHAIRMAN: Order!

Mrs M.H. ROBERTS: This is an opportunity to ask about budget items. As the member for Nedlands will be aware, we are linking into a national sex offender register. Legislation has been in place for some time in New South Wales, national model legislation is being drafted and Western Australia will be introducing its own legislation. When I introduce that legislation, the member for Nedlands will be able to debate it if she does not agree with the categories of people being included.

Ms S.E. WALKER: I am asking whether the names of convicted child sex offenders will remain on the register indefinitely. It is included in one of the major policy decisions, so I assume that those things have been nussed out.

Mrs M.H. ROBERTS: That is right, and member will be able to find out when we introduce the legislation.

Ms M.M. QUIRK: I refer the minister to the third, fourth and ninth dot points on page 704 of the *Budget Statements*, which relate to the outcomes of DNA sampling. How many persons have their DNA profiles on the database? What are the outcomes to date of the implementation of the legislation?

Mrs M.H. ROBERTS: Approximately 38 000 DNA samples are held on the database. This is a great achievement for the Police Service, and compares more than favourably with the numbers on the databases in just about any other State. It is a bigger raw number, as I understand it, than either New South Wales or Victoria, and on a per population basis it is greater than anywhere else. I know the member for Girrawheen is aware that the more DNA samples held on the database, the greater chance of a hit. The sad fact is that something like four per cent of the community commits about 80 per cent of the crime, so the more people we get onto the database the more likely we are to get those hits. Interestingly, we have had a very good sample collection rate in WA. During 2002-03, 21 085 DNA reference samples were collected, and up until 7 May 2004, 15 462 DNA reference samples had been collected. It is therefore forecast that around about 18 138 will be collected during this financial year. That is almost another 20 000 samples. That will be very significant. There have been a large number of matches for burglaries. In 2002-03 there were 265 matches, and it is projected that there will be nearly 400 matches this financial year, which is a significant increase. In non-dwelling burglary offences there were 123 matches in 2002-03, and the aim is to double the number of matches in the coming year. In the case of sexual offences, which are always very awful offences, there were 12 DNA database matches in 2002-03, and to 7 May this year there have been 20. What is really pleasing about this is that they are all crimes that were highly likely not to have been solved by other means.

Mr M.J. BIRNEY: I refer the minister to page 698 and the fourth dot point, which points out that the police have successfully targeted offences against the person and drug offences, and goes on to list some of the more impressive statistics. The minister will recall that the second last set of crime statistics - as opposed to the last set - contained a waiver, put there by the police, to the effect that the police had changed the way that crime statistics are reported and recorded in Western Australia, and they could not necessarily be compared against previous years. From memory, it went on to say that any increase or decrease may not necessarily reflect an actual increase or decrease. The minister might recall saying, when I questioned her in the Chamber at that time, that that was a standard waiver on all police statistics, and also all Australian Bureau of Statistics statistics. I did some investigation on that, and discovered that it was not the case. That waiver was specific to that particular set of crime statistics. Can the minister tell me how police have changed their reporting and recording of crime, and how that is likely to impact on the crime statistics?

[3.50 pm]

Mrs M.H. ROBERTS: What the member referred to is not really a waiver; it is a disclaimer. The comment that I made at the time - the member often paraphrases what I say - was that essentially, just about every set of statistics I have ever seen has some form of a disclaimer on it.

Mr M.J. BIRNEY: Not this one.

Mrs M.H. ROBERTS: The member asked a specific question about this disclaimer and what it means in terms of statistics. A person can look at statistics from the Australian Bureau of Statistics or the Western Australia Police Service and he will see in the current figures a dramatic decline in some significant areas. We have not seen those declines in the course of the past decade. Mr Hay might have some more information on the statistics and their validity.

Mr M.J. BIRNEY: Either way, there has been a change to the recording and reporting of statistics.

Mr HAY: The only difference in the way we have changed the recording of statistics would be in the mass recording of statistics; for example, with fraud offences. There would be a huge discrepancy in figures from one month to another if we had, say, a person charged this month with 250 charges of credit card fraud. Next month we would not have that figure, so there would be a huge reduction in fraud offences, and that could be a clear difference in the recording statistics. I guess the issue is whether we record each particular offence or whether a police officer, when he goes to a crime scene, records just the principal crime, as they do in Victoria. The debate over how it is recorded has always been around. The introduction of the incident management system has created some discrepancies with recording systems. That does not necessarily mean that it will change the recording systems for good or for bad. It depends on whether people are getting used to it and making sure that they record all the offences as they used to so that we can compare apples with apples rather than apples with pears. I guess there is some initial confusion in the statistics. However, I can

say categorically that in the area of, for example, burglary, there has been a huge reduction in the crime statistics, which is an accurate figure. However, it varies from crime to crime, as I have indicated with fraud or even sex offences.

Mr M.J. BIRNEY: I have a further question about this matter. Once again, I refer not to the latest set of crime statistics that were tabled, but the ones before - I think it must have been the December quarter from memory -

Mrs M.H. ROBERTS: It is the December quarter.

Mr M.J. BIRNEY: The Police Service had a specific line in that set of statistics that did not appear in any other set of statistics that I have seen. It said that an increase or a decrease may not necessarily reflect an increase or a decrease given that there has been a change to the way in which the statistics are reported and recorded. Can I have an example of how that might be practically applied in terms of something that looks like it has decreased when, in fact, it has not?

Mr HAY: Perhaps Mr Dawson or Mr Bob Mitchell who work in the statistical area are better suited to answer the question.

Mr DAWSON: Mr Hay has already mentioned the incident management system, which - the member may have been previously briefed about this - is a new way of recording offences. The previous system - the offence information system - has a different number of categories, and I will use that as an example to get to the heart of the member's question. For instance, the number of offences under homicide, manslaughter or driving causing death have been recorded under the offence category of manslaughter, which is also a component of homicide. That is affected by the inclusion of some manslaughter offences involving, for instance, the act of driving a vehicle. The IMS system is a statute-based system as opposed to the previous older system, which we are still running in parallel. That system is not specifically statute based. When officers previously recorded an offence, the offence information system did not have particular categories of offences along with the statutes, but they do under the system we are now using. There is some crossover and the statistics are not exactly, as Mr Hay said, an apples with apples comparison, which reflects some of the differences in the statistical reporting. The Police Service is using two systems and it really is a transitional time for us in terms of making those records comparable from year to year. As we de-list the OIS system - the agency has almost fully implemented the IMS system - people will see in the outgoing years a much more consistent way of recording statistics because those systems will no longer be running in parallel with each other.

Mr M.J. BIRNEY: So a person cannot necessarily compare the current statistics with those of years gone by given that there has been a change in the way that statistics are reported and recorded. Is that a fair assumption?

Mr DAWSON: It is not fair to make that generalisation.

Mr M.J. BIRNEY: But in part it is correct, is it not?

Mr DAWSON: Part of it is correct depending on the category of offences.

Mr M.J. BIRNEY: Could I be provided with an example of the categories of offences that might be subject to extra scrutiny because of this change of reporting and recording procedure?

Mr DAWSON: There are a number of them. The ones I just mentioned in terms of manslaughter are a good example because that may include wilful murder, murder, manslaughter or dangerous driving causing death under the previous system. Under the present system it might simply be recorded as manslaughter or homicide. That would be one example in which a grouping of offences is now being categorised under a different system. The interrogation of those systems to get the details of particular categories of offences requires another body of work, and our analysts would be required to do that.

Mr R.A. AINSWORTH: I refer to page 699 of the *Budget Statements* and major initiatives for 2004-05 in which it refers to the Government's intention to complete the recruitment of 250 additional officers. Given that there are approximately 58 police vacancies in country police stations around Western Australia, can the minister advise whether any incentives have been included in this budget to attract police officers to country positions; will any of the 75 additional police officers to be appointed this year be appointed to country positions; and, when is it expected that all country vacancies will be filled?

Mrs M.H. ROBERTS: Yes, some further incentives have been provided. Some of that was partly provided through the enterprise bargaining agreement. We have extended the country incentive scheme that we put in place. I announced that the scheme would spend \$8 million over four years in country centres, and there is an additional incentive of either \$3 000 or \$1 500 for police to be posted at quite a number of police stations. This year we have increased that incentive scheme to include Mt Magnet, and some other smaller level incentives have been provided as part of the EBA. In terms of the allocation of police officers to individual locations, I will ask the Commissioner of Police to comment. I can advise that in terms of the authorised strength of the Police Service and the current number of police officers on the books, we are over the authorised strength by the order of about 30. I will ask the commissioner to talk about the vacancies.

Mr MATTHEWS: In terms of vacancies, people are going through the academy and once they are fully trained, they will be posted to the various vacancies. Inevitably, a number of vacancies will always arise in each district because of the movement of staff. Obviously, there has to be a vacancy to move someone into it, so some areas will be over

strength. When a person is transferred to fill that vacancy, the station will drop back to the standard strength and the vacancy will be filled. It is an ongoing process and by virtue of transfers throughout the country districts, which take much longer than transfers in the metropolitan district, there will be vacancies in some country stations. In terms of some of the incentives for police officers in the country, there is, under the EBA, free rent for selected locations and country officers in charge. Officers who relieve as an officer in charge and officers stationed at a number of stations are entitled to free rent and, accordingly, do not receive the country lodging allowance, and that covers a number of stations across a number of districts. In addition to that, officers who relieve are now entitled to receive an incidental allowance in addition to the provision of accommodation and meal allowances. That is quite important for country police officers. In multifunctional police facilities, officers in charge can receive what is called a brevet rank up to senior sergeant. Other officers can receive a brevet rank to sergeant. It means they have a 25 per cent salary loading to replace overtime and the 44-hour working week, given the nature of their tasks. Officers receive a remote community allowance of \$3 000 as well as free rent, water and electricity. Officers also receive 160 hours of remote community leave for each year of service at a facility. There have been a number of additions in the latest enterprise bargaining agreement, which are obviously reflected in the budget. They will provide considerable assistance in attracting people to a number of areas in the country.

[4.00 pm]

Mr R.A. AINSWORTH: I have a question which, in one sense, is outside the portfolio responsibilities of the minister. I am talking about police housing in country areas. I am aware of the Government Employees' Housing Authority. It obviously has an impact on the service's ability to attract officers to some areas. Given that that is the case, has the minister or the service made any approaches to upgrade the quality of police housing so that it is not a disincentive, which it is at some stations.

Mrs M.H. ROBERTS: We have. There is a concern that police officers generally leave behind very nice four by two houses in the metropolitan area. In some country towns the housing stock is not up to standard. I know the commissioner has some involvement on this issue.

Mr MATTHEWS: I have just recently finished a tour. Housing is a concern, at least in some areas. We have a representative on GEHA and we make submissions for improving the standard of housing across all country areas. GEHA has constructed a number of houses. In addition to that, a number of houses have been purchased from local shires by GEHA to encourage officers to transfer. There is no doubt that a desirable house is a great attraction for families to move to some towns. It is true that not all houses are up to the required standard. We would like a lot more to be replaced, and we pressure GEHA to do that. We will continue to do so.

Dr E. CONSTABLE: I will take up an issue that I raised last year. It follows from the questions from the member for Roe. I refer to women in the Police Service. What is the total number of sworn and commissioned officers as of today?

Mr MATTHEWS: Including senior police in the executive?

Dr E. CONSTABLE: I want to know about everybody. Start wherever you like.

Mr MATTHEWS: Commissioned officers or police officers?

Dr E. CONSTABLE: I want both.

Mr MATTHEWS: There are six senior police officers and 145 commissioned officers, of which three commissioned officers are female.

Dr E. CONSTABLE: That is a 50 per cent increase on last year.

Mr MATTHEWS: One of the officers is a superintendent.

Dr E. CONSTABLE: What about the sworn officers?

Mr MATTHEWS: There are 1 023 non-commissioned officers, that is, senior sergeants and sergeants, of which 58 are female. There are 3 671 constables and senior constables, of which 672 are female. There are 120 recruits in training, of which 40 are female.

[Mr A.P. O'Gorman took the Chair.]

Dr E. CONSTABLE: What is the percentage of women in the Police Service?

Mr MATTHEWS: It is 15.8 per cent.

Dr E. CONSTABLE: The percentage has gone up. I am interested in a number of issues relating to this, particularly the retention of women in the Police Service. I would like some information on that. Has there been any progress on developing family-friendly policies to retain part-time and full-time women officers?

Mrs M.H. ROBERTS: As the member knows, I share her concerns in this area. In the course of the past year I was pleased at the appointment of a female superintendent. When the member asked the question last year, I think I said there had been a 100 per cent increase in the number of female commissioned officers. At that time she was the

service's second inspector. The service now has Superintendent Cath Bullen, who has been placed in charge of the Peel region. I am very pleased about that. During the course of last year there was a historic day on which a recruit school was formed that had a majority of women. Some recruit schools have been very close to the 50 per cent mark, although I suspect, by my own calculations, that in most of them around one-third, or a little more than one-third, are women. As the member quite rightly points out, there is not much point in recruiting women if they cannot be retained or promoted in the service. Again, as part of the EBA, we have adopted more family-friendly policies. In addition, a group within the Police Service, the women's advisory network, has a direct link to senior management to address these issues. One of the family-friendly policies we have included in the EBA for the first time is paid parental leave. As a result of our recent initiatives, we are backfilling to cover officers on maternity leave. Those positions were not previously filled.

Mr MATTHEWS: To provide full information, I think it would be best to provide supplementary information, and we are happy to do that. The attrition rate for sworn police officers is down to 3.18 per cent, which is the lowest it has been over the past seven years. That figure includes male and female officers. We are working hard to ensure that women are retained in the service. Benefits such as flexible hours and parental leave, which women can and do apply for, assist in that process, particularly during the years when women have children and raise families.

Mrs M.H. ROBERTS: I ask Acting Deputy Commissioner O'Callaghan to respond on other initiatives that we have in place.

Mr O'CALLAGHAN: During last year a significant piece of research was sponsored by the Police Service. We referred to it as the SPIRT project. SPIRT - the strategic partnerships with industry research and training scheme - refers only to the grant that funded the research. It was a year-long research project that examined women in the Police Service. It recommended a series of strategies for improving the retention and promotion of women in the Police Service. The research program finished at the beginning of this year, but an equality implementation group was formed. The role of the group is to look at the gender balance in the Police Service and ways of improving the retention and promotional opportunities for women. Some of the sort of strategies that have come from the group include a separation interview with women officers who resign from the service. It is to follow up the reasons women officers resign, and to see whether there are any issues concerning sexual harassment or any other unresolved issues that the Police Service can address. The commissioner recently announced \$100 000 worth of scholarships for women in the Police Service. It ranges from specific training and educational opportunities to attendance at conferences and general developmental opportunities. An amount of \$50 000 was provided this year and another \$50 000 will be provided next year. The corporate management group of the Police Service recently approved the permanent and ongoing continuation of the mentoring program, which is specifically designed to assist mostly women. It has a representation of about 80 per cent women mentees and 20 per cent other under-represented groups in the Police Service. We have also been promoting flexible work practices, including part-time work. The Police Service is working through the removal of rank-lock step, which will allow people in the agency to jump more than one rank at a time for promotion. Many women are caught in that loop at the moment. Removing the rank-lock step will provide opportunities for women to move through the ranks more quickly. We are also working on making the re-engagement process for all people who leave the Police Service a little easier than it has been, so that they can re-engage at previous rank levels, provided they have not been away from the agency too long. The equality implementation group is championing a number of strategies at the moment, and all of them are geared towards improving the retention and promotion of women.

[4.10 pm]

Dr E. CONSTABLE: The commissioner mentioned the attrition rate of 3.1 per cent for all officers. Is there a difference in the attrition rates for men and women?

Mrs M.H. ROBERTS: I am not aware of a difference, but I can provide that information to the member by way of supplementary information. To clarify that, I am happy to provide the member with the attrition rate percentage for women, which can then be compared with the general rate.

Dr E. CONSTABLE: It would be more useful if the minister could break down that rate of 3.1 per cent into the rates for men and women?

Mrs M.H. ROBERTS: Rather than breaking down the rate of 3.1 per cent, it is probably fairer to provide the percentages for men and women, because there are a lot more men in the service. We would expect men to make up most of the attrition rate, but we would expect to see a similar attrition rate when the rates are separated by gender.

[*Supplementary Information No A5.*]

Dr E. CONSTABLE: The commissioner suggested in his answer that some other information could be provided by way of supplementary information. I wonder whether other information would be of interest.

Mrs M.H. ROBERTS: Deputy Commissioner O'Callaghan has provided that information.

Mr M.J. BIRNEY: I refer to page 692. I note that one of the major policy decisions announced by the minister is the provision of \$1.49 million to employ civil servants to man the six stated 24-hour police stations. I find that a bit

extraordinary given that the minister is now in the final year of a \$1.6 million redundancy program for those very civil servants. How many civil servants has the minister made redundant under that \$1.6 million redundancy program and how many civil servants does she plan to employ under the \$1.49 million program for the 24-hour police stations?

Mrs M.H. ROBERTS: This will allow me to correct a misapprehension that the member for Kalgoorlie has had and has further perpetuated in his press releases over time. He believes that the \$1.6 million program to which he has referred involves further public servants departing the system each year. Of course, it was an ongoing saving of the same amount of money for the same public servants who were relinquished in 2001-02. Simply, if a set number of public servants are removed from the system, that saving will be ongoing for each of the four years. No additional public servants were made redundant in the following years. Contrary to the member's suggestion that some public servants were removed every year as some sort of annual project, that is not the case. Yes, in 2001-02 a number of public servants were removed as part of that redundancy program, but there have been no further reductions in the following years.

The member asked me how many public servants the 24-hour police station initiative will employ. An additional 24 public servants will be engaged for this purpose. One of the issues was that under the so-called Delta reforms, a lot of decision making was devolved to the local level, and superintendents made choices about what they spent their budgets on at the local level. Many of them made decisions to restrict opening hours and to have different practices. Perth is a relatively small place. My view is that the same standards should apply across all metropolitan policing districts and each district should have at least one station open to the public 24 hours a day. All six of the stations that are referred to have been staffed 24 hours a day, but not all of them have been open to the public to the same extent. In fact, the opening hours have varied. I do not think that is appropriate. It is my view, and certainly it is the commissioner's view, that we should have a community standard. No matter where people are in the community, they should expect that at least one station in their district will be open for public attendance 24 hours a day. On the old question of how many public servants the \$1.6 million program related to, Mr Bowler tells me that he believes - it is not strictly part of these budget papers - that in the 2001-02 budget there were 30 public servants and there have been no further redundancies in the following years.

Mr M.J. BIRNEY: I am not sure whether the minister recalls, but in her first budget a total of \$1.6 million was allocated to make public servants redundant. That was to be split over four years with \$400 000 allocated for that year and for each of the following three out years.

Mrs M.H. ROBERTS: That is what I have tried to explain to the member for Kalgoorlie on a number of occasions. That is a savings amount that is saved each year because those public servants are not engaged.

Mr M.J. BIRNEY: The minister axed 30 and now she will put 24 back on; is that correct?

Mrs M.H. ROBERTS: My understanding is that in 2001-02, 30 public servants were involved in the redundancy program. This initiative will involve 24 public servants. There is one key difference; that is, these 24 public servants are all being allocated to frontline desk duties and have not come from other areas.

Mr M.J. BIRNEY: There must be an election coming up.

Mrs M.H. ROBERTS: This is a matter of service to the public and we want certain service standards to prevail.

Mr M.J. BIRNEY: I have one final question. Can the minister tell me how many of the six soon to be 24-hour police stations were open to the public 24 hours a day prior to the last election?

Mrs M.H. ROBERTS: That information is not available because it was all devolved out to local districts and there have been numerous changes over that period. They are not soon to become 24-hour stations. Arguably all of them have always been 24-hour stations; they just have not been open to the public 24 hours a day, and that became the semantic argument of it all. It is not a soon to be initiative; it is an initiative that is already in place. We started to progress this initiative in March. My clear understanding is that all the stations that are listed - Midland, Perth, Joondalup, Mirrabooka, Cannington and Fremantle - are currently, and have been for the past month or so, open to the public 24 hours a day.

Mr M.J. BIRNEY: Were they open to the public 24 hours a day prior to the last election?

Mrs M.H. ROBERTS: Not all of them all of the time, no.

Mr M.J. BIRNEY: Can the minister supply me a list, perhaps by way of supplementary information -

Mrs M.H. ROBERTS: No, I cannot. I have told the member that there have been so many changes over that period that it would be a pointless exercise.

Mr M.J. BIRNEY: I am sorry; I do not understand the point the minister is making.

Mrs M.H. ROBERTS: Individual superintendents have changed opening hours at various times in recent years. There have been so many changes that we cannot go back in time -



Mr M.J. BIRNEY: I am interested only in the six police stations that the minister has mentioned. I am not interested in all the others. Can the minister tell me whether they were open to the public 24 hours a day prior to the last election; and, if so, which police stations were open and which were not?

Mrs M.H. ROBERTS: No, I cannot tell the member that information and I cannot provide it to him by way of supplementary information.

Mr M.J. BIRNEY: Why is that? What a ridiculous answer.

[4.20 pm]

Ms M.M. QUIRK: The ninth dot point on page 699 refers to the enforcement of new child protection measures. What measures will be adopted to protect children from cyber paedophiles and other known perpetrators of child abuse?

Mrs M.H. ROBERTS: One of the areas proven to be a medium for the exchange of ideas for child pornography and the grooming of child victims, and which has been documented worldwide, is the Internet. I understand that quite a lot of research has been done in this area. One of the factors, when dealing with the Internet as a medium for people engaged in child pornography, is that law enforcement in many jurisdictions has lacked the resources to proactively target those offenders. People who are convicted of child sex offences and people who have been convicted of serious offences against children will be dealt with under our new legislation, to which I referred earlier.

As the member will be aware, child sex offenders are predatory in their nature. They engage in occupations and frequent areas in which they expect to come into contact with children. The aim of the establishment of the child protection offender registration unit will be to maximise the victim's safety, to reduce the opportunity for child sex tourism, to provide a coordinated and consistent investigative and intelligence-driven approach to child protection that will be managed on a statewide basis within the crime portfolio, to contribute to the effective management of high-risk child sex abuse offenders and other specified individuals within the community, and to monitor the movements of child sex offenders and other high-risk individuals throughout the State, and nationally and internationally. It will provide a coordinated and collaborative approach to child protection between the key stakeholders. It is anticipated that expanding the roles of the child abuse investigation unit, the state intelligence services, the undercover unit and the computer crime unit will include an online covert child sex abuse capability, which will result in the apprehension of persons within Western Australia who are utilising the Internet to target children for sexual purposes and to exchange images of child pornography.

Obviously this is quite a proactive initiative, because it is no good trying to pick up the pieces after children have been abused. We want to be able to prevent it from occurring. As we have said with other areas of crime, people who have offended previously are more likely to offend again. There is a very high recidivism rate amongst child sex offenders. It is certainly enough to make me sick thinking about it, but for many of these people it is obviously some form of illness. They are continually driven towards these activities. It is therefore important that they be monitored and that we have that proactive capability to identify people who are using the Internet for those purposes.

The CHAIRMAN: I inform members that I have a quite extensive list of members who have sought the call. The order is the members for Collie, Roe, Churchlands, Geraldton, Midland, Nedlands, Kalgoorlie, Girrawheen, Churchlands, Nedlands and Nedlands. I will keep to this list. If members are not in the Chamber when their turn comes, I will drop them out of the list and they can re-seek the call.

Mr M.P. MURRAY: I refer to the seventh dot point on page 707. I note that \$59 million is to be spent on the new police metropolitan radio network. Will the minister advise what benefits the new network will provide to the police and the community?

Mrs M.H. ROBERTS: The potential benefits of the police metropolitan radio network can be divided into five categories. The first area of benefit will be to the business community. It will ensure that the community has voice radio communications for the Police Service through all informed radio communication amongst district operations for specialised groups, for example the air support unit, water police and tactical response group; support for central command; and controlled operation of police services implemented through the recently commissioned police operations centre, and the operational district and specialised group structure. That relates to business continuity.

The second area will be additional operational benefits; that is, the voice radio network. It will include significant operational policing benefits, which will in turn include improved voice security through encryption that will provide confidential communications between field officers, districts and local stations, and for the police operations centre. There will be improved network security through tamper-proof terminals and terminal configuration management. There will be the ability to pole radio terminals to locate lost or stolen radios relative to the closest based station. There will be the ability of officers to roam or move within a district - a designated specialist group - without having to change channels on the radio terminal. There will be improved voice quality in various situations. There will be more extensive coverage in those areas that are currently black spots, and in special places of interest. I am told that will include Scarborough beachfront, which the member for Churchlands was asking about previously. There will be greater operational flexibility. There will be further officer safety measures through safety features such as distress

alerts, discrete listening and the ability to pole radio terminals to identify locations. There will be advanced performance monitoring and fault monitoring. There will be easier fault identification and resolution due to the newer technology that will be supported by the manufacturers.

The third area of improvement will be the supplementary capabilities of the mobile data and automatic vehicle location systems. There will be consistency with the recognised importance of data and voice communications of police and emergency services organisations, which the broader corporate community has begun to adopt with the wireless data transmission technologies.

A fourth area will be realising business benefits from other Police Service projects, expanding the application of computer aided dispatch and communications services stages 1A and 1B, and the implementation of the automatic vehicle location system, which will enable geographic information system and dispatching facilities to be fully utilised. There will be an incident management system and the potential for officers to access information from Police Service databases, including incident information in the field. There will also be financial benefits. The existing network requires a significant upgrade to the infrastructure, as well as a renewal program for radio terminals. However, by replacing an end-of-life product, the Police Service will avoid those increasing costs associated with maintaining the old network. In time it will be a very good news story for the police officers.

The CHAIRMAN: The next members on my list are the members for Roe and Kalgoorlie but, as they are not in the Chamber, I am striking them from the list. The next on the list is the member for Churchlands.

Dr E. CONSTABLE: I refer to page 695. The section starts in the middle of the page and deals with offenders apprehended and dealt with in accordance with the law. There are some very interesting figures there for clearance rates. The clearance rate for selected recorded offences against the person is 91 per cent. That figure is getting up there and is reasonably good. I think I read that 90 per cent of the recorded drug-trafficking offences are cleared. However, a measly 19 per cent of the selected recorded property offences are cleared, which means that four out of five of those offences are not cleared. Those are certainly the sorts of offences that worry our constituents. When we go doorknocking we can see their great big dogs and that they have fortified themselves in their houses to prevent them being broken into, yet the Police Service can clear only 19 per cent of those sorts of crimes against property. What resources does the Police Service need to enable it to reduce that number, because it has been increasing slowly, and in anyone's language it is simply not good enough?

[4.30 pm]

Mrs M.H. ROBERTS: I will ask Mr Chris Dawson to comment in a moment. The member for Churchlands referred to property offences and clearance rates. One of the most pleasing aspects of the current burglary campaign is that we have improved the clearance rate quite dramatically. It is pleasing to say that for the year to date the burglary rate has gone down by 14 per cent. We can compare quarter with quarter. The first three months of this year compared with the first three months of 2003 show a 22 per cent reduction in the number of home burglaries. That is really pleasing, because that means that a lot of people have not had their homes broken into. The figure that is even more reassuring is that which is starting to show a lift in the clearance rate. As the member will be well aware - the member for South Perth has raised this issue both inside and outside the House a number of times - the clearance rate for home burglary, which is one of the principal property offences, has hovered around 13 or 14 per cent for many years.

Dr E. CONSTABLE: It has been abysmal.

Mrs M.H. ROBERTS: From my recollection, our March quarter statistics show a clearance rate of 20.2 per cent.

Dr E. CONSTABLE: That still means that four out of five burglaries are not cleared.

Mrs M.H. ROBERTS: However, it is a quite dramatic improvement. I am hopeful that this improvement will be sustained. The fact is that Governments and Police Services have thrown a lot at trying to improve clearance rates over a long period. Most have shown little movement over the course of the past decade. The clearance rate for home burglary over that period has hovered somewhere around 13 or 14 per cent. I cannot recall having ever seen a figure such as 20 per cent before. The member is quite right; that still means that four out of five burglaries are not cleared, but it is a significant statistical difference. Why is it so, and can we do better than that? It is largely so through the greater use of technology, particularly forensic technology. In about mid 2001 we linked into the national automated fingerprint identification system, known as NAFIS, which is a national fingerprint database. We have expended a lot of money, resources and police time on linking into that and making sure that the quality of the data we are putting in is better than what is being put in anywhere else in Australia. My recollection is that we are getting a hit rate of about 30 per cent in terms of comparing our fingerprints from crime scenes. Lots of those are for property crimes. That can be compared with a national hit rate of about 24 per cent. I queried that figure and asked why our hit rate on fingerprints was better than anywhere else in Australia. The explanation from our officers was that they believed it was partly due to the quality of the data we have put in. When they upload fingerprints of criminals in Western Australia onto the system, if a criminal has been convicted of five offences and the police have five sets of fingerprints for that person, specialist officers will look at all five sets and choose the best set to be uploaded onto the national system. The procedures for and quality of forensic evidence taken by Western Australian police officers have proven to be of a very

high level. We are getting a much better result in fingerprint matches. As I have said before, we have also invested more than \$20 million in DNA technology and putting that legislation in place. Other jurisdictions in other countries have improved their clearance rates quite dramatically through the use of DNA technology. We are training more and more of our officers in the taking of both fingerprints and DNA from crime scenes, so that they can be matched through the database. As I said earlier, our database is more extensive than just about any other database set up by the police anywhere else in Australia. The clear view is that we will be able to improve these rates. I think police are proceeding rather cautiously at this time. Commissioner Hay commented only last week that he believes the improved results are sustainable. It is certainly my expectation that we will be able to improve further on those results. Mr Dawson might have some more specific information.

Mr DAWSON: In response to your question, and further to what the minister has provided, one of the changes that is reflected and really impacts on the global number of property offences that are anticipated or estimated to be cleared is that a couple of the categories that were in the previous budget are no longer in the current budget. The previous budget included the categories of fraud and graffiti. They have been excluded, partly for the reason Mr Hay explained earlier about some changes in fraud reporting. Some financial institutions are not reporting the total number of frauds, such as credit card fraud. There is a very high clearance rate for fraud offences. The police ordinarily clear upwards of 90 per cent of high category fraud offences. They were included under previous budgets under property clearances but are excluded from the current budget. That reflects what we estimate to be about a one per cent overall reduction in clearances that can be attributed to instances such as that.

Dr E. CONSTABLE: I asked the minister a specific question. I will ask it again: what further resources do we need to provide to the police to double that clearance rate? I will put a figure on it. I could say a 50 per cent clearance rate, but I will refer to a doubling of the current clearance rate. What further resources should we be providing, since the police cannot do that with the resources they have?

Mrs M.H. ROBERTS: I will shortly ask one of the senior officers to comment, but the advice to me is that the best way of improving clearance rates is through smarter policing and greater investment in forensic technology. That is why we have provided additional resources in those areas. At the moment we have been uploading DNA information onto the database as fast as we can. Resources have not been an issue.

Dr E. CONSTABLE: It must be an issue if it is only 19 per cent. That is ridiculous.

Mrs M.H. ROBERTS: If the member looked at other jurisdictions -

Dr E. CONSTABLE: I do not want to. I am asking specifically what other resources are required and what should be provided to improve the clearance rate, because it is clearly not enough.

Mrs M.H. ROBERTS: The member is clearly not happy with my answer.

Dr E. CONSTABLE: I am not getting an answer, minister.

Mrs M.H. ROBERTS: I am happy to get one of the senior officers to comment. Essentially, we are providing all the additional resources that would have the biggest impact on the clearance rate. As I have already outlined, we have seen the most significant improvement in the clearance rate for home burglary that is on record for the past decade or longer. That is because we have made progress in providing additional resources. There is an ongoing program of providing more resources. As our DNA database gets more extensive and as more people are linked into the national automated fingerprint system, it will assist. In terms of other resources, the training of officers in the taking of forensic material from crime scenes, if we are dealing principally with property crime, will assist. Further training is occurring in that area, which I highlighted before. Perhaps Mr Hay or the commissioner would like to comment.

Mr MATTHEWS: To move the clearance rate from 19 per cent to 38 per cent would be a very significant change and it is doubtful that any jurisdiction anywhere in the world could come close to achieving that. However, the progress that has been made by what is described as intelligence-led policing combined with additional technology, of which the use of DNA and the computerised identification of fingerprints and palm prints are included, and better forensic skills and equipment are impacting and the rate of clearance is increasing. We could expect it to go up to a percentage figure in the high 20s, but once it got into the 30s the amount of resources provided would have a marginal effect. The reality is that property crime is largely unobserved. There are seldom witnesses, and there is a limit to what can be obtained from a crime scene, even with the best technology in the world. Ultimately, of course, to improve it further requires community support by way of the better securing of homes; that is, target hardening premises, making sure that windows and doors are not kept open, and making it more difficult for people to get in. We are also attacking the other end by checking the pawnbrokers and other outlets for the sale of stolen property to identify those people and effectively cut off the demand for goods. We are bringing receivers to justice. Other things drive it, of course, such as drugs in the community and so forth. It is a complex issue. I think we are moving towards that target of 30 per cent. It is very difficult to get clearances of more than 30 per cent by virtue of the nature of property crime and the limited number of people who witness it. That is not to say that we should not aim for that target. However, if the number of police were doubled, I do not think that it would suddenly produce a 38 per cent clearance rate.

[4.40 pm]

Dr E. CONSTABLE: To be clear so that I understand the answer, is a clearance rate of about 30 per cent the best we could ever hope for, even if the State continues to improve training, provides additional resources and implements other programs? Is a clearance rate of three out of 10 the best the State could aim for?

Mrs M.H. ROBERTS: That is the current advice that the member has received from the Commissioner of Police. Realistic aims must be set. When we came to government, and for some time prior to that, Western Australia had some of the highest property crime rates in the nation, certainly for home burglary and car theft. The Government has dramatically turned around those rates over the past year or so, and we hope to turn them around further. We have improved the clearance rates in those areas. As best as we are able, we are putting world's best practice in place to solve those crimes and improve the clearance rate. Western Australia should aim to have lower crime levels than those in other States of Australia. Certainly those rates should be well below the national average. We should aim to have better clearance rates than anywhere else in Australia. If we were to achieve a 30 per cent clearance rate for home burglary, we would be well ahead of the other States of Australia. That is not to say that in five years, with the use of other ideas and techniques, that a figure beyond that could not be achieved. However, as a realistic objective, for the next couple of years, that would be an excellent result.

Mr S.R. HILL: I refer the minister to the first dot point under major initiatives for 2004-05 on page 705 of the *Budget Statements*, which is to target antisocial behaviour in the metropolitan areas. Will key regional areas also be targeted? Is it possible for some of those additional resources to include the use of police dogs in regional areas?

Mrs M.H. ROBERTS: The Government is planning to target regional areas as well as the metropolitan area. Mr Hay might have some further information on that.

Mr HAY: The Police Service is targeting rural areas. I have some figures about the police utilising dogs in regional areas, which we have done recently. The overall strategy for the State, as the Commissioner of Police alluded to, is to move towards an intelligence-led policing model. The idea of that is for the police to pool its intelligence into one area. This is intelligence that the commissioner has indicated includes forensic intelligence, DNA material, fingerprint evidence, and intelligence received from sources such as Crime Stoppers WA and other places. The Crime Stoppers program has been expanded to regional Western Australia. We are having some great successes with that. We have deployed police dogs in regional Western Australia on a needs basis. Police dogs are not permanently stationed in the regions, apart from in Bunbury where a police dog is stationed.

Mr S.R. HILL: Is there an opportunity to permanently station police dogs at other key regional centres?

Mr HAY: The current policy is to provide that service from a central service. The issues involved in that include training and maintaining the dogs' training. The dogs need constant training. There is certainly scope to move the dogs into regional areas in the future. Currently the Police Service is doing the best it can to service those regional areas with dogs. In April 2004, the police dogs went to the mid west, Gascoyne, the south west and goldfields. During March the dogs were at the wheatbelt and great southern. In February they were at Peel, the mid west, Gascoyne, the wheatbelt and the south west. In January the dogs were in the south west and the great southern. The police dogs get around and spend a considerable amount of operational hours in the regional areas.

I refer to the Police Service's strategy on crime. The strategy is an overall strategy of targeting recidivist offenders, as opposed to the crime. That means that if the offender is caught, it clears up the crime rate. When we catch an offender who has gone on a crime spree and has committed home burglaries, stolen motor vehicles and was also into drugs and armed robberies, we clean up all that crime. The strategy is focused on identifying the suspect or the offender rather than focusing on the crime. The focus on the crime is more of a crime prevention aspect. Clearly, different crimes need different crime prevention strategies.

Mr S.R. HILL: Clearly, if police dogs go through a suburb, that is a deterrent.

Ms S.E. WALKER: That is a further question.

The CHAIRMAN (Mr A.P. O'Gorman): Almost every member who has asked a question has asked a further question, and there have not been any problems. I am getting complaints that not enough questions are being asked by certain members. I suggest that those members structure their questions much better. The answers I have heard have been very full and complete answers.

Ms S.E. WALKER: It is nice to ask a second question. I refer to the implementation of the recommendations of the Gordon inquiry, listed on page 698 of the *Budget Statements*. The minister referred to acquiring premises for and co-locating the multi-agency child abuse and video evidentiary unit. Where is that? Will the minister explain that? The next dot point -

Mrs M.H. ROBERTS: The member is going a little fast. Is the member looking about one third of the way down page 698 - implementing the recommendations of the Gordon inquiry?

Ms S.E. WALKER: That is right. Four items are listed, including acquiring premises for, and co-locating the multi-agency child abuse and video evidentiary unit. Where will that be located, and will the minister explain that? I refer also to the selection and appointment of child protection and family violence officers. Are they sworn police officers?

Mrs M.H. ROBERTS: Yes

Ms S.E. WALKER: How many are there?

Mrs M.H. ROBERTS: They are sworn police officers. The Government has allocated them to districts at a sergeant level. Often when people do not take initiatives like this seriously, a female officer or someone at a junior level will be appointed to the position. The Government created those positions at a senior level so that very senior and experienced officers deal with those areas. A selection process occurred in which police officers volunteered for the position because they were interested in working in this area and wanted to make a difference.

Ms S.E. WALKER: Are they not new?

Mrs M.H. ROBERTS: Fourteen officers at the sergeant level have been appointed to these positions across all the districts. I am told that the deployment of those officers to the regional locations has now been completed. I will ask the Commissioner of Police to comment on the progress of the video evidentiary unit.

Mr B. MATTHEWS: It will be located at the Princess Margaret Hospital for Children. It is not yet up and running, but the Police Service is at the stage of implementing that unit, together with the Department for Community Development.

Ms S.E. WALKER: When will it be up and running? Are the sworn police officers already appointed police officers? Is the minister saying that they have just been given a different title? Were the positions of the sworn police officers appointed as child protection and family violence officers advertised, and were they new positions?

[4.50 pm]

Mrs M.H. ROBERTS: There are 14 such officers at sergeant level. They are allocated out in the districts -

Ms S.E. WALKER: Are they new?

Mrs M.H. ROBERTS: If the member does not interrupt she can ask the question again in a moment. I do not know whether the member for Nedlands is under the misapprehension that these officers are to be located at Princess Margaret Hospital. They are allocated to each of the policing districts at sergeant level and they are all out there currently working. I am expecting that the unit at Princess Margaret Hospital will be fully operational in the very near future. Mr Hay may have something further to add.

Mr HAY: The actual opening date of the unit is not known but it will be within the next couple of months. To clarify the issue, there will be a combination of Department for Community Development people and police officers in that evidentiary unit. The officers will be from the child abuse unit, and they will be working with DCD officers.

Ms S.E. WALKER: Will any new officers be appointed?

Mr HAY: No, there will be no new officers.

The CHAIRMAN (Mr A.P. O'Gorman): Can questions please come through the Chair?

Ms S.E. WALKER: I ask the minister, as she has not answered, whether the 14 officers have just been renamed child protection and family violence officers, or are they police officers newly appointed into the Police Force?

Mrs M.H. ROBERTS: I said quite clearly that there are 14 new positions at sergeant level in each of the districts. They were advertised internally within the Police Service, and officers from throughout the Police Service were able to apply for and obtain those positions. They went to senior people with a keen interest and a background in that area, and they are located there. They were not snaffled out of the child abuse unit or something like that; they came from a range of different areas. The 14 positions were created, but that does not mean that our program to recruit an additional 250 police officers suddenly became a program to recruit an additional 264. The overall FTE number did not increase, but those 14 positions were created.

Mr M.J. BIRNEY: I have heard the Minister say ad nauseam in this Chamber -

Mrs M.H. ROBERTS: What page of the *Budget Statements* is the member referring to?

Mr M.J. BIRNEY: It does not really matter.

The CHAIRMAN: Yes it does.

Mr M.J. BIRNEY: It will become evident, but it is page 693. I will refer to a number of different pages to make the same point, but page 693 will do for time being. I have heard the minister say ad nauseam in this Chamber that she is increasing police numbers in this State. How then does she account for the fact that, of the five outputs listed on page 693, she has failed to meet her budgeted target of full-time employees in four? For the purposes of Hansard, I will list them. In output 1, which is services to maintain lawful behaviour and prevent crime, 2 270 full-time employees have been budgeted for, but the outcome has been only 2 212.

Mrs M.H. ROBERTS: Where is the member reading that figure from?

Mr M.J. BIRNEY: That is from page 697 under the heading “Services to Maintain Lawful Behaviour and Prevent Crime”. Output 3, which is traffic law enforcement and management, has 1 030 full-time employees budgeted and has achieved only 1 013. Output 4, which is response to and investigation of offences, has 2 098 full-time employees budgeted and has achieved only 2 068. Lastly, output 5, which is services to the judicial process, has 575 full-time employees budgeted and has achieved only 566. In only one of the five outputs in the police portfolio has the budgeted full-time employee number been achieved, and that is emergency management and coordination. How can the minister expect us to believe that her police recruitment program is going ahead?

Mrs M.H. ROBERTS: I am a little puzzled at the figures quoted by the member, because while there was a decrease in output and reduced hours for outputs 3 and 5, there were in fact increases in output 1, services to maintain lawful behaviour and prevent crime, and in output 2, emergency management, and an increase in output 4, response to and investigation of offences.

Mr M.J. BIRNEY: What has increased? The numbers?

Mrs M.H. ROBERTS: This is an increase in output hours. Outputs 3 and 5 are the only ones that have reduced hours, and that is because of the need to address the priorities in outputs 1, 2 and 4. That change of priority meant that there needed to be an emphasis on areas such as the need to implement counter-terrorism strategies and the problems caused by unruly behaviour in youth. Extra output hours were also put into dealing with the higher rate of burglaries in the metropolitan area compared with the national average. Those are the kinds of issues that have been very vigorously pursued by the Police Service. There are further measures in place to protect infrastructure, transport and public identities, and to respond more quickly to major incidents involving youth and unruly behaviour. The regional operations group is indicative of that. There is also the burglary reduction campaign. It is fair to say that there has been a different focus, but it is not fair to say that four out of five output areas saw output hours reduced. In fact, only two saw reduced hours, and three saw increases in hours. There is some further explanation of how the hours are allocated and what they mean, and one of the officers advising me will answer that.

Mr MITCHELL: I will take page 697 as an example. Under the full-time equivalents the member will see note (b), which reads -

The 2003-04 budget for FTEs was based on the authorised strength, which is a point of time measure. The 2002-03 actual, 2003-04 estimated actual and 2004-05 budget are based on the average strength level (ASL).

The difference between actual and average is coming through in those numbers.

Mr M.J. BIRNEY: Do you still agree that four of the five outputs in the police portfolio failed to meet their targeted number of full-time employees? Is that a correct assumption or not?

Mr MITCHELL: No, it is not correct. The reality is that the 2003-04 budget for full-time equivalents appearing in these papers is based on actuals at a point in time. The other two numbers refer to averages. If we convert the 2003-04 figure to averages, the member will see the numbers fall. It is an anomaly created by using averages versus actuals.

Mr M.J. BIRNEY: Further to that, and to clarify this matter, could Mr Mitchell turn to page 706, so that we can use that as an example? It is services to the judicial process.

Mrs M.H. ROBERTS: I have already agreed with the member that output areas 3 and 5 did see a reduction in output hours, and the increases are to outputs 1, 2 and 4. There is little point in the member demonstrating that there has been a reduction in services to the judicial process.

Mr M.J. BIRNEY: Perhaps we could use output 4 on page 703. Please correct me if I am wrong, but as I read that it says that 3.101 million hours were budgeted in 2003-04 to be used for response to and investigation of offences. In fact, it is estimated that only 2.927 million hours will be used for that purpose. I am not sure whether the minister is deliberately misleading the committee or whether she is confused about how to read this. As I read it, she will not achieve the budgeted number of hours for the output of response to and investigation of offences. Can the minister please correct me if I am wrong.

Mrs M.H. ROBERTS: The member seems to be changing his comments partway through. If he is talking about what is a reduction in hours, I have said to him that outputs 3 and 5 have seen a reduction. We have seen an increase in the output hours under outputs 1, 2 and 4.

[5.00 pm]

Mr M.J. BIRNEY: I refer the minister to page 703 in the *Budget Statements* and output performance measures under output 4. It shows that although 3.101 million hours were budgeted for, it is estimated that only 2.927 million hours will be achieved. In fact, if we look at all the other outputs with the exception of emergency management, the same story can be put.

Mrs M.H. ROBERTS: There may be a further explanation here. I understand that last year the estimated actual incorrectly included sick leave hours, which is an anomaly that goes back to about 1998. There has been a correction.

The advice to me is as I have said. I take offence at the member suggesting that I would want to deliberately mislead this House. I am merely giving the member the advice that is in front of me, and I am more than happy for Mr Mitchell or for any other officers here to explain it to the member. The advice to me is that in three of the five output areas there is an increase and in two there is a decrease.

Mr M.J. BIRNEY: Which is simply incorrect, if the minister reads the *Budget Statements* -

Mrs M.H. ROBERTS: I have asked the Mr Mitchell to comment. I do not think the member has been asked to enter into debate.

Mr MITCHELL: I refer to page 703 where the focus is, but then ask the member to turn to page 704 on which note (b) explains that the figures for 2003-04 are inflated because of the inclusion of sick leave hours. That occurred in each of the budget years from 1998 to 2003-04. That correction has now taken place in the estimated actuals for 2003-04.

Ms M.M. QUIRK: I refer to the mission statement on page 691, which states in part -

*... create a safer and more secure Western Australia ...*

Can the minister provide some further details on the gang response unit, its achievements to date and its plans for the coming year?

Mrs M.H. ROBERTS: Yes, I certainly can. The gang response unit was formed in August 2003. It is responsible for policing the outlaw motorcycle gangs and the street gangs. The unit comprises 32 staff with 18 uniformed officers and 14 investigators. They deal with outlaw motorcycle gangs such as the Coffin Cheaters, the Rebels, the Gypsy Jokers, Club Deroes and God's Garbage. The unit also compiles intelligence holdings on other street gangs, some of which have been mentioned in the media over the recent year and include groups such as the Spider Boys, M'Bros and the Sword Boys, along with some gang-related activity that people are becoming aware of in the African community - I think one group is called the African Kings. Activities of late, as I understand it, have seen the disruption and charging of members of these gangs in drug trafficking, the stealing of motor vehicles and firearm seizures. In October 2003, the gang response unit departed Perth and travelled to Geraldton and the mid-west Gascoyne to assist in dealing with Coffin Cheater activities. It has also monitored those associates over a period. On 13 September, officers from the gang response unit and the Kalgoorlie detectives office canine unit, breath analysis section and the district support group attended the premises of Club Deroes in Kalgoorlie and executed a search warrant with regard to a stealing inquiry out of the Kalgoorlie detectives office. I understand that once inside, the officers discovered quantities of cannabis and other substances, and drugs, implements and some amounts of cash were seized. I also understand that two Club Deroes members associates were arrested. A number of operations have also been conducted by the unit and there are some further operational commitments into the next financial year. There will be - without going into all the detail - ongoing development of statewide strategies to communicate the roles and responsibilities of the gang response unit and an awareness package of the activities of outlaw motorcycle gangs for operational officers. The unit will deal with emergency management coordination, traffic management and road safety matters and it will also respond in the investigation of the offences. As the member would be aware, much information is exchanged between the States on the activities of these criminal gangs, and many partnership arrangements are in place with, for example, the Australian Federal Police, the Australian Customs Service, the Australian Protective Services, Westralia Airports Corporation Pty Ltd, the Australian Crime Commission, the Department of Immigration and Multicultural and Indigenous Affairs and the like. There is an excellent degree of interagency cooperation between those agencies and our gang response unit.

Dr E. CONSTABLE: I refer to page 692 and the first dot point that comes under the heading of significant issues and trends from the previous page. I want to deal with the first few words under this dot point, which state -

*Worldwide trends indicate an increase in the manufacture and importation of illicit drugs ...*

Is there evidence of an increase in the manufacture and importation of illicit drugs into Western Australia? It is a very serious issue that we need to get a handle on. If this is a trend, are we part of that trend?

Mrs M.H. ROBERTS: It certainly is a significant issue because of the drug use and the crimes that people perpetrate to get the money to purchase these drugs. People become dependent on these substances and therefore become more likely to commit crime to get these substances. That is quite apart from the significant health risks posed to the individuals concerned. As it stands, there are within Western Australia four separate areas of illicit drug law enforcement; that is, the Australian Federal Police, the Australian Customs Service, the Australian Crime Commission and our organised crime investigation.

Dr E. CONSTABLE: Perhaps a simple yes or no would suffice. Is there evidence of an increase in Western Australia in those two areas?

Mrs M.H. ROBERTS: I will ask someone to give the member the detail on the various drugs. There certainly are concerns that activity with some drugs may be on the increase. In recent years we have seen, for example, a decline in the amount of heroin available in the community. That has become a lesser concern. Amphetamine use has become a greater concern because -

Dr E. CONSTABLE: But this does not refer to use.

Mrs M.H. ROBERTS: As heroin sources have diminished, people have attempted to turn to other drugs.

Dr E. CONSTABLE: This is it not about the use of drugs. This is about whether there is evidence of an increase in the manufacture of drugs in and the importation of drugs into Western Australia. If this is a worldwide trend, is it reflected in Western Australia? I am not talking about the use of drugs but those other two areas. Can I get a direct answer on that?

Mr HAY: The answer to that is yes, there is evidence of that. Recently, in association with the Australian Federal Police and the Australian Customs Service, we apprehended a large quantity of 30-odd kilograms of large ecstasy tablets coming into Australia. That information originated from Western Australia. There is evidence that the production of heroin is increasing in the Asian market as well as in Afghanistan. That will clearly affect us, because if it goes into the eastern States it will come here. We have had fairly significant border seizures of heroin in Australia, but not Western Australia. We seized over one tonne of cocaine in Western Australia just over one year ago. That sort of activity is around us. We are very aware of it. We work very closely with our colleagues in the Australian Federal Police, the Australian Customs Service and the Australian Crime Commission to ensure that we are on top of those issues.

[5.10 pm]

Dr E. CONSTABLE: What is the extent of the resources that are put into this area through the Police Service?

Mrs M.H. ROBERTS: As I explained previously, this is not something that the Police Service is able to deal with by itself. The service is very reliant on its relationships with immigration, customs, the AFP and the ACC. Either the commissioner or Mr Hay may like to comment on those relationships and on the fact that the issue, apart from being a Western Australian issue, is a national and international issue. We gain intelligence through our relationships with those agencies.

Dr E. CONSTABLE: I understand that and I know that those relationships are important. We are looking at our budget now. I am concerned about the extent of the resources in this budget that go towards that area. I do not need to know about the relationships, because I know little bit about that. I am more concerned about the resources in this budget that go towards that. That is the crux of what I am getting at.

Mrs M.H. ROBERTS: The member is right; it is a very significant area for us. That is why I recently introduced legislation to deal with the components that go into making amphetamines, clandestine laboratories and other activities. Mr Hay is well versed in this and is able to comment in more detail.

Mr HAY: The answer is that the budget currently allocated to the crime investigation intelligence service is adequate for the purposes.

Dr E. CONSTABLE: That was not my question; I asked how much was put towards the area.

Mr HAY: We have a dedicated group of about 30 people in the organised crime investigation group. They work on various aspects of criminal networks and organised crime networks, particularly concerning drugs and drug trafficking.

Dr E. CONSTABLE: That is 30 people?

Mr HAY: Yes.

Dr E. CONSTABLE: Has the number increased over the past two to three years, or has it been steady at 30?

Mr HAY: That is just the specialised group of people that we have working with the external agencies. As a Police Service, we have much larger numbers. Every district has a group dedicated to those types of investigations.

Dr E. CONSTABLE: My question still stands. Have the resources increased over the past two or three years to deal with the issue highlighted in the dot point?

Mr HAY: I do not know that I can sit here and say that the resources have increased. I can tell the member quite categorically that the intelligence has improved immensely. I do not think it is about numbers; it is about intelligence. The intelligence is worth a huge amount of information. If we can get the appropriate intelligence, all we need to do is to it infiltrate a particular syndicate or whatever the case may be. It is not necessary to have large numbers of people to do that. It depends on where the emphasis is focused. We believe we have the right type of resource. If we can continue to focus on the intelligence-driven policing model, particularly concerning drugs, Western Australians can rest assured that we are on top of the issue.

Dr E. CONSTABLE: I was not necessarily implying that more people or money was needed. The resource Mr Hay is telling us we need more of is intelligence. We have got that and it has improved. It is one of the resources the service requires.

Mr HAY: That is correct.

Mrs M.H. ROBERTS: The other thing I would add is that Mr Hay, the commissioner and I continually have discussions about legislative backup. We have already put in place measures that improve our ability to deal with drug



traffickers. We incorporated that into some recent legislation. We are also cracking down on the clandestine laboratories and we are giving the police better legislation to prosecute people when they find a clandestine laboratory. Concerning importation, there has to be a concerted effort between the federal agencies and ourselves.

Ms S.E. WALKER: I refer to the ninth dot point at page 699 of the *Budget Statements*. It refers to establishing a child protection offender register and “enforce new child protection measures to provide a proactive preventative measure in relation to the movement and ongoing management of perpetrators of child abuse”. The Department for Community Development funds a counselling program for paedophiles called SafeCare. Most molesters are sent there by the department when they are caught red-handed. They are sent into a program for two years on the basis of their staying away from children they are molesting and do not see any children unsupervised. They are allowed to roam at large in the community. After they have completed the program, there is no criminal conviction and they are not reported to the police. They get off scot-free. Therefore, there is a large pool of known child sex molesters roaming at large in the community with no conviction. Does this not render the child protection register and the dot point in the budget “to provide a proactive preventative measure in relation to the movement and ongoing management of perpetrators of child abuse” a cruel joke?

Mrs M.H. ROBERTS: As I see it, the member has made some unsubstantiated allegations about what occurs in another budget area. She is attempting to get an answer from me on the program. I am not here to answer questions on the program. I know that the Police Service is very proactively targeting known offenders against children. Child abuse is a very serious matter. The Government has substantially increased funding to the area. I have already outlined in response to questions from the member for Girrawheen some of the initiatives we have put in place. I do not think the member’s question is at all relevant to my budget papers. Further to that, I think she has made some gross and unsubstantiated assertions.

Ms S.E. WALKER: I am telling the minister that there is a known pool of child sexual offenders in the community, possibly connected to paedophile rings. I am asking the minister what she is going to do about it in relation to the dot point about the proactive preventative measure. Those people should be known to the police.

Mrs M.H. ROBERTS: The member is saying that there is a group of offenders against children who are in the community. If the member has information on that, I suggest she give it to the police.

Ms S.E. WALKER: If the minister’s police are interested in looking at the SafeCare counselling service, they will find those names. That is the inherent contradiction I am trying to point out.

The CHAIRMAN: I remind members of the time remaining. A number of members have sought the call. If we are to get through all requests, members must keep their questions succinct.

Ms M.M. QUIRK: I refer to the third dot point at page 705 of the *Budget Statements*; it relates to asset investigations. Will the minister provide some details on the progress of asset investigations since February 2001? What are the outcomes of the recent enhancement of forensic accounting capacity?

Mrs M.H. ROBERTS: I thank the member for the question. Since its inception the asset investigation group has frozen in excess of \$43 million worth of property. It has conducted seven unexplained wealth investigations involving in excess of \$5 million. In 2004 additional forensic accounting resources were acquired in the form of an additional level 6 accountant and a level 2/3 assistant financial accountant. Operation Mender represents the most significant investigation conducted so far, with in excess of \$2.5 million identified as unexplained wealth acquired by organised crime identity Paul Musarri. The investigation was conducted as an unexplained wealth investigation as Musarri was convicted on drug matters prior to the proclamation of the legislation. He was therefore outside the provisions of what it is to be declared a drug trafficker. The matter is now with the Director of Public Prosecutions and is being progressed through the judicial system. The recent increase in accounting resources, funded from the \$150 000 that came out of the Attorney General’s fund, provides the section with the ability to undertake truly proactive investigations into unexplained wealth. In April this year asset investigation commenced an investigation into a significant criminal identity who is a principal member of an established criminal network. This investigation is seen as the future direction of asset investigation and will use covert and traditional policing methods in addition to forensic accountants. Asset investigation has the ability to conduct unexplained wealth investigations. I understand that currently, given adequate resources, at least five major upper echelon organised crime figures could be progressed very quickly. This is certainly an area in which the police are doing very well.

[5.20 pm]

Mr S.R. HILL: I note that at page 692 it is stated that substantial funding is to be provided to create a police assistance centre. Can the minister please advise the purpose of such a centre and what will be the benefits to the community?

Mrs M.H. ROBERTS: Last Sunday I announced the police assistance centre at Midland, which is where the centre will be located. It will provide police assistance and response to the community 24 hours a day, seven days a week. There is some confusion in the community about whom people should ring for police assistance. I think that just about every member of Parliament has a few stories about either constituents or family members having wondered whom they should ring. Often when people require police assistance they are a little het up and numbers seem to fly out of their

head. We try to get people to keep the numbers handy. The 000 number is supposed to be used only for emergencies. The number for police attendance is 9222 1111. If people want to contact their nearest police station for assistance, they are supposed to dial 131 444. Frankly, the three numbers are confusing for people. Once this system is up and running - it is intended to be operational by November and fully operational by July next year - there will still be the 000 number, which will be for life-threatening emergencies, and one other number that people can call. We believe that will free up an enormous number of police. We think that, at the local level, the equivalent of at least 50 police officers' time each year is consumed by answering those calls, many of which are not necessarily relevant to policing. People tend to use the number as a bit of a help line as well as for real police activity. About 50 unsworn officers will be engaged at that police assistance centre and they will be specially trained so that they can take those calls. That is the further benefit. An additional 50 public servants will enable approximately 50 police to be freed up so that they can be out on the beat.

The issue of answering calls in a timely fashion has been an issue for just about every police service in Australia and many police services worldwide. South Australia and New South Wales have moved to a similar system to the police assistance centre and they have been proved with some good results. I have said that, as a preliminary target, we want to answer within 30 seconds all non-emergency calls to the police; that is, all non-000 calls. I suspect that we may be able to do better than that, but that is not a bad initial target. Many of those calls are likely to be answered in 10 or 20 seconds. Given the current situation, I do not think it is good to build community expectation too high at this point. We will have in place best practice and a state-of-the-art call centre. At a minimum, in the very near future we will aim to answer each call within 30 seconds, and we will be able to connect people to the area of the Police Service from which they need assistance. People will not be buffered around, as they sometimes are in the current system when they call one number and are told they should have called another number. That has caused a lot of delays and a lot of concern, quite naturally, in the community.

Mr M.J. BIRNEY: I draw the minister's attention to the output performance measures listed on page 703. Under the timeliness heading, priority 1 and 2 calls are on the same line item. The line item states that the estimated time to respond to both priority 1 and priority 2 calls last year was nine minutes. I understand that the accepted time frame for police response to priority 1 calls is different from that for priority 2 calls. Will the minister tell me whether the Police Service achieved the accepted response time frames for priority 1 and 2 calls, on an individual basis? I do not think they can be grouped together and I am not sure why they have been grouped together in that budget line.

Mrs M.H. ROBERTS: I will ask Mr Chris Dawson to respond.

Mr DAWSON: The average time taken to respond to urgent priority 1 to 3 calls in 2003-04 and 2004-05 is higher than indicated in the 2003-04 budget. The considerations in responding to all instances primarily are the safety of the community and the police officers who respond. The figures are considered to be only indicative. We must take into account external factors, such as geographical issues, weather conditions and how far the police are from a particular site. The public debate that occurred recently is probably a good example of that. The central metropolitan area had a lower response time, which not only reflects the proximity to locations but also the geographical spread compared with other districts. Even metropolitan districts are spread over a much broader area, and it simply takes much longer for the police to respond. The population growth and the development of new housing estates have also had a significant impact on making a fairly robust estimation of the time in which police can respond. One such area is the Rockingham-Peel district, which has had quite an explosion in population. The Police Service is, therefore, trying to target a number of variables, depending on the demographic make-up and the geographical spread of the districts.

Mr M.J. BIRNEY: I thank the adviser for that answer. However, I will phrase the question a bit differently. What are the police accepted time frames for response to priority 1 and 2 calls and were they both met last year?

Mrs M.H. ROBERTS: I will ask Mr Dawson to respond to that.

Mr DAWSON: The actual time for priorities 1 and 2 emergency calls in 2002-03 was nine minutes; that is reflected in the estimation for 2004-05. I refer to page 703. For priority 3 calls in 2002-03 the actual time was 20 minutes. The budget estimate for 2003-04 was 18 minutes. The target this year for priority 3 calls is 20 minutes. Priority 3 calls and downward are not the categories of calls in which people's lives are in immediate danger. They are a broad category of requests ranging from noisy parties to a raft of issues.

Mr M.J. BIRNEY: I am talking about priorities 1 and 2. Is the accepted time period to respond to a priority 1 call different from that for a priority 2 call?

Mr DAWSON: Yes, it is.

Mr M.J. BIRNEY: Why are they both rolled into the same line item? I cannot tell by reading the line item whether the police managed to respond to priority 1 calls within the accepted time frame and, separately, whether they managed to respond to priority 2 calls within the accepted time frame, as they are both rolled into the same line item.

[5.30 pm]

Mr DAWSON: The number of priority 1 calls is very low. In the central metropolitan area that I previously commanded I estimate that there were one or two priority 1 calls for the city.

Mrs M.H. ROBERTS: That is on a per annum basis.

Mr DAWSON: Yes, they are a very minor category. The combining of priority 1 and priority 2 categories was meant to reflect a better aggregation of the types of responses, given the very small numbers of priority 1 calls that are dispatched. They are almost in the category of a murder in progress type of situation. Should the priority 1 call be reflected outside that response category, although it is the most serious of offences, it does skew the reporting of that response time quite disproportionately. The approach was to combine those two categories to reflect a more accurate measurement of how police were responding to those most serious offences.

Mr M.J. BIRNEY: Notwithstanding the fact that there were only a small number of priority 1 calls, I understand they include murders and armed hold-ups, so we are talking about very serious crimes. It is therefore important that we understand whether police met their targets for priority 1 calls, regardless of how few there were, and if they met their targets for priority 2 situations. Is the minister able to provide that information by way of supplementary information? Will the minister include in that information the accepted time frame for a priority 1 call and the average response time last year for a priority 1 call? What is the accepted time frame for a priority 2 call, and what was the average time frame response last year for a priority 2 call?

Mrs M.H. ROBERTS: We are prepared to provide the member with some more information on priority 1 calls by way of supplementary information.

Mr M.J. BIRNEY: What about priority 2 calls?

Mrs M.H. ROBERTS: We can provide the member with the response times for priority 1 and 2 calls for the metropolitan area.

Mr M.J. BIRNEY: What about a statewide basis?

Mrs M.H. ROBERTS: That information is very difficult to provide.

Mr M.J. BIRNEY: Could you do it by way of supplementary information?

Mrs M.H. ROBERTS: I cannot do it by way of supplementary information. I can provide the member with information on the metropolitan area priority 1 and 2 responses. It is a matter of systems. Quite clearly, if police are advised that a priority 1 or 2 crime is in progress, they will drop everything and be on the scene as soon as they can.

Mr M.J. BIRNEY: Why will the minister not tell us if they managed to respond within the accepted time frames in regional areas?

The CHAIRMAN: Before we progress any further, I need to clarify what the minister is agreeing to supply as supplementary information.

Mrs M.H. ROBERTS: I am agreeing to provide the information that the police have at hand and can provide within the time period stipulated for supplementary information. The information is for the metropolitan area response times for priorities 1 and 2.

*[Supplementary Information No A6.]*

Mr M.J. BIRNEY: Will the minister not provide the same information for regional areas? Is that what she is saying?

Mrs M.H. ROBERTS: I am not able to provide it at this time or as supplementary information.

Mr M.J. BIRNEY: That is disgraceful. We are talking murders and armed robberies and the minister will not give me the information.

The CHAIRMAN: Member for Churchlands.

Mr M.J. BIRNEY: The minister should not be sitting there.

The CHAIRMAN: Order, member for Kalgoorlie!

Dr E. CONSTABLE: On page 705 the fifth dot point of the major initiatives for 2004-05 refers to the review, repeal and replacement of the Police Act 1892. This is my fourteenth estimates committee, for my sins. I have attended them for many years. Every year I have heard that we will have a rewrite, repeal and replacement of the Police Act; in fact, it has got to the stage at which it should be heritage listed because it is so old! The minister's three predecessors in the Court Government talked about this. I presume some work has been done on it over the years. What stage are we at, when are we likely to see it and why has it taken this long?

Mrs M.H. ROBERTS: The member is quite right. I have sat through quite a few estimates in opposition and asked previous Ministers for Police about the legislation, and it was always on the way. The Government said it would establish a royal commission into the Police Service. We expected that that would provide us with useful information that we could take into account when drafting a new Police Act. Despite the royal commission having only recently concluded, significant work has been undertaken on the Police Act reform project. I understand that the reform of the Police Act has three main components, the first being a review and amendment of the Police Act offences and penalties,

the second a review of police investigative powers and the third a review and amendment of police administrative provisions.

I am advised that over the years there have been 10 drafts of the offences and penalties Bill. Some of those drafts obviously occurred prior to our coming to government. Essentially, our Government said right from the outset that it would wait until the royal commission reported so that it would be in a position to incorporate any recommendations into the review. The draft of the Police Act offences and penalties review is very near completion. I hope to take it to Cabinet within the next few months.

It is proposed to divide the Act into three areas: penalties, powers and administration. The draft of the powers Bill is at the ninth stage and we expect to introduce it in the second half of this year. I am advised that the Police Administration Bill, which will be a separate Bill, reached draft three in 2000. All the recommendations of the royal commission are being considered, and as a result those recommendations will be incorporated into the Police Administration Bill.

Dr E. CONSTABLE: To make sure I understand what the minister told us, will we see two of those three Bills this year in this House?

Mrs M.H. ROBERTS: That is what I am expecting.

Dr E. CONSTABLE: That means that they will not go through the other place so we will have to start all over again after the next election.

Mrs M.H. ROBERTS: I hope not.

Dr E. CONSTABLE: I am sure we will.

Mr M.P. MURRAY: I refer to page 692. The fifth dot point indicates that the south west has a population growth rate twice that of the national average and is one of the fastest growing populations of regional Western Australia. The population and demographic changes in the south west region will significantly impact on police service delivery. What is being done to address this future growth?

[5.40 pm]

Mrs M.H. ROBERTS: I thank the member for Collie for that question. I understand that he is quite right: the population growth in the south west is phenomenal. As a result, we have already implemented a number of strategies to deal with that. I understand that, as the member suggested, the growth rate is about twice the national average and that approximately 132 000 people live in the south west. The region's population is predicted to grow to about 142 000 by 2006 and 157 000 by 2011. In particular, the whole region around Margaret River and Dunsborough, the tourism facilities there and the holiday population will need to be taken into account. The Police Service is doing that. Some initiatives to deal with that population growth commenced some time ago. The member will be aware that Australind Police Station opened in 1996 and that the new Dunsborough Police Station opened in 1998. The Attorney General and I opened the Busselton police complex in 2001. Also opened in 2001 was the South West District Police Complex in Bunbury. I suppose we are heading over to the great southern area now, but the Albany district police complex is due for occupancy in 2005. I am advised that we have had to allocate additional staff to both districts. There has been a 38 per cent increase in staffing of the Peel district and an 8.8 per cent increase in staffing of the Bunbury district. We have certainly increased the number of police officers in both those growing areas. We have also deployed a booze bus to the south west, which some people may not be happy about. I understand that there has been a \$600 000 increase in operational funding as part of the Government's boost in funding to the southern region overall. That is about a 10 per cent increase in operational funding.

The CHAIRMAN: I seek members' guidance. Does the committee wish to finish with division 43 at 6.00 pm when we break for dinner?

Ms S.E. WALKER: I am happy to finish with the police division and go to division 28.

The CHAIRMAN: Each member is listed on a speaking list. I will give one question to each member and will then see what time we have left before 6.00 pm. At that time members can make a judgment call about whether they want to finish this division at 6.00 pm. I understood that to be the desired outcome. I will call the member for Girrawheen and work my way through each member so that they each get a question.

Ms M.M. QUIRK: I refer the minister to the third dot point on page 698, which relates to the recruitment of additional sworn officers. Is the Government on track to fulfil its commitment to recruit an additional 250 sworn police officers?

Mrs M.H. ROBERTS: Yes, we are absolutely on track to recruit the additional 250 sworn police officers. The authorised strength of the Police Service when we came to government was 4 698. That authorised strength will increase to 4 948 by the end of this year. That is a clear increase of 250. Further to that, in recent times we have had an actual strength greater than our authorised strength. I anticipate that this will be the case at the end of the year as well. One figure that some members of the Opposition have from time to time chosen to quote is the 30 June 2001 figure, and to compare that with our current figure. That is simply not a fair comparison. That is because when we came to office in February 2001 we faced the immediate prospect of moving the Police Academy from Maylands to Joondalup. One

thing we wanted to quickly do was to get an additional 50 police officers deployed on the trains. We had given a commitment during the election that we would have 50 sworn police officers operating on our train system, and quickly. If we had not received the additional money from Treasury that was approved by the Gallop Cabinet in the early part of 2001, we would not have been able to get on board the additional 50 police for more than a year because of the hiatus in the training of officers during the shift from Maylands to Joondalup. That is why we put through a couple of extra recruit schools in early 2001. The additional money was allocated once the Gallop Government was elected because we made the decision to not delay but fast-track getting those additional police officers on board. In the early part of 2001 we recruited to cover both attrition and the additional police officers who would be required because of the hiatus in moving the Police Academy to Joondalup. That measure would not have been necessary, firstly, if we had not been moving from one academy site to another and, secondly, if we had not wanted to get on board so quickly those additional 50 police to be able to deploy them on the trains. I know this is a contentious matter for people. In our four years in government, we anticipate that more than a thousand officers will go through the academy to deliver an additional 250 police. The commissioner has the specific figures, so I will ask him to address that matter and clarify the issue further.

Mr MATTHEWS: As the minister has indicated, the schedule of recruitment to meet the 250 additional police was 100 police in 2001-02, 15 in 2002-03, 60 in 2003-04 and 75 in the next financial year, 2004-05. We are on target to achieve the schedule, and we can provide the numbers. However, from April to June of the current financial year, the estimate is that we will have 4 897 officers, which is above the authorised strength. The projected number for 2004-05 is 4 982 officers. That will complete, at the very least, the recruitment of the 250 extra police.

Dr E. CONSTABLE: On page 702, the fourth dot point of major achievements for 2003-04 refers to the use of double demerit points on holiday long weekends and so on. Does the minister have any direct evidence to show that this has been an effective strategy when it comes to reducing road accidents, deaths on the road, serious injuries and so on?

Mrs M.H. ROBERTS: There has been a review in the period since we introduced the double demerit points. I suppose a number of factors must be taken into account. One is that we are targeting the double demerit points only at those things that are known killers on the road, such as speed, drink-driving and the non-wearing of restraints. Evidence within the Police Service indicates that people are slowing down. There is also a lot of anecdotal evidence. However, a review has been done. This is Mr Hay's specialist area. I ask him to comment.

Mr HAY: I do not have any results of the review. However, I can say that there is certainly evidence that motorists are slowing down and that the use of double demerit points has an awareness aspect to it. There is a great deal of awareness of road safety during those long weekends and those holiday periods such as Easter and Christmas when the double demerit points -

Dr E. CONSTABLE: It is very hard to hear you, Mr Hay. Someone is talking behind me and I cannot hear you very well.

Mr HAY: As I said, there is clear evidence to suggest that the use of double demerit points has an impact on people speeding. I am not aware of the results of the review.

Mrs M.H. ROBERTS: I can advise that fines revenue for those periods is down, and fines revenue is down overall. Because we double only the demerit points and not the fine, it means that fewer people are getting fined as a result of being caught by Multanovas and the like in those periods.

Dr E. CONSTABLE: Two issues arise from that. I asked whether there was evidence that there were fewer deaths on the road and fewer injuries from accidents.

Mrs M.H. ROBERTS: I do not have that information in front of me.

Dr E. CONSTABLE: Does it exist?

[5.50 pm]

Mrs M.H. ROBERTS: The Office of Road Safety has been conducting the review. I do not know whether the member will be present after the dinner break, but Iain Cameron, who is the executive director of that office, may have that information with him. I can give the member only a general answer that the number of road deaths this year has been about nine fewer than last year.

Dr E. CONSTABLE: That is not a significant decrease.

Mr R.A. AINSWORTH: I refer to page 695 of the *Budget Statements*, which refers to offenders apprehended and dealt with in accordance with the law. The *Budget Statements* states that the clearance rates for property offences remains what I consider to be fairly low at less than 19 per cent. I understand that in some country areas the clearance rate is even less than that. Could the minister explain the initiatives in this budget that address the low level of clearances, particularly in country areas -

Dr E. CONSTABLE: I have already asked that.

Mr R.A. AINSWORTH: Did you? Did you ask about country areas?

Dr E. CONSTABLE: I did not ask about country areas.

Mr R.A. AINSWORTH: Does the minister consider that the low clearance rates in country areas are a direct result of an insufficient number of police officers on the streets?

Mrs M.H. ROBERTS: No. All the recent statistics indicate that the clearance rates are showing some improvement. I will not go into the detail of that because obviously the member can read about that in *Hansard*. Mr Dawson and I spoke at some length about advances in DNA, the fingerprint identification system and the like and the improvement that has been made in the clearance rate for crimes such as home burglary and, to a lesser extent, car theft. Many comments have been made this afternoon about intelligence-led policing. In the past it has been difficult for police in country areas to access the information and facilities that are available in the metropolitan area. I will give the member an example of the advances that have been made. To link into the national fingerprint identification system, terminals are based at the police headquarters in Perth. Money was spent putting terminals into the Bunbury and Kalgoorlie Police Stations so that police could get a timely response. Fingerprints that were lifted from a crime scene in those areas could be put straight into the national automated fingerprint identification system from Bunbury or Kalgoorlie. The latest advice I have received is that because technology is forever advancing, there is no need to have those facilities in country areas. Fingerprints from a country area are lifted on a special card that can be scanned by a computer scanner, which costs less than \$200, and which can then be e-mailed to Perth. A police officer advised me that a serious assault occurred in Mandurah recently in which that system was used. The fingerprints were e-mailed to Perth and the offender was identified within an hour. I thought that was pretty impressive. I asked the police whether that technology needed to be rolled out into every country area and was told that only a scanner is needed. That is a very impressive result. I am told that it will be more impressive because, depending on how fast police officers e-mail Perth from Broome or any other country centre, fingerprints can be identified from anywhere if the offender's fingerprints are in the system. The emphasis is largely on intelligence-led policing and technology.

Mr R.A. AINSWORTH: To help me understand better what is happening with country property offences and clearance rates, by way of providing supplementary information, would it be possible to provide me with comparative information on the clearance rates in Esperance, for example, of the past 12 months and the previous 12 months?

Mrs M.H. ROBERTS: I have tabled that information. I table that information on a quarterly basis district by district and region by region. The crime clearance statistics contain a column on clearance rates so that they can be relatively easily tracked. That information is also uploaded -

Mr R.A. AINSWORTH: That is district by district. Esperance is part of the Kalgoorlie district. I presume we are looking at the whole of the goldfields district.

Mrs M.H. ROBERTS: No, there are regions and districts. Essentially, there are three regions in the State: the metropolitan region, the northern region and the southern region. Within the southern region, there are four districts. One of those is the great southern district, which would be the district in which the member's electorate is located.

Mr R.A. AINSWORTH: I think it is Kalgoorlie-goldfields.

Mrs M.H. ROBERTS: It is the goldfields-Esperance district.

Mr R.A. AINSWORTH: I understand that statistics are available in certain parameters. Esperance and Kalgoorlie, for example, are vastly different in their demographics and the types of criminal activities that occur. Would it be possible to provide supplementary information specifically on Esperance to give me an idea of where it is going?

Mrs M.H. ROBERTS: I will provide that information to the member as supplementary information.

[*Supplementary Information No A7.*]

Mr S.R. HILL: I refer the minister to page 707 of the *Budget Statements*. Can the minister provide more detail on the Government's commitment to spend \$25 million on the forensic facility at the police operations support facility at Midland?

Mrs M.H. ROBERTS: I thank the member for the question. I know that the people working in the forensic area are very much looking forward to this new facility. It is referred to as stage 1B, the new forensic facility at the police operations support facility at Midland. That will commence in 2005, subject to some site remediation by the Midland Redevelopment Authority. The projected expenditure for 2004-05 is \$12.3 million and the total cost of the new centre is \$25 million. Occupancy is scheduled for the first half of 2006. We expect this new forensic centre will accommodate approximately 125 police personnel, and will naturally include modern laboratories, offices, storage facilities, photography studios, vehicle inspection facilities and staff amenities. Police sections that will be accommodated in the new forensic centre will include crime scenes, fingerprints, ballistics, DNA and exhibits coordination unit, document examination, imaging, surveying and the drug receipt unit.

Mr M.J. BIRNEY: I draw the attention of the minister to the second dot point on page 691, which refers to the implementation of the recommendations of the Royal Commission Into Whether There Has Been Any Corrupt or Criminal Conduct by Western Australian Police Officers. I am aware that the budget has allocated some \$1.5 million

for the implementation of those recommendations. Can the minister give the total financial value of the Kennedy royal commission recommendations?

Mrs M.H. ROBERTS: An amount of \$1.5 million has been specifically allocated. Some of the final costs are still to be worked out and supplementary funding may well be required for some of it. Although some of the areas that have been funded are not under the heading of the police royal commission, they are clearly supported by recommendations of the royal commission. To that end, for example, I refer the member to the comments about the need for the police to be supported by more unsworn officers.

Mr M.J. BIRNEY: What is the estimated total value of the recommendations?

Mrs M.H. ROBERTS: There is no total global figure at this time. I understand that Acting Deputy Commissioner Karl O'Callaghan may be able to provide some more detail.

Mr O'CALLAGHAN: An amount of \$1.5 million has been provided in the budget initially for the implementation of the royal commission recommendations. That enables us to do several things. Firstly, it enables us to complete the corruption prevention plan. That includes scoping; training; piloting; development of application guides; marketing; education; evaluation; enhancement of our business area management review and the program that supports the corruption prevention plan; streamlining the complaint resolution systems; distribution of a new investigators' kit for internal investigations; reviewing and evaluating the implementation of the Fisher report, which is an Australian Federal Police report; and training police in local complaint resolution. An amount of \$250 000 has been set aside for that. Also, \$300 000 has been set aside for integrity testing and personnel vetting; that is, scoping and preparing an environment suitable for integrity tests of selected targets. The Police Service will develop an integrity test scenario in cooperation with the Corruption and Crime Commission to enable it to exercise its powers. It includes profiling and identifying police officers at risk of or exposed to corruption and the utilisation of personnel from other law enforcement agencies in the development of integrity tests. It also involves implementation of the Australian Security Vetting Service program that conforms to national standards set in the commonwealth *Protective Security Manual*, in keeping with the key reform areas identified by the royal commission. The first implementation areas will be the police senior management group, organised crime investigations, the Bureau of Criminal Intelligence, the tactical investigation groups and internal affairs. An amount of \$300 000 is set aside for lawyers and civilian expertise in internal affairs to enable resolution of all outstanding allegations of corruption and misconduct arising from the royal commission and to establish a preventive audit and intervention program for information management. That can be further broken down into \$100 000 for concluding the investigations into the 121 officers named by the royal commission with a view to determining charges, removing them from office or taking no further action; appointing 1.5 full-time equivalent lawyers for legal advice on investigations and preparation of loss of confidence submissions and criminal disciplinary charges on matters arising from the CCC; interpretation of the Corruption and Crime Commission Act and the Royal Commission (Police) Act; preparation of business cases to be submitted to the CCC for investigation; and preparation of memoranda of understanding, service agreements and protocols between the CCC, the Western Australia Police Service and other law enforcement agencies. An amount of \$40 000 has been set aside for 0.5 FTE for a forensic financial analyst to conduct financial profiling, and \$40 000 has been set aside to establish an intervention program on information technology misuse, integrity checks and quality assurance in high-risk areas. An amount of \$450 000 has been set aside for the establishment of a deputy commissioner, standards and reform. That includes the support staff and running costs for the royal commission implementation group, specific steps for the creation of a deputy commissioner, standards and reform position, incorporating the appropriate support staff and funding for royal commission implementation programs for the employment of experienced unsworn officers. An amount of \$200 000 has been set aside for expediting legislative reform. That includes significant policy and procedural work, which will emanate from the legislative reform process to support the resource and performance management processes. It will also include creation of positions within the legal services unit to recruit suitably qualified officers with expertise in legislative reform. Upon securing the above resources, the legal services unit will then be positioned to release three sworn officers to return to frontline duties. In addition, there is an amount of work that the royal commission implementation unit, under the guidance of the deputy commissioner, reform and standards, is doing to come back to government by July with a business case for the funding of the recommendations that are contained in the royal commission report. We are working through that process now. We will be coming back to government in July to discuss what the scope of the costs of the recommendations will be.

**The appropriation was recommended.**

*Sitting suspended from 6.02 to 7.00 pm*

Mrs M.H. ROBERTS: I understand that the advisers on the road safety initiatives have not yet arrived. We can either start without them or move to the next division.

The CHAIRMAN (Mr A.P. O'Gorman): I understand we are currently dealing with division 43; following that will be division 44.

Ms S.E. WALKER: We have not dealt with division 28, which comes up first in the *Budget Statements*.

Mrs M.H. ROBERTS: Division 28 is last in the estimates program.

The CHAIRMAN: I have in front of me the sequence for today's proceedings which shows that division 3 was supposed to be dealt with first. We have skipped division 3, for reasons of which I am not aware. We have dealt with division 43, so I propose that we move to division 44 and go through that in an orderly manner, and then we can come back to division 3 at the end.

Mrs M.H. ROBERTS: That is fine by me.

**Division 44: Fire and Emergency Services Authority of Western Australia, \$23 413 000 -**

Mr A.P. O'Gorman, Chairman.

Mrs M.H. Roberts, Minister for Police and Emergency Services.

Mr W.N.N. Forbes, Acting Chief Executive Officer.

Mrs P. Valentine, Manager, Policy and Strategic Planning.

Mr W.E. Hewitt, Executive Director, Business Services.

Mr F. Pasquale, Manager, Funding Services.

Ms M.M. QUIRK: I refer to page 721 in the *Budget Statements* and the second dot point that states that funding through the emergency services levy has improved the equitable provision of resources to emergency services volunteers statewide. Can the minister elaborate on that please?

Mrs M.H. ROBERTS: As I am sure many members will be aware, in many parts of the State local bush fire brigade volunteers are the only local emergency service that is available. Over the years the volunteer brigades have been completely dependent on local government and the community. Under previous arrangements, funding for protective clothing, equipment and capital purchases was provided through a grants scheme, in which the local government or the community provided 50 per cent of the funds and the State Government provided the other 50 per cent. Some local governments in rural areas did not have the financial capacity to access the bush fire brigade grants scheme, simply because they did not come up with their 50 per cent of the funding. Equipment distribution was, therefore, based not necessarily on need but on who could afford to pay. Since the introduction of the emergency services levy there has been a more fair and equitable system. We have been able to protect and equip those communities in the State that had not previously been able to afford to do so. Some volunteers were being placed at risk through the lack of protective equipment and the like. Previously, many volunteers were required to buy their own gear, and were, therefore, paying for the privilege of volunteering their time 24 hours a day, seven days a week to turn out to protect the community. In addition, the volunteers inevitably did countless hours of fundraising activities and so forth. Under the new ESL grants scheme introduced this year, financial requests are met 100 per cent through the ESL funding. With the implementation of the grants scheme, we are now able to provide to many more communities throughout the State, in a much more equitable way, the equipment they need to deal with emergency situations, including protective clothing.

Mr R.A. AINSWORTH: I refer to the appropriation and forward estimates at page 715 of the *Budget Statements*. The appropriation for the Fire and Emergency Services Authority is reduced by approximately \$5 million compared with last year. It appears to comprise appropriations from Treasury and other sources. Is the minister able to provide a total government figure from all departments of contributions to FESA in 2003-04 as opposed to 2004-05?

Mrs M.H. ROBERTS: I will ask Mr Hewitt to answer the question.

Mr HEWITT: The total contribution to FESA direct?

Mr R.A. AINSWORTH: Across government. There is a reduction in this budget, but moneys are coming from other government sources. I am looking for the global government contribution for last year and this year.

Mr HEWITT: In 2004-05 it is currently \$44 million. Last year it was \$41.6 million. There has been an increase in contributions to FESA in the forward estimates.

Mr S.R. HILL: I refer to the major policy decisions listed on page 716. Is the minister able to give an outline of the Western Australian emergency rescue helicopter service?

[7.10 pm]

Mrs M.H. ROBERTS: In May 2003 Cabinet determined that the responsibility for the management of the state emergency rescue helicopter service be transferred from the Department of Health to FESA. The emergency rescue helicopter service, known as RAC Rescue 1, is now managed by FESA. It is tasked by St John Ambulance. It was formally established in August 2003. The service has flown 70 missions as of 30 April 2004. I understand that March 2004 was our busiest month, with 14 missions flown. The service has flown some pretty notable missions, in particular the rescue of critically injured patients from the ocean liner *Adonia* off the coast of Esperance, and from the ship *Galaxy* 200 kilometres off the coast of Carnarvon. The major missions it has completed include 33 on-scene medical rescues, the majority of which were in response to motor vehicle crashes, 17 critical inter-hospital transfers, and 20 search and



rescues under state-commonwealth arrangements. The helicopter service has significantly improved the transportation of critically injured or ill people to an essential care provider. It provides an invaluable service to the community. It may have already saved some lives, and it has certainly reduced injuries. I have no doubt of that.

Mr M.P. MURRAY: I refer to page 724, capital contribution. The Volunteer Marine Rescue Service is an important service to the State's boating community. Would the minister please outline how the State Government funds the VMRS and explain why the capital grant will cease in 2007-08?

Mrs M.H. ROBERTS: The VMRS is provided with a recurrent funding base of \$1.05 million, and an additional capital grant of \$300 000 in each of the financial years 2004-05, 2005-06 and 2006-07, and of \$400 000 in 2007-08. The Government certainly acknowledges and appreciates the work done by the VMRS; therefore, in this budget we have brought forward capital grants to commence in 2004-05. The VMRS funding is provided to only 2007-08 as that is the end of the forward estimates period. During the next budget process, FESA will work with the Department of Treasury and Finance to secure further funding, hopefully, for the VMRS, especially in the areas of vessel and equipment replacement, insurance and, most importantly, competency-based training. The VMRS is considered to be a prescribed service under the Fire and Emergency Services Authority of Western Australia and as a result is fully funded out of the consolidated fund. It is not funded out of the emergency services levy.

Ms M.M. QUIRK: I refer to page 723 and the capital works program. What is FESA doing to provide emergency services for regional Western Australia?

Mrs M.H. ROBERTS: I thank the member for the question. In addition to ensuring that the regional service brigades are more equitably funded through the FESA levy and providing the capital funding that I have already indicated through the new grants scheme, which provides 100 per cent funding, FESA has also been allocated some additional capital works funding in the coming year for regional areas. These will include development and construction of a volunteer fire station at a new location in Broome, at a total cost of around \$450 000; a new station in Kalgoorlie, at a cost of about \$250 000; the completion of a co-located FESA regional office in Geraldton, at a cost of \$525 000; the development and construction of FESA volunteer co-location facilities in Manjimup, at a cost of about \$400 000, Mundaring, at a cost of \$920 000, Esperance, at a cost of \$400 000, and Collie, at a cost of \$400 000; and the refurbishment of Albany fire station, at an anticipated cost of \$260 000.

Mr S.R. HILL: I refer to page 718, major achievements for 2003-04. The last dot point states, "Audited and reviewed backpacker and low cost accommodation to mitigate fire risk". Has that been completed?

Mrs M.H. ROBERTS: I understand that a statewide survey is being conducted and is planned to be completed in July this year.

The CHAIRMAN (Mr A.P. O'Gorman): I refer to the second dot point on page 716, which relates to the legislative review. Is that a result of the standing committee putting forward a recommendation to help boost the responses of emergency services in Western Australia?

Mrs M.H. ROBERTS: I think you may be asking me about the emergency management legislation. The second dot point refers to a review of the establishment legislation for the Fire and Emergency Services Authority of Western Australia. FESA is now about five years old. It was agreed at the time the FESA organisation was established that all legislative requirements would be reviewed after five years. The reference in the budget papers is to that review. In answer to your question about the legislation, I am hopeful that that will be introduced. It is certainly my plan to introduce that emergency management legislation in the spring session. I understand that drafting instructions have now been completed and the Bill is with parliamentary counsel. Hopefully, I will have that to Cabinet and then into the Parliament in the not too distant future.

Mr M.P. MURRAY: I refer to the first dot point on page 716. What will the emergency services levy pay for and how has the levy been received within the community?

Ms S.E. WALKER: Can the member not ask this of his minister in the Cabinet?

The CHAIRMAN: The committee is formed of six members and the minister. Each member is allowed to ask questions. Every member is entitled to ask questions, including the Chair if he or she so wishes. I will continue in that way. If the member for Nedlands has a problem with that, she can take it up later with the Speaker.

Mrs M.H. ROBERTS: I am pleased to receive the question from the member for Collie. As he is well aware, prior to the introduction of the emergency services levy, I visited a number of local government authorities, including the Shire of Collie and some neighbouring authorities. There were some reservations about what the ESL would mean for them and whether it would work out for them. I think that a lot of the reservations and concerns of local governments have been alleviated. Since the introduction of the ESL, those funds have been used to respond to building fires, bushfires, road crash rescues, hazardous and toxic material spills, storms, cyclones, floods, earthquakes, potential tsunamis, searches for missing persons, and cliff and cave rescues. The levy also funds the training of emergency services volunteers, community safety programs, emergency management planning and FESA's Emergency Management Services. Specifically, the ESL funds the operating costs and capital equipment purchases for the career Fire and

Rescue Service of WA, the volunteer fire and rescue services, local bush fire brigades, the State Emergency Service and the new multiservice FESA units. There is a range of operating costs as well as lots of capital equipment requirements, including obviously firefighting appliances, vehicles, road rescue trailers and larger operational equipment.

Ms M.M. QUIRK: I refer to the penultimate bullet on page 721.

Several members interjected.

The CHAIRMAN: Members, we are dealing with division 44. The sequence for the divisions is detailed on the program and that is the sequence we are going through. The member for Girrawheen has the floor. It does not help when interjections are made. I cannot hear the question and I am sure the minister and her advisers cannot hear the question.

Ms M.M. QUIRK: I refer the minister to the second-last bullet point on page 721, which states that a range of improved services for the support of volunteers will be introduced, such as a one stop shop service for inquiries about volunteering opportunities. Can the minister explain what is involved with that?

[7.20 pm]

Mrs M.H. ROBERTS: Essentially the human services division of the Fire and Emergency Services Authority of Western Australia is establishing that one-stop shop. That will mean volunteers will make their inquiries, no matter what their inquiry, to a designated person. We realise that volunteers do not want to spend a lot of time working their way through the FESA directory with many different points of contact. This is a sensible proposal that will be implemented in the coming financial year.

**The appropriation was recommended.**

### **Division 3: Premier and Cabinet, Outputs 10 and 12 -**

Mr A.P. O'Gorman, Chairman.

Mrs M.H. Roberts, Minister for Community Safety.

Mr I. Cameron, Executive Director, Office of Road Safety.

Mr K.C. Edwards, Senior Finance Officer, Office of Road Safety.

Ms K. HODSON-THOMAS: I refer to page 94, one of the major achievements for 2003-04. My question to the minister relates to government agencies continuing to work with the rail industry at national, state and local levels to improve safety at railway level crossings. This issue has been of interest to me. I understand that a trial was conducted with rumble strips at a number of level crossings across the State. Will the minister tell me where that trial is at and whether it is part of this initiative? I understand the State Coroner recommended that strobe lights be fitted on railcars. I understand the Government was not committed to doing that, but will the minister be able to give us an update on that?

Mrs M.H. ROBERTS: I point out from the start that essentially the Office of Road Safety has a small part of the responsibility in that regard. As the dot point states, we are continuing to work with the rail industry at national, state and local levels. I understand the Government has actively gone about improving safety at rail level crossings. That work continues through the rail crossing protection committee, which is coordinated by Main Roads Western Australia. The Road Safety Council allocated resources for a railway crossing safety community education campaign to be developed by the Office of Road Safety in collaboration with RoadWise and state rail authorities as part of the development of an overall national program. However, essentially the primary responsibility for this issue rests under the Department for Planning and Infrastructure.

Ms K. HODSON-THOMAS: How much of that money was allocated to the awareness program?

Mrs M.H. ROBERTS: An amount of \$90 000.

Ms M.M. QUIRK: I refer the minister to page 93 and to revenues from ordinary activities. As part of its election commitment, the Government gave an undertaking to spend all red-light camera proceeds on road safety initiatives. Has this been done and how much money has the Government put into road safety?

Mrs M.H. ROBERTS: The clear answer is yes, it has been done. In 2003-04 the Government budgeted \$82.3 million to be spent on road safety programs and capital works, which was more than twice the total amount of money budgeted to be received from speed and red-light camera infringements, which was \$36 million. I will give a brief summary of the expenditure. Expenditure on the road trauma trust fund was \$20.176 million, which included some funding from Environment Centre of WA sponsorship of an amount of \$4 million, and interest of \$100 000. The road enhancement program through Main Roads expended some \$36.4 million. The state black spots program expended \$17.2 million. The road safety expenditure by the WA Police Service was \$7.13 million, which is only police expenditure on the direct cost of the speed and red-light camera program and nothing else. As for the Department of the Premier and Cabinet, the Office of Road Safety and the Road Safety Council, the expenditure was \$1.37 million. I hope that adds up to the expenditure I mentioned of \$82.3 million. I will not go into these now, unless the member wants me to, but there are

some further details in the document called "Working Together for Road Safety : A Summary Report to the WA Parliament on major initiatives funded by the WA Government in 2003/04 to improve road safety for the community", which I tabled in this place on 6 May.

Ms K. HODSON-THOMAS: I am interested in one of the major achievements for 2003-04, which is the review of the Road Traffic Act 1974, which was conducted to recommend to Government an appropriate level and mix of penalties, including demerit points, fines, licence suspensions and custodial sentences. Where is that review at? Obviously it has been completed. Has the Government any intentions of making it public if it is not public; and, if it is public, perhaps the minister might direct me to where I can find that information?

Mrs M.H. ROBERTS: I understand it involves quite a lot of varied comprehensive work and that the review is two months or so away from being taken to the Road Safety Council. After it has been to the Road Safety Council, I expect it to be forwarded to me.

Ms K. HODSON-THOMAS: When the review goes to the minister, is there a likelihood there will be some legislative change to the Road Traffic Act as a result of its recommendations?

Mrs M.H. ROBERTS: There is the possibility that the review may recommend some legislative change. I am anticipating though that a lot may be regulatory change that will not necessarily require changes to legislation. However, I will wait to see what is recommended by the Road Safety Council.

Mr S.R. HILL: I refer to page 94 and the major achievements for 2003-04. Will the minister give us an update on the progress that is being made on the new road safety curriculum for use in schools?

[7.30 pm]

Mrs M.H. ROBERTS: The member is no doubt aware of the road aware project, which has been funded from the road trauma trust fund and co-funded by the Insurance Commission of Western Australia. It has been developed by the Catholic, independent and state school systems to enhance road safety education. It is available for children, young people and their parents. A road aware team of road safety education experts has been established and is located within the Department of Education and Training. Essentially, road aware has three main priority areas. The first is the establishment of statewide infant and child car restraint fitting and checking services for parents to reduce the number of infants and young children riding in vehicles with incorrect restraints. The supporting resources for this program are nearing completion, and a progressive roll-out of statewide training will commence in the second half of this year.

The second aspect is the development of a new curriculum for professional development to enhance the road safety education of children aged four to 14 years. The initial drafting of the new curriculum has commenced and it is expected to be ready by 2005.

The third part is the pre-driver education program. The target audience is 15 and 16-year olds, and their parents, in school and community settings. The aim is to develop positive attitudes in 15 to 16-year olds towards driving on our roads immediately before they sit for their learners permit and begin driving. We also want to motivate young people and their parents to ensure that they get as much supervised driving experience as possible before they drive on the roads. Worldwide experience indicates that the best possible thing to provide young drivers with is supervised driving experience. It counts for more than just about anything else. We want them to have that experience even before they go for their P-plates especially before they drive solo. Worldwide research shows that this is the best way to go. It gives them a range of experiences in driving conditions, be it bad weather or gravel roads etc under supervision. It pays dividends by reducing the likelihood of involvement in a serious crash at a later stage.

Ms K. HODSON-THOMAS: I am interested in the sixth major achievement for 2003-04, listed on page 94, which relates to the Government's endorsement of a new enforcement program to detect and prosecute drivers impaired through the use of licit and/or illicit drugs. I understand the minister is considering various ways of determining whether someone is under the influence of licit or illicit substances. Will the minister outline the progress of that, the proposals and what she is intending to do in 2004-05?

Mrs M.H. ROBERTS: Legislative amendments are being drafted so that that kind of testing can be accommodated. The technology is not yet fully developed to a foolproof stage. A trial is being undertaken in Victoria with equipment that I have seen on a couple of occasions. In fact, it was demonstrated in Perth some months ago; I think it was about the time we launched the new strategy. It appears to be pretty effective. Another system has been developed, and the manufacturers claim it is very successful at identifying the vast array of drugs. I suppose we want a foolproof system for quickly and readily identifying what drugs are present. Given technological advancement, it is only a matter of a short time before a recognised system is available that identifies the drugs people have taken. I am very pleased to note that only a couple of years ago people were saying that a drug such as cannabis could only be detected in a person's system; it would not be possible to determine whether it had influenced the person's driving because it might have been in his system two months prior to that. I understand equipment is available that can identify - possibly through the tetrahydrocannabinol - whether its use is recent. Once we have that equipment, we will move full steam ahead with it. The sooner the technology develops and the more widely available it becomes, the cheaper and simpler it will become. I do not recall the first blood alcohol testing equipment. Now it is a test that takes just a minute; people blow into a

small plastic tube. The testing was a lot more complex in the old days. We are really close to having a pretty cheap and effective system to identify drug use, which will be a major step forward. When it does become available, we expect our legislation to be compliant so that we can move with it straightaway. In the meantime, we have been training police officers in the best methods of using other physical factors to identify whether someone is under the influence of drugs. That is based on systems that have been adopted in America and elsewhere. If a police officer has cause to believe that somebody is under the influence of drugs, he can take a further step.

Ms K. HODSON-THOMAS: In other words, the minister is hoping to do that over the next 12 months, but there is no reason to suspect that that will actually happen. In the first instance, will legislation have to be drafted?

Mrs M.H. ROBERTS: I understand that the legislation is all but drafted. We have already implemented the types of physical tests to be used, and trained police officers in the administration of those physical tests, which are called roadside behavioural tests. We would like to take the next step soon. We are closely watching the trial that is happening in Victoria. Other people have other systems. I am keen for Western Australia to be among the first States in Australia to get it under way, once something reliable is on offer. There is no point in implementing a system using whatever gadgets if the evidence does not stand up in court. We are keen to implement a system. I am keen to progress the legislation in the spring session.

Mr R.A. AINSWORTH: The minister partially answered the question I will ask with her last couple of sentences. My question follows up on the question asked by the member for Carine on the additional systems that the police are putting in place. The minister mentioned some systems in America, and she might recall that during previous estimates committees I have asked about the drug recognition experts program in California, which relies on trained police officers who are not medical experts. Their evidence is accepted in the American courts, which I know are not the same as our legal system but in some respects are probably harder to convince. The point with all of this is that the new technology or processes that the police might be using need the acceptance of the legal system if they are to work. I assume from the minister's last comments that she is looking very closely at making sure that happens, because in my view it is essential that the two are parallel. It is no good having the means if they are not accepted at law.

Mrs M.H. ROBERTS: I have no dispute with any comments the member for Roe has made. I will just add this point; we would not rely on the expert testimony of a police officer when taking a case to court. If a police officer established a reasonable belief that someone was under the influence of drugs, that person would then be required to have a blood test. We would want to rule out whether alcohol was the cause of his behaviour. The person would probably be given an alcohol breathalyser test first. If alcohol was ruled out as the influence on that person, he would then have a blood test. The blood test result would be presented to the court.

Mr R.A. AINSWORTH: Is the minister saying that the new tests will be acceptable to the court system?

Mrs M.H. ROBERTS: I suppose what I am saying is that we are putting in place the US system plus more, because we are moving beyond just the testimony of the police officer; it goes to the further stage of requiring an individual to have an immediate blood test.

Ms M.M. QUIRK: I refer to the general aims under output 10 on page 93, which include the implementation of the State's road safety initiatives. To what extent is the implementation of those initiatives hampered by motor vehicle design and the fact that we are limited in how we can influence motor vehicle design? Have any steps been taken on that?

[7.40 pm]

Mrs M.H. ROBERTS: Whether it is motorbikes or motor cars, many motor vehicles are manufactured overseas. Given the size of the market in Western Australia, we need to at least have an Australia-wide approach. In the Australian market, the consumption of vehicles is still relatively small compared with that in more populous countries. The Western Australian market does not really stand a chance of influencing that. People may be aware that I have recently taken up the issue of seatbelt warning devices. As part of vehicle design, our preference is for a visual and an audible signal to indicate to people that they should put on their seatbelt before they start the ignition. Probably the next stage would be to have a system under which people are unable to start their ignition without having a seatbelt on. I have simply asked for the support of my fellow ministers Australia-wide who are responsible for road safety to recommend that change to Australian design standards for cars that are sold and driven in Australia. At this stage the federal Government does not want to do that. I am not sure why. It often wants to go down the path of education rather than enforcement and changing Australian design rules. We know how many people are killed each year through not wearing a seatbelt. I was going to say it is 200 Australia-wide. However, I am told that it is more than that; it is between 300 and 400 each year Australia-wide.

Without wanting to pre-empt the inquiry into one of the fatalities on the weekend, I indicate that I understand that south of Perth a woman swerved to avoid hitting a cow and crashed into a four-wheel drive. The driver of that four-wheel drive was thrown from the vehicle and killed. I suspect that person was not wearing a seatbelt, given that he was thrown from the vehicle. Of course, that is yet to be determined. If people are not wearing a seatbelt, they are 10 times more likely to be killed in a crash. That is a significant result. As I advised people in Kalgoorlie only last weekend, in

all the fatalities in the goldfields region, 25 per cent of the people who were the subject of those fatalities were not wearing a seatbelt at the time. It is an important area on which to focus. Our education campaigns are having an effect. They are having a significant impact in city areas, but they are not having the same level of impact in the country areas. The more that can be done to improve the design of vehicles to encourage or to force people to put on their seatbelts, the more lives we know will be saved.

Ms K. HODSON-THOMAS: On page 94, the first major initiative for 2004-05 states -

Implementation of the five-year 'Arriving Safely: Western Australian Road Safety Strategy 2003-2007' will be progressed.

As I am unable to determine whether there is any funding allocation for this, will the minister advise us what funding will be required to progress that Arriving Safely five-year program?

Mrs M.H. ROBERTS: I have with me the document to which the member is referring, titled "Arriving Safely: Road Safety Strategy for Western Australia 2003-2007". I recently launched this strategy. It is our intention to fully fund it over that period. Many of the factors set out in this document are already built into our road safety budget, what the WA Road Safety Council is doing and what is also being done with black spots funding.

Ms K. HODSON-THOMAS: There is a commitment to fund it. That is all I want to know.

Mrs M.H. ROBERTS: I understand that there are likely to be some further recommendations from the Road Safety Council for funding proposals that have emanated from this document. However, I am yet to sight them at this time.

The CHAIRMAN: The question is that the appropriation for division 3, outputs 10 and 12 be recommended.

**The appropriation was recommended.**

**Division 45: Office of the Inspector of Custodial Services, \$1 745 000 -**

Mr A.P. O'Gorman, Chairman.

Mrs M.H. Roberts, Minister for Justice.

Mr R.W. Stacey, Acting Inspector of Custodial Services.

Mr D. Summers, Manager, Business Services.

Mr S.R. HILL: I refer to significant issues and trends on page 730 of the *Budget Statements*. How has the independent prison visitors scheme developed since it became the responsibility of the Office of the Inspector of Custodial Services?

Mrs M.H. ROBERTS: In 2001 the administrative responsibility for the mostly older male prison visitors, now known as independent prison visitors, was transferred to the office. It adopted a group that had little clarity and purpose, inadequate management and support, and an inconsistent reporting framework. Since then, the member will be pleased to know that 47 independent prison visitors have been appointed, comprising an equal gender balance with a broad age range and including three Aboriginal people. Within months of taking on this responsibility, a one-day training session was held for all visitors from across the State. This clarified the group's role and established an operational methodology with a clear support mechanism from the office that conducts training and consultation for all the visitors at least once a year. Reports now follow a consistent form, showing issue details, actions taken and suggested action or comments. Relevant inspectorate staff maintain regular contact with the prison visitors, thereby maintaining ongoing support and providing advice on matters that may pose a difficulty for the visitors. Evaluation of the annual consultation forums and support is provided by and gathered from the visitors. The result is that they are now much more confident in their role and purpose. They are obviously being supported to a much greater extent. They report that they are feeling more supported. They make a very valuable and significant contribution to the prisons.

Ms S.E. WALKER: I refer to the mission statement on page 730 of the *Budget Statements* to establish and maintain an independent, expert and fair inspection service to provide Parliament, the minister, stakeholders, the media and the general public with up-to-date information and analyses about prison operations. The prison muster today is about 3 100 prisoners, possibly more. It is virtually the same number as when the Labor Party took office in February 2001. Will the minister tell me whether the increase in the prison muster has resulted in any serious concern about accommodation at prisons?

[7.50 pm]

Mrs M.H. ROBERTS: Yes, I suppose there are some concerns about accommodation at the prisons, particularly in relation to the Eastern Goldfields Regional Prison and Broome Regional Prison. Those issues are being addressed.

Ms S.E. WALKER: Can the minister tell me what the prison muster is?

Mrs M.H. ROBERTS: I would have to have a look at the up-to-date Department of Justice figures on the muster, which can be done in the next division, if the member likes. I am told that the current prison muster is 3 149.

Ms S.E. WALKER: Is that today?

Mrs M.H. ROBERTS: As of today, that is the figure. I understand that there are some 110 spare beds in the system.

Ms S.E. WALKER: How far over the accommodation ratings are the Eastern Goldfields and Broome Regional Prisons?

Mrs M.H. ROBERTS: I understand that Broome is 12 per cent over capacity, and Eastern Goldfields is three per cent over capacity.

Ms S.E. WALKER: How does that translate into numbers?

Mrs M.H. ROBERTS: Broome Regional Prison's designed capacity is 110. I understand that there are currently 123 prisoners in that facility. The Eastern Goldfields Regional Prison's designed capacity is 96, and there are currently 99 prisoners there.

Ms S.E. WALKER: Minister -

The CHAIRMAN (Mr A.P. O'Gorman): The member for Nedlands needs to seek the call before asking further questions.

Ms S.E. WALKER: Thank you, Mr Chairman; I have a further question. Can the minister tell me what proportion of the 123 prisoners in Broome Regional Prison are women?

Mrs M.H. ROBERTS: Eight prisoners in Broome are females; not eight per cent of the population, but eight prisoners.

Ms M.M. QUIRK: I refer the minister to the mission statement on page 730, in particular the reference to the Office of the Inspector of Custodial Services being independent. From her observations, is the minister able to say how independent the Office of the Inspector of Custodial Services is from the Department of Justice?

Mrs M.H. ROBERTS: I apologise for his not being here, but the inspector, as everyone here will know, is Professor Richard Harding. He undertakes his role with the utmost independence. I am certainly very pleased with the reports he has provided. At a more strategic level, I find his advice very valuable, in that I am able to consult with the inspector and receive advice independent of the Department of Justice on matters that affect prisons and prisoners. Now, of course, that has been extended to juvenile detention centres. He provides a very important and independent viewpoint for looking at these matters.

Mr M.P. MURRAY: I refer to the mission statement on page 730. What happens to the complaints from the custodial facilities received by the office?

Mrs M.H. ROBERTS: Complaints can be received at the office by a variety of means. Letters come from prisoners and their families, and indeed from Department of Justice officers - people working within the system. Sometimes there are telephone calls and there can also be detailed or less detailed reports from the prison visitors, including those people who may provide services to the prisons or to prisoners. It is important to note that the inspector does not deal with individual complaints as such; that is not what he is supposed to do under the legislation. That is not to say that information that is gathered by way of these complaints is not used in an informative way by the prisons inspector, but he does not directly investigate individual complaints. I am sure any complaints would enhance his knowledge of particular facilities and he may want to take things into account when he makes his inspections, but I understand that when those individual complaints are received, they are referred by the inspector to the agency that he considers most appropriate. In some cases that no doubt includes the Ombudsman's office, the Aboriginal Visitors Scheme, the Office of Health Review, the police, the Corruption and Crime Commission or a number of other agencies that are more appropriate to deal with that individual complaint.

Ms S.E. WALKER: I refer to the mission statement on page 730. The inspector inspects and then makes recommendations. His report contains a graph showing a percentage number of recommendations that the department accepts, but nothing shows the public what recommendations the minister implements. Does the inspector have a document showing what recommendations he has recommended and that the department has implemented in percentage terms?

Mrs M.H. ROBERTS: Each annual report provides that information. For example, the inspector's 2002-03 annual report shows that 185 out of 196 recommendations made to date have been accepted in whole or in part by the Department of Justice or, where relevant, AIMS Corporation. The broad acceptance of these recommendations is very pleasing. It is critical for the inspectorate, as it shows that, in essence, the department has accepted the rationale and the appropriateness behind those recommendations. I think that is an excellent report: 185 out of 196 have been adopted, either in part or in full. As I understand it, they are clearly reported on in the latest annual report and I think in earlier annual reports.

Ms S.E. WALKER: I understand that 185 out of 196 were accepted, but how many have been implemented and where is the evidence of what has been implemented?

Mrs M.H. ROBERTS: As the member would be aware - I suppose this is relatively new legislation - the inspector started off with a cycle of inspections of prisons and made that series of recommendations as a result of those

inspections. As he goes through the second cycle of inspections of prisons he will report further on the implementation of those recommendations. As each of those reports is compiled and as he inspects each of the prisons for the second time, I expect that he will fully and openly report on the implementation of those recommendations.

Ms S.E. WALKER: Does the ministry keep a list of what it is implementing, or does it work in a vacuum?

Mrs M.H. ROBERTS: That is right. I do not think those gratuitous, negative remarks assist the debate. The fact is that the Department of Justice does have an action plan; that is monitored. However, if the member wants an entirely independent review and advice on whether the recommendations have been fully or partly implemented, she can get that advice after the inspector does his second round of reports.

[8.00 pm]

Ms S.E. WALKER: Will the minister provide me with a list from the ministry of all the recommendations that it has implemented with regard to the recommendations made by the minister for each prison?

Mrs M.H. ROBERTS: We are not dealing with the Department of Justice at the moment; we are dealing with the Office of the Inspector of Custodial Services, which does not have that information. Can the member ask the question at the appropriate time?

Ms S.E. WALKER: Again, with regard to the mission statement, an inspection was done of Wooroloo Prison Farm by the inspector, and the minister made an announcement about that prison today. Is it more appropriate that I ask a question about the ankle bracelets in the part of the budget dealing with justice or now?

Mrs M.H. ROBERTS: That comes under the justice part of the budget. However, the inspector's report on Wooroloo Prison Farm was largely favourable.

**The appropriation was recommended.**

**Division 28: Justice, \$569 611 000 -**

Mrs D.J. Guise, Chairman.

Mrs M.H. Roberts, Minister for Justice.

Mr A. Piper, Director General.

Mr T.W. Simpson, Executive Director, Prisons.

Mr P.J. King, Director, Financial Management.

Mr A. Andersson, Registrar of Births, Deaths and Marriages.

Mr P.E. Robinson, Manager, Budgets and Planning.

Ms J.T. Tang, Executive Director, Community and Juvenile Justice.

Ms A.R. McLaren, Public Trustee.

Ms M.S. Scott, Public Advocate.

Mr R. Warnes, Acting Executive Director, Court Services.

Mr P. Mitchell, Sheriff.

Ms S.E. WALKER: I refer to page 455 of the *Budget Statements* and significant issues and trends that, in large part, are exactly the same as those in last year's budget. The first dot point states -

Western Australia continues to have the highest rate of imprisonment of all Australian States, . . .

Last year, that dot point had exactly the same wording except that after the words "Australian States", it had in brackets "except the Northern Territory". Is the Western Australian rate of imprisonment now higher than that of the Northern Territory? Surely the figures have changed from those quoted in the fourth dot point for crimes associated with drug use and the cost of each drug crime. If they have not, why not? If they have changed, why are they not included in the *Budget Statements*?

Mrs M.H. ROBERTS: There has been a reduction but our rates are still higher than those of the other States. However, they are not higher than the Northern Territory. We have seen some increases of late because of programs put in place such as Operation Clearance, which deliberately targets repeat burglars and the like. I am told that from June 2001 to June 2003 the prison numbers fell from 3 170 to 2 800, which represents an 8.6 per cent reduction in the rate of imprisonment. We have seen an increase in the rate of imprisonment in recent times, which is largely due to government policy and the changes made in allocating additional funds to the Police Service to conduct operations such as Operation Clearance. The Police Service has established what is known as a linked crime desk. It looks at offenders who have committed a number of crimes. The Police Service has gone after them because they are repeat offenders. That has seen a significant increase in the number of people in jail for burglary, in particular, because juveniles are

responsible for a large percentage of them. We have seen a large increase in the overall number of juveniles in the system as well.

Ms S.E. WALKER: The minister did not finish answering why the figures are still the same.

Mrs M.H. ROBERTS: I find the member's accent very difficult to understand. Could the member speak more clearly please?

Ms S.E. WALKER: Why are the figures the same in the fourth dot point?

Mrs M.H. ROBERTS: Why are what figures the same?

Ms S.E. WALKER: If the minister looks at the fourth dot point, she will see the figures are the same as in last year's budget papers.

Mrs M.H. ROBERTS: As I understand it, the member is referring to the fourth dot point at page 455, which states -

Crimes associated with drug use cost the State some \$220 million each year.

Is that what the member is referring to?

Ms S.E. WALKER: Yes.

Mrs M.H. ROBERTS: It continues -

The costs associated with each drug crime start at \$7,200, for each burglary \$16,200, robbery \$35,000 and murder \$3,207,100.

That is to do with the cost of crime, not the numbers of crimes.

Ms S.E. WALKER: I know that. I am saying that the same sentence was in last year's budget papers at page 439. There has been no shift?

Mrs M.H. ROBERTS: What is the point?

Ms S.E. WALKER: Has there been a shift?

Mrs M.H. ROBERTS: Clearly not if they both state the same.

Ms S.E. WALKER: Should there not be some sort of shift? The significant issues and trends are just the same. Are they just put in each year? Has there been no increase in the cost of trials?

[8.10 pm]

Mrs M.H. ROBERTS: The highest rate of imprisonment that we have hit in Western Australia was 204 per 1 000 of population. The current rate is 199.7. That is still clearly significantly lower than the rate in the Northern Territory, which I understand is 530.5. The next highest rate is Queensland, at 180.3. One of the factors that obviously drives our higher imprisonment rate is our higher indigenous population, as I am sure the member is aware.

Ms S.E. WALKER: Would the minister say, then, that the Government's reducing imprisonment strategy has failed?

Mrs M.H. ROBERTS: No, because there have been some reductions in those areas. Had it not been for some very proactive policing strategies, the rate would be much lower now. It will always be a matter of balance. We are finding that because of more effective policing, the numbers are going up. Based on future predictions that have been done by the Department of Justice, it is estimated that in May 2004 there are approximately 500 fewer prisoners in the system than there would have been had we not implemented the reducing imprisonment strategy. In addition, I suspect that that 500 is probably an underestimate, because it does not take account of the crackdown on burglary that has been undertaken during the past six months, so that figure will probably need to be adjusted upwards.

Ms M.M. QUIRK: I refer to page 470, output 7, which deals with the management of adult offenders. Will the minister advise whether there are proposed plans to change the lock down and shift hours for prison officers at maximum security prisons?

Mrs M.H. ROBERTS: Yes. Some changes to the lock down and shift hours were proposed recently by the Department of Justice at maximum security prisons, including Hakea, Casuarina, and Albany. The reason for this change to the lock-down hours was to address training needs within the prisons area, and to enable training, particularly of industrial officers, in general prison officer duties. This would have meant that prison officers would be working 10-hour shifts instead of 12-hour shifts. As a result, prisoners would have been locked down for lengthier periods. While our lock-down hours compare more than favourably with those in other States, I believed that the following factors needed to be taken into account: the current increase in overall imprisonment due to the success of operation clearance and other police and legislative initiatives; the recent report by the Inspector of Custodial Services into deaths in custody at Hakea Prison; Western Australia's historically high rate of indigenous imprisonment; and the effect on prison guards, other staff and their families of such a change. As a result of taking those factors into account, I can advise the member for Girrawheen that it has been determined that there will be no change to the prisoner lock-down hours and shift hours at



maximum security prisons, or, for that matter, any other prison. Any future proposal to change the hours would need to take into account the points that I have just mentioned.

Mr S.R. HILL: I refer to page 472, output 8, juvenile offenders managed. As members will be aware, there have been recent calls in regional Western Australia to build a juvenile detention centre. Can the minister please provide some advice on that?

Mrs M.H. ROBERTS: I thank the member for Geraldton for the question. The main advice I have received from the Department of Justice is that the vast majority of juveniles come into contact with the justice system just once. The first appearance for the vast majority of juvenile offenders is as minor offenders, and after that they have no further contact with the Department of Justice. This is partly the nature of things and partly, hopefully, due to some of the good work that is being done in diversionary programs for minor juvenile offenders. Sadly, the department also advises me that between 200 and 250 juvenile offenders are responsible for about 80 per cent of all serious juvenile crime. That is an area that requires some further attention. As people will be aware - I have already referred to it tonight - because of the success of our burglary campaigns, a lot more juvenile offenders have been apprehended. In fact, there has been a 25 per cent increase in the number of juveniles taken into custody in the last two quarters, and a significant proportion of those have been caught for burglary. When they have been caught for burglary, they have been jailed. Detention is only part of the equation. We need to ensure that we turn around the offending behaviour of as many of these young people as possible, so that they do not reoffend and we can reduce the recidivism rate. A further announcement I have made is that repeat serious juvenile offenders will be electronically monitored so that they can be properly monitored in the community. I also intend to make some further announcements shortly about legislative and policy measures specifically designed to deal with the problem of serious and repeat juvenile offenders.

Ms S.E. WALKER: Still on the subject of the significant issues and trends, Western Australia continues to have the highest rate of imprisonment. In June 2003 your Mr Piper, minister, told Parliament that, on the back of the Government's reducing imprisonment strategy and reliance on community-based orders, there had been a reduction in the prison population from 3 100 to 2 800, or 11 per cent, in that calendar year, and that the prison population had stabilised. He further said that the prison population would normally increase by three per cent due to normal demographic drivers in the process and that it was envisaged that the new Sentencing Act amendments would reduce prison numbers by a further 150. He said that he did not expect any dramatic increases in the prison population unless there was significant change in sentencing practices. Is the population increase due to the tightening of the slack breaching policies that we saw last year for high-risk parolees and community-based offenders? Given Mr Piper's comments last year, how does the minister account for the increases otherwise? Will she now admit that the Government's reducing imprisonment strategy is a failure?

Mrs M.H. ROBERTS: Sadly, the member for Nedlands seems to want to run a commentary, rather than just ask straightforward questions.

Ms S.E. WALKER: It is important.

Mrs M.H. ROBERTS: I have said that I find the member's accent very difficult to understand.

Ms S.E. WALKER: I find the minister's accent difficult to understand and she is just being personally insulting.

Mrs M.H. ROBERTS: I cannot help it if the member finds an Australian accent difficult to understand.

Ms S.E. WALKER: I find hers difficult.

Mrs M.H. ROBERTS: Madam Chair, I do not think this kind of trading of insults by the member for Nedlands -

Ms S.E. WALKER: I am just copying what the minister has said to me.

The CHAIRMAN (Mrs D.J. Guise): Order!

Mrs M.H. ROBERTS: It is not helpful.

Ms S.E. WALKER: Do not say them then; just answer the question.

Mrs M.H. ROBERTS: I also do not think it is helpful that the member for Nedlands continually interjects. By the time she has carried on like this, one can barely remember the little one understood of what she asked in the first place. She has made quite a number of assertions.

Ms S.E. WALKER: It is in *Hansard*.

The CHAIRMAN: The member will find that if she holds that thought for a moment, the minister will answer her question.

[8.20 pm]

Mrs M.H. ROBERTS: Many of those assertions are not necessarily correct. I will note one thing. First, clearly the implementation of the abolition of sentences of six months and less was implemented at a later stage than was originally anticipated. Therefore, the effect of that arguably would not have been able to kick in at this time. It is unrealistic for

the member for Nedlands to expect the results of the implementation of legislation to occur before the legislation has been proclaimed. That is the first point I make. In respect of the other details, I do not know whether the Director General of Justice would like to make some comment.

Mr PIPER: I am happy to comment on the issues raised by the member. As was indicated last year, our forward projections were based on the implementation of the changes to the sentencing legislation, which were then due and imminent. The relevant part of that legislation was delayed for six months in the Legislative Council and has, in fact, only just been proclaimed. The legislation is a very significant component of the forward projection. In addition, when we commented on the prison population last year, the police had not implemented their strategies for burglary offences. Clearly, there has been an increase in imprisonment flowing from that strategy. I recall that my comments were made in the context of other policy changes not having been implemented. Clearly, a police strategy to clear up burglaries is a new policy initiative that is working. There has also been an increase in the lengths of imprisonment for some serious offences. The number of people in prison is a result of both the number of charges and the length of time that people stay in prison; because of those aspects there have been some increases. Overall, if the changes that have been made progressively in the management of imprisonment had not been implemented, our projection made mid-2001 could have resulted in a prison population of some 500 prisoners more than we currently have, which is the equivalent of one large prison. Although this multifaceted program has taken some time to work through, we are still seeing an impact. We maintain our prediction that implementation of the sentencing regime changes will level out the curve of imprisonment, not counting the impact of burglary, as obviously that legislation has just been proclaimed. It is, therefore, a little hard to be fully confident until we see how that will flow through the system. As I said, overall the strategy is multifaceted and I believe the comments I made last year in the context of the changed circumstances were accurate.

Ms S.E. WALKER: I have a supplementary question. Will the minister provide me with the prison muster for each month in the previous year, please? I am happy to have that information given to me tomorrow.

Mrs M.H. ROBERTS: I believe we have the information. Mr Simpson might be able to respond to the member now. About which period is the member asking?

Ms S.E. WALKER: From June last year until now.

Mrs M.H. ROBERTS: In June 2003 it was 2 883.5; July 2003, 2 916.6; August 2003, 2 919.45; September 2003, 2 949.8; October 2003, 2 956.58; November 2003, 2 966.07; December 2003, 2 931.1; January 2004, 2 961.84; February 2004, 3 019.45; March 2004, 3 045.52; and April 2004, 3 106.

Ms M.M. QUIRK: I refer to output 7 on page 460, on adult offenders managed. Will the minister advise the committee of the progress of the implementation of the recommendations in the Skinner report?

Mrs M.H. ROBERTS: Quite a number of recommendations arose out of the Skinner report. They encompassed the sharing of information between the WA Police Service and the Department of Justice; that the risk definitions of offenders be made more meaningful to staff and easier for the community to understand; that a professional practice and standards unit be established to develop, monitor and advise on practice standards; that greater attention be given to induction training and handover between officers; and that there be ongoing research and monitoring of offenders in the community. I am pleased to advise that all the recommendations of the Skinner report have been implemented or their implementation is ongoing. In particular, I can advise that the professional practice and standards unit is to be fully resourced by 1 July 2004, that relevant community justice services staff have been trained in the application of new case management assessment and the new management model, and that all CJS centres will have implemented that transition by 1 June 2004. A project officer has commenced work on an abbreviated CJS policy and procedures manual. Regular meetings and correspondence have occurred with the WA Police Service with regard to those protocols and improvements in data transfer.

There is a proposal for an amalgamated training event involving the Department of Justice, the police and the Department for Community Development. A joint Department of Justice and WA Police Service liaison committee has been established to build on the interagency structures relating to offender management, data exchange and shared training. A CJS breach unit is to be implemented by July 2004. A comprehensive training program has been developed for 2004-05, and training will be delivered at an earlier stage for newly employed community justice officers. If the member looks at page 457 of the *Budget Statements*, she will see that listed under the major policy decisions is the community justice services professional practice and standards unit with a budget estimate of \$470 000 and other ongoing amounts.

Mr M.P. MURRAY: I also refer to output 7 and to adult offenders managed. The Government has announced that it is implementing a comprehensive drug strategy in prisons. How well is it working and how is it measured?

Mrs M.H. ROBERTS: The justice drug plan 2003 has resulted in a major plan being put in place, prior to the implementation of new and improved initiatives to reduce the supply of and the demand for drug use in the prison system as well as reduce the harm that is obviously caused. In 2003-04 the Department of Justice instigated the following: it expanded by 15 the number of intensive drug intervention programs for high risk and recidivist offenders

in prisons and it increased the number of intensive program places to 150 a year. A process of evaluation of the newly implemented pharmacotherapy program has commenced. The evaluation will provide timely information on whether the model is meeting its objectives, the extent of prisoners' knowledge and awareness of the pharmacotherapy process, the achievement and milestones, any unintended consequences and the recommendations for continuous improvement. There has been a review of the drug-free units that already operate in two prisons in the State. That has identified that the model works. It provides a framework for implementation of drug-free units. Based on the findings of the review, it is expected that we will be able to establish a further two drug-free units to be introduced into a metropolitan and a regional prison this year. The infrastructure for the expansion of the drug detection dog teams has also been completed. A drug detection dog and handler has been placed permanently at Bandyup Women's Prison, and that is a further advance. A range of other activities is planned for 2004-05. They will include the employment of drug teams at four prisons after training has been completed, completion of a saliva-testing pilot study, the continued use of intensive drug therapy programs and investigation of the efficacy of the prison-based therapeutic community. This is an area in which we have made significant advances since 2003, particularly, and we are moving ahead to ensure that, as far as possible, drugs will be removed from the prison system and that will diminish the prisoners' reliance on drugs. Hopefully, if a prisoner has a connection between drugs and offending, he will leave the prison system clean and thereby break the recidivism cycle.

[8.30 pm]

Ms S.E. WALKER: I refer to the seventh resource agreement output, "adult offenders managed", on page 458 and to the minister's press release today about the adult offenders she manages at Wooroloo Prison Farm. Her press release referred to part of an internal investigation unit report. Given that it is an internal investigation, in determining the management response, does the minister think that she will ever get to the bottom of the issue by speaking only to staff members and prisoners and taking as gospel what they say; namely, that prisoners do not leave the prison and return undetected and that women do not come into the prison at night?

The CHAIRMAN: Will the member please refer to the appropriate section in the budget.

Ms S.E. WALKER: I referred to resource agreements on page 458 the seventh output, adult offenders managed.

Mrs M.H. ROBERTS: It is something of a strange question. I could answer the member by asking whether she thinks that we should take as gospel the word of the convicted prisoner who gave the report. The answer is no, we do not take anyone's word necessarily as gospel. That is a silly thing to ask.

The investigation group is located within the Department of Justice, but it is completely separate from the prison system. This is not a matter of the prison section investigating the prison system. I have confidence in the people in the investigation unit to conduct that investigation in an appropriate manner. The fact is they did not interview only other inmates. Of course, if other inmates there have been doing the wrong thing, they are not necessarily likely to admit to it. Clearly, the senior and experienced people who are involved in the investigations unit are well aware of that. They are not silly or naive people and will not necessarily take the word of only prisoners. They had a responsibility to do a thorough investigation. I understand they have done one. I understand they have interviewed a range of people, including people from the community, prison guards, officers, people who visit the prison and people who have other roles at the prison. It has been a very thorough review. The question has been asked whether I can rule out that none of this has ever happened. No, we cannot rule out that none of it has ever happened. In fact, an offender who appeared in court today pleaded guilty to leaving the prison and committing other offences in the company of another prisoner. However, I can say with some confidence that there is no evidence of any widespread abuse. Insofar as there may have been occasions, we must address the real issue; namely, that the community has a rightful expectation that people will not come and go from a minimum security prison. The real issue at Wooroloo, and probably Acacia to a lesser extent, is that they were once very remote locations. However, more and more, as the metropolitan area has expanded, communities of people now live much closer to those facilities and are therefore more aware of what goes on in prisons. They may well feel in more danger, albeit because they are in the vicinity of a minimum security prison. That is why we have instigated the system of electronic bracelets to be worn around the ankle. We will know instantaneously when someone tampers with such a bracelet. We will also know within 20 seconds whether someone has gone out of bounds, because that is how often a pulse is sent to the main station. There will be about 10 base stations throughout the Wooroloo site, so the moment anyone does anything silly with a bracelet or goes out of bounds we will know which base station that person was last near. People will be able to know in real time. This is a major step forward in prisoner management. The traditional model has been to conduct a prison muster and have head counts on a regular basis throughout the day. Since the incidents that have been referred to, the number of head counts has been increased to include an additional one in the evening. Other initiatives have been put in place with the use of dogs and other techniques. I am quite confident and excited that we are putting in place best practice in Australia in making sure that minimum security prisoners do not go out of bounds, but, if they do, they will be detected immediately and dealt with.

Ms S.E. WALKER: I have a further question. This report rests on disputing or refuting a claim by Mr Quartermaine only. Another prisoner, who was out of prison, also spoke to the Press about this. Apart from that, there were no out of bounds places prior to this and no random prisoner counts. The electronic monitoring devices will not stop other people

from coming into the prison and bringing drugs in after hours, because the unlock hours are between 10.30 pm and 7.00 am. It does not mean that other people such as girlfriends or mates cannot come into the prisons after hours, does it?

Mrs M.H. ROBERTS: What it does mean, and I highlight this for members who are present, is that during the evening, for example, the electronic parameters can be reduced. Further places in the vicinity of the prison or within the prison can become out of bounds in those lockdown hours. No, it is not a failsafe provision to stop people from entering the prison, but there are a range of other initiatives currently in place to deal with those occurrences.

Ms S.E. WALKER: What?

Mrs M.H. ROBERTS: The member for Nedlands is essentially asking for some kind of response to a situation that has not been proven. Convicted criminals have made claims about people entering the prisons at night. There has been no proper substantiation of those claims. In essence, she is asking us whether we want to shadow box at some claims that a convicted criminal and his mate, who also happens to be a convicted criminal, have made. There needs to be a stronger basis than that. That having been said, the director of prisons and all our prison superintendents fully understand their responsibility in ensuring that visits that have not been approved and are not made during regular visiting hours do not occur. They have appropriate measures in place to ensure that they do not occur, so far as is possible. If they do occur, they are dealt with as quickly as possible.

Ms S.E. WALKER: I have a further question. If the claims are not proven or substantiated, as the minister claims, why are electronic monitoring devices being used?

[8.40 pm]

Mrs M.H. ROBERTS: The main concern for the community is that prisoners could leave prison when they should not be leaving prison. People quite reasonably believe that this could pose a threat to them or their children. In fact, people who live in the vicinity of these prisons might be concerned that their homes might be burgled or something might occur because a prisoner has escaped, albeit temporarily, from a minimum security prison. We want to reassure the community that we have modern-day technology in place to prevent that occurring. I believe that is a responsible thing to do. It was an opportune time for us to review the security in place at minimum security prisons. The initiative we have taken today is a great initiative. I believe it will reassure the community that those people who are supposed to stay in prison do stay in prison, and while they are at work, the prisoners are not in their local community. It is an excellent initiative. It is one that we may not have introduced as quickly if the claims had not been made and our attention had not been drawn particularly to the issue of security at minimum security prisons. I further add that with our enhanced efforts with the drug dogs and other mechanisms, we fully expect that if someone were to bring drugs into a prison, that would be detected.

Mr S.R. HILL: I refer the minister to output 7 on page 460. Can the minister advise of progress made in the delivery of offender programs in regional prisons?

Mrs M.H. ROBERTS: Yes, I can provide some advice on that. As the member will be aware, our biggest challenge in this area is attracting suitably qualified staff to deliver those services in remote and regional areas. I am pleased to advise that some of the challenges in providing programs in prisons have nevertheless been addressed. Increased efforts have been made to attract appropriately qualified staff to the programs branch in the Department of Justice. This has been relatively successful, with most of the vacant positions now having been filled. In addition, a senior officer program will commence in June at the Greenough Regional Prison. I know that will please the member. As a result, the indigenous sex offender programs will be recommenced at that prison. An officer has also been stationed at the Eastern Goldfields Regional Prison for the past eight months. All the scheduled programs are up to date in those two prisons.

A review of program schedules has been undertaken to ensure that prisoners with the greatest treatment need receive the treatment during their sentence period. When necessary, low-level risk prisoners with lesser treatment needs will be redirected to community-based programs while they are on parole. Extensive liaison has also occurred with potential external service providers in regional areas. For example, negotiations are in progress with the Men's Outreach Service in Broome to provide an indigenous men managing anger and substance use program in Roebourne. Cognitive skills programs are also undergoing a revitalisation in the regional areas. It is expected that the programs will recommence within the next month at both Greenough and Roebourne.

Ms S.E. WALKER: I would like to ask my supplementary question and then my other question. My supplementary question to the other questions is: will the minister please provide me with a list of all the minimum security prisons in which offenders are wearing ankle electronic monitoring devices? I am happy to get that answer tomorrow.

Mrs M.H. ROBERTS: No, the member will get the answer now. The answer is that we are about to put the ankle bracelets in place at Wooroloo Prison Farm. That will take about two or three months, I expect. We are having a 12-month trial at Wooroloo. We have every reason to believe that that trial will be successful. Maybe it can be improved upon. If we find that is the case, it will be improved upon before it is rolled out to the other three minimum security prisons. That will no doubt be some 12 months away.

Ms S.E. WALKER: My question is about output 3, which is the enforcement of criminal and civil court orders, in relation to fines, costs and infringements. The minister recently re-awarded a contract to Repcol Austwide (WA) Pty Ltd for the collection of fines. In the past four years, Repcol has collected only 18.7 per cent of outstanding fines. That is just \$17.2 million of the \$91.8 million in outstanding fines. The minister received a tender from a consortium of bailiffs that was \$360 000 cheaper than Repcol's tender. That consortium uses local staff and consultants who have strategic offices throughout the metropolitan area, whereas Repcol has only one office in Subiaco. The other consortium has 12 field staff, whereas Repcol has just two. Why did the minister not choose the cheaper tender? The businessmen for the cheaper tender said that they would, at no cost to the Government, collect all the fines that Repcol has failed to collect and they said they would be paid only if the fines were paid. Why did the minister not take up that tender and why did the Government employ Repcol?

Mrs M.H. ROBERTS: I am learning more and more about the fines enforcement area. I was interested to learn lately that the former Attorney General in the previous coalition Government implemented a write-off policy to take into effect -

Ms S.E. WALKER: I cannot hear the minister. She is mumbling.

Mrs M.H. ROBERTS: I recently learnt that the former Attorney General in the previous coalition Government instituted a policy that wrote off all fines that had been outstanding for four or more years. That has had a significant impact on the amount of fines that have been written off and on some of the claims that have been made in that regard. I am confident that the director general would like to address the selection of Repcol as part of that tender process.

Mr PIPER: I thank the member for the question. The contracting of fines enforcement has been an interesting journey. The recovery rate for all collections under the Repcol contract from the previous status, prior to the contract, was between \$10 million and \$30 million a year. As a result, we are seeing success rates overall, from the point of infringement to the total outcome for infringements' collection, of about 96 per cent. Success rates overall for the collection of court fines, from the placement of the fine to the finalisation of the matter, are about 60 per cent. To my knowledge, even though the information is probably not publicly available, it is certainly better than that in comparable jurisdictions. On the basis of a properly constructed tender, which was evaluated in part through the Department of Treasury and Finance and by the responsible officers, it was clear that Repcol offered a better value-for-money solution. It is dangerous and difficult to try to unpack parts of a tender process without going through the full tender evaluation. A competent tender evaluation was undertaken and reviewed by the State Tenders Committee. The sheriff, Mr Peter Mitchell, is present. Mr Mitchell was part of the evaluation of that tender and, with the minister's consent, I would be happy to have him answer the question in more detail.

Mrs M.H. ROBERTS: I would like Mr Mitchell to provide more information.

Mr MITCHELL: The price was only one of the elements that was considered when evaluating the tender. As much as anything else, the tender process considered the information technology infrastructure of the proponents and a range of other matters, particularly the experience that the successful tender was able to demonstrate to the panel. An independent probity auditor sat on the panel. There was absolutely no doubt that the correct decision was reached.

Ms S.E. WALKER: What about performance? Did that form part of the judgment? Given the appalling performance Repcol appears to have given, did the minister not want to give another contractor a shot?

[8.50 pm]

Mrs M.H. ROBERTS: Of course, performance was taken into account. It seems that the member for Nedlands has formed a view that the performance of Repcol is poor. That is certainly not the view of the Department of Justice. I am not sure whether the director general or the sheriff will comment further on the evaluation of the performance.

Mr MITCHELL: Importantly, the figure quoted earlier is reflective of the amount of money that was actually collected. However, there are other avenues by which these fines can be completed. Primarily, they involved the issuance of work and development orders to those people who have no funds to satisfy the warrants issued against goods. Additionally, under new legislation introduced only last year the sheriff or his delegate through the contractor has the opportunity to make arrangements for these people to be placed under time to pay. Of course, that imposes a far less onerous sanction, and does not cause the seizure and sale of goods etc. Repcol had approximately \$11 million under time to pay arrangements at the time of the conclusion of its previous contract, and it is still collecting, on the department's behalf, on time to pay arrangements in respect of those matters.

Ms M.M. QUIRK: I refer to dot point two on page 471 in relation to major achievements for 2003-04, and to the recent opening of the Boronia Pre-release Centre for Women. What is the philosophy behind this new approach to managing women offenders? The member for Nedlands seems to want to contribute, even though she did not attend the opening.

Ms S.E. WALKER: I will be taking a personal tour of the facility.

Mrs M.H. ROBERTS: On Wednesday, 5 May I officially opened the Boronia Pre-release Centre for Women. It is Australia's first pre-release centre dedicated to the needs and demographics of women in custody. Previously, women's

prisons were just seen to be smaller versions of men's prisons, because women made up such a small percentage of the prisoner population. Not much consideration has previously been given to the different needs of women in prison. For example, more than half the women in prison are caregivers or parents of quite young children. In many cases they have sole custody of or sole responsibility for those children. The whole philosophy behind the centre is about reducing reoffending amongst women offenders. In doing so, we look for opportunities to provide for their full reintegration into the community. Some of the women in prison do not have the life skills that people like us take for granted and as a consequence they need special assistance. The pre-release centre provides a different environment to the normal prison for women. It will focus on developing and facilitating what are generically called life skills. Family visits and interaction will be encouraged. There will be opportunities for children, particularly those under the age of four, to stay with their mothers in prison, to prevent any further breakdown in the relationship between the mother and the child. As we know, that has the potential to have lifelong consequences. We are encouraging volunteer involvement in the prison, and interaction with the local community through the community advisory group. We are engaging those women in reparative and voluntary work. The ultimate aim of all of this is to reduce reoffending; to stop the cycle of offending and give women leaving prison the best possible opportunity to fit back into the community in a productive way and not return to their former offending behaviour. A similar centre in Canada has reduced the rate of reoffending considerably. If we can achieve anything like the results they have in Canada, this will be a huge success story.

Ms S.E. WALKER: I refer to output 4 on page 467, the administration of victim support and counselling services. Recently Mrs Margaret Hunter, whose daughter was horrifically murdered by Mr Marks, was not informed - she may have read it in the newspaper, but she was not informed - that the Mentally Impaired Defendants Review Board was considering a community or social day release for the offender 10 months after he had been the subject of a custody order by a Supreme Court judge. Can the minister tell me, in terms of the Victim Support Service and the Victim Notification Register, what the protocols are between the Mentally Impaired Defendants Review Board and the Victim Notification Register for secondary victims?

Mrs M.H. ROBERTS: I make it clear at this point that I do not have any responsibility, as far as I am aware, for the Mentally Impaired Defendants Review Board.

Ms S.E. WALKER: But you do for victims of crime?

Mrs M.H. ROBERTS: The member has asked her question. Perhaps she can try to show a little patience for a change.

Ms S.E. WALKER: I am speaking on behalf of Mrs Hunter.

Mrs M.H. ROBERTS: Obviously the member cannot show any patience on any occasion, which is very sad for her.

The CHAIRMAN: Order, members!

Ms S.E. WALKER: I am quite passionate about this matter.

Mrs M.H. ROBERTS: I am more than happy for Jacqui Tang, if she likes, to address the broader issue that was raised by the member for Nedlands about victim support.

Ms TANG: There is a protocol between the Mentally Impaired Defendants Review Board and the Victim-offender Mediation Unit and the Victim Notification Register that notification will occur. That notification may occur notifying a victim that there is an upcoming hearing and the subsequent result of that hearing.

Ms S.E. WALKER: Why was Mrs Hunter not told or given more information about why Mr Marks was being released? Can you get that information?

Ms TANG: I do have that information. I am aware of the particular case. My understanding is that Mrs Hunter was notified of the initial notification that he was being considered for release - both supported release within the grounds of the Frankland unit at Graylands Hospital and also subsequent escorted release into the community. However, that was in relation to the overall approval, not the specific approval of when that would occur. In relation to the latter matter, when consideration was given to a review of escorted release in the community, my understanding is that the Mentally Impaired Defendants Review Board did notify both the victim mediation unit and the Victim Notification Register on the day the decision was made. In relation to that, there was an error of judgment on behalf of the victim notification unit in connection with checking that particular information, and Mrs Hunter, when that information came to light, was immediately notified by telephone. In response to that, there were clearly issues around the administration of notification, and a number of issues have been discussed with both victim notification and the victim notification unit in relation to improving services, particularly to victims, but also increased communication with the Mentally Impaired Defendants Review Board concerning protocols about victim notification.

Ms S.E. WALKER: Can the minister tell me who escorts Mr Marks when he is in the community, because Mrs Hunter is concerned she may see him?

Mrs M.H. ROBERTS: I take a point of order. I think we have been considerably indulgent in this individual case. This is not a subject for estimates; this is not what estimates are about.

Ms S.E. WALKER: Yes, it is.

Mrs M.H. ROBERTS: If the member wants to conduct an interrogation and ask questions, she should pop them on notice and get the answers.

Ms S.E. WALKER: It is about policy, and the minister is uncomfortable answering it.

Mrs M.H. ROBERTS: The member is asking about a specific case. Put the question on notice!

Ms S.E. WALKER: With regard to victim notification people by the Mentally Impaired Defendants Review Board, has a protocol already been established or is the department in the process of establishing one?

Ms TANG: There is an existing protocol between the Mentally Impaired Defendants Review Board, the Victim Notification Register and the Victim-offender Mediation Unit. However, further discussion is continuing on how to enhance those protocols in the future so that this will not happen again, and on how the board manages notifications and how we receive them in both areas.

**The appropriation was recommended.**

*Committee adjourned at 9.02 pm*

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# Legislative Assembly

Tuesday, 18 May 2004

## ESTIMATES COMMITTEE B

The meeting commenced at 9.00 am.

### **Division 46: Planning and Infrastructure, \$152 264 000 -**

Mr A.D. McRae, Chairman.

Ms A.J. MacTiernan, Minister for Planning and Infrastructure.

Mr G.S. Martin, Director General.

Mr P. Frewer, Executive Director, Integrated Planning.

Mr A. Jamieson, Executive Director, Commercial and Asset Services.

Mr P.J. McNally, Director, Asset Management.

Mr W. Ielati, Director, Financial Planning.

Mr D.R. Forte, Executive Director, Regulatory and Regional Services.

Mr R.D. Farrell, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Mr K. White, Policy Officer, Office of the Minister for Planning and Infrastructure.

The CHAIRMAN (Mr A.D. McRae): This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated fund. This is the prime focus of this committee. Although there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program or amount within the volumes in preface to their question. For example, members are free to pursue performance indicators that are included in the budget statements while there remains a clear link between the questions and the estimates. It is my intention to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the minister, when this occurs, to clearly indicate to the committee what supplementary information she agrees to provide. I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the committee clerk by 11 June 2004, so members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers. Accordingly, I ask the minister to cooperate with those requirements.

I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide and that is registered according to the allocation of a reference number will be sought by 11 June 2004.

Just so that we get the nomenclature right, if members are seeking to pursue a matter with a follow-up inquiry, it will be called a further question, not a supplementary question, as is normally the case in question time. We will use the words "further question" or "supplementary information".

I propose, as is normal, to take a call list. If members would indicate when they are ready and want to seek the call, they will be accommodated.

Ms A.J. MacTIERNAN: I wonder whether I might make a very few preliminary remarks to set the budget in context.

The CHAIRMAN: I do not think it is possible at this stage.

Ms A.J. MacTIERNAN: It normally occurs.

The CHAIRMAN: With the concurrence of the committee, that is certainly available to the minister.

Ms A.J. MacTIERNAN: It is important to understand with the Department for Planning and Infrastructure budget that there have now been structural changes. Public transport services have now been taken from the DPI budget and appear in the budget of the Public Transport Authority. Since the last budget, crown land functions have been transferred from the former Department of Land Administration into the DPI and have become the land administrative services division



of the DPI. We have lost much of our navy. We have transferred the on-water compliance functions and staff from the DPI to the Department of Fisheries, pursuant to machinery of government recommendations. We have done a lot to overcome some pretty systemic administrative and financial shortcomings that were in the old budgets. An independent functional review of the department is currently under way. We believe that this will ensure that as we move forward we get even more efficiencies and streamlining of the administration of the now mighty DPI.

The CHAIRMAN: I advise members that in this session we will be running through to 3.00 pm, including a lunch break from 1.00 to 2.00 pm. The committee is dealing with divisions 46, 47, 48 and 49. The management of time for each of those is in the hands of the committee.

Ms A.J. MacTIERNAN: Just on that point, to save us having vast squads of people here at one time, we have present all the people from the DPI, which is division 46. By 10.00 am the people from Main Roads will be here, which is division 47. By 11.00 am the Public Transport Authority will be here. We have asked the WA Planning Commission people to come after lunch. If members wish the attendance of any of those people to be brought forward, we can do it. However, I presume that is probably about the right time span that members would wish to spend on those divisions.

Mrs C.L. EDWARDES: As I understand it, that does not restrict or limit us in any way.

The CHAIRMAN: No, unless members wish to proceed to one of the latter divisions before the hourly allocations.

Ms A.J. MacTIERNAN: I am happy for them to go over. I am merely saying that the relevant personnel will be here at those times.

[9.10 am]

The CHAIRMAN: If members believe that they will move quickly to a later division, and the relevant advisers are not yet here, they should perhaps give an indication of that to the minister and the Chair.

Mr J.N. HYDE: Excuse me, Mr Chairman, can you turn on your microphone? We cannot hear you.

The CHAIRMAN: It is on.

Mr J.N. HYDE: Then speak up man!

The CHAIRMAN: Order!

Mr M.W. TRENORDEN: Mr Chairman, seeing that we have the numbers, we could vote the committee down, if you like.

The CHAIRMAN: The point I make is that it is really in members' hands to time manage the schedule. The minister has indicated that the advisers for each of the four divisions will be here on an hourly basis. Members, the question is that division 46 be recommended.

Ms K. HODSON-THOMAS: I refer to the significant issues and trends on page 745. The minister will not be surprised that I will ask her something about boating. The second dot point on page 745 states -

Increased use of the State's waterways by commercial and recreational boaters requires a robust arrangement for ensuring improved safety and social and environmental outcomes.

I know that the minister intends to licence recreational boat users. I suspect that this should happen around 1 July this year. I know that the minister has embarked on discussions with the State Boating Council and that the Speaker chaired that consultation. I am also aware that many people who sit on the State Boating Council are unhappy with the way that has been developed. I know that the minister undertook a survey of all recreational boat users and received a significant response from them. I wonder whether the minister could outline the number of recreational boat users who replied to that survey, and how the minister intends to implement that system of licensing.

Ms A.J. MacTIERNAN: I hate to say this, but the member's first statement is incorrect; we have no intention of proceeding down the path of licensing. Our commitment is to honour the undertaking made by the coalition when it was in government. In 2000 the coalition Government signed off on a national agreement to have mandatory standards for competency training. Our approach is to honour that agreement and to put in place a scheme of mandatory competency standards for all recreational boat users. It is not licensing. We have to make sure that everyone understands that. Sixteen thousand people responded to the survey. That would certainly be the most representative sample that anyone has done of what recreational boat users in this State believe and support. The survey went out to around 75 000 recreational boat owners. As I said, 16 000 responded. That is a far better indication of what recreational boat users in this State believe than the vested interest of the Boating Industry Association of WA or Boating Western Australia. The support was very strong. More than 70 per cent of the 16 000 respondents indicated that they supported mandatory training or competency standards. That is basically our approach. We will move forward with that. We are trying to work out some of the details of how to implement it, the sorts of thresholds it will involve, the level of horsepower motors at which this will kick in, and the provisions we can provide, for example, for the recognition of prior learning. One thing that we have proposed is that people who have been registered boat owners for five years or more could sit a computerised aptitude test in order to get a certificate. I want to make it clear that this

is certainly not licensing. It is about a person having a minimum standard of knowledge of what he is doing on the waterways. I note that when the member for Carine had responsibility for delivering the emergency position indicating radio beacon system she was very focused on boating and boating safety, and made many strong comments on that issue in Parliament. Those same safety messages apply, even more strongly, to the actual competence and knowledge of the people who operate boats. I am sure the member would know from her extensive contact with the boating industry that there is very strong feeling in the boating industry. Many recreational boat users are worried about the irresponsible behaviour and lack of knowledge of many other boat users, which put at risk the lives of not only those people but also those of all people who use the waterways.

Ms K. HODSON-THOMAS: Will it be a one-off fee?

Ms A.J. MacTIERNAN: This is what I say is most regrettable about the irresponsible -

Ms K. HODSON-THOMAS: I am just trying to clarify it.

Ms A.J. MacTIERNAN: I am talking about the irresponsible behaviour of the State Boating Council. We told the council that we had made a policy decision to move forward on this issue and to introduce minimum standards of competency. However, we told it that we would leave it absolutely open to the council to design the system. There would be maximum consultation. We said that we did not have a view about how this should be done and asked its members to tell us. Instead of getting anything sensible, two of the groups behaved in a way that betrayed their responsibilities. We have had to look at how we might do this ourselves. The idea is that if there is a BoatSmart course or -

Ms K. HODSON-THOMAS: TL3

Ms A.J. MacTIERNAN: Yes, TL3. We will prescribe certain courses that people are required to undertake, such as a BoatSmart or TL3 course. We are also considering giving those people who have been registered boat owners for an extended period the alternative of undertaking a computerised aptitude test similar to the test that is in place in some eastern States. We do not think the test itself is necessarily the most desirable way to go; however, we recognise that quite a number of people have been out there for a long time and may not want to go through -

Ms K. HODSON-THOMAS: What about the time lines, minister? Are you proposing that this will start on 1 July?

Ms A.J. MacTIERNAN: Absolutely not. We need to get legislation through. We are looking at this being implemented over a two to three-year period. The training regimes would not be in place to get everyone through those programs at the same time.

Ms K. HODSON-THOMAS: Will the fees collected from that fund the training?

Ms A.J. MacTIERNAN: There will be no fees. We will not be collecting fees. It will be the responsibility of people to undertake their own training. We will not be running BoatSmart or TL3 courses.

Ms K. HODSON-THOMAS: I have one final question. Will the Government be collecting a fee?

Ms A.J. MacTIERNAN: No, because it will not be a system of licensing. If a person is out on the water operating a boat that is above a certain capacity, that person will be required by law to have undertaken one of three things: a BoatSmart course, a TL3 course or a recognised interstate equivalent. That can be done by way of regulation. Various certificates can be added or, alternatively, a person will need to have done a certificate of competency to be given recognition of prior learning.

[9.20 am]

Ms K. HODSON-THOMAS: There must be an administration fee for that.

Ms A.J. MacTIERNAN: For which?

Ms K. HODSON-THOMAS: For doing that.

Ms A.J. MacTIERNAN: For doing what?

Ms K. HODSON-THOMAS: What I am trying to say is that if I own a boat and I want to go to the Department for Planning and Infrastructure and advise it that I have completed a certificate -

Ms A.J. MacTIERNAN: The member would not have to advise the DPI of that. However, people who operate a boat on the water need one of those certificates I just mentioned. It will be the operator's obligation to get a certificate.

Ms K. HODSON-THOMAS: Surely the operator would need to advise DPI that he had done one of those courses.

Ms A.J. MacTIERNAN: Not at all. The reason we are not going down that path is it would be far too easy for the Opposition or vested interests, such as the Boating Industry Association of Western Australia, to say that it is about revenue raising. It is not about revenue raising; it is about applying a minimum standard. The Government will take the least interventionist role. Boat operators will be obliged to have one of those certificates. If a person does not have a certificate, he would not get insurance. Various pressures will be put on boat operators. I imagine it would be most

unlikely that an insurer would be prepared to insure a boat operator unless he undertook to demonstrate and make a commitment that the boat would be operated by people who were operating within the law.

Mr J.N. HYDE: The ninth dot point on page 744 of the *Budget Statements* refers to an increased emphasis being placed on community and industry involvement in planning and decision-making processes, especially by rural and regional stakeholders, and employing innovative involvement techniques that are designed to engage a wide cross-section of community to meet community expectations. Could the minister explain some of the new ways in which the community has been engaged in the Government's planning process?

Ms A.J. MacTIERNAN: I thank the member for that question. The Government is trying to develop a more participatory role for the public in decision making, particularly, but not exclusively, on planning issues. This is a very important approach to take for a number of reasons. More weight must be given to the notion of democracy. Democracy must be about more than ticking a ballot paper every four years. Also, from a practical point of view, with issues such as planning, unless there is broad community support, it is very difficult to put in place and deliver planning strategies that are necessary to ensure that we have a sustainable economy. Society has fractured - it has become more pluralistic - and our political institutions are underpinned by an adversarial culture. The media's focus is on conflict. The way the media operates is that unless a person takes an extreme position, the media is unlikely to give the oxygen of publicity to that person's concerns. People who want to rationally discuss a matter and raise issues will hardly get a guernsey on Sunday night television or on a talkback radio show. All these forces are moving towards the polarisation of the community, whereas we must get people to come together and listen to the concerns and viewpoints of others and to work through those issues to see to what extent they can find common ground. A huge mind-set change is needed. That can be an expensive and time-consuming process; it is on the fringe of many people's thinking at the moment. The Government's experience has been that whenever these processes have been in place, whether it was a road train summit in Katanning, a citizens jury in Albany or the big "Dialogue with the city" process that the Government undertook in Perth, the enthusiasm of the community involved in them has been extraordinary. One of the very pleasing outcomes of these processes is that people see that there is another way of looking at the world other than from their particular perspective. We have seen people's understanding of these issues grow and there is a preparedness to try to accommodate the legitimate interests and views of others. In some of these forums truckies, greenies and people from the Livestock Transporters Association of WA have sat together and gained a much better understanding of each other's perspectives. That is the way of the future. We must do more of it. All politicians are locked into an adversarial culture by virtue of the political structure in which they find themselves. That is why I never criticise my friend and colleague the member for Carine for her unrelenting attacks on me, because I know that is her job description, and I had to do that when I was in her position.

Mrs C.L. EDWARDES: We just got that down in writing!

Ms K. HODSON-THOMAS: You were much more aggressive than me.

Ms A.J. MacTIERNAN: If we are to progress and solve those problems, somewhere among that mix we must move beyond that and towards putting something into our democracy that is more consensus oriented.

Mr J.N. HYDE: As a follow-up, local governments also adopted many of these processes - perhaps even before the State Government. With regard to the minister's planning process and the successful dialogues through the road transport forums in the bush, I think that this week some funding or grants has been provided to some groups that want to get involved with the process. Sometimes members receive criticism from local government about cost shifting. Even though consultation must surely be a core activity of local government, am I correct that the Government is providing money for some consultation?

Ms A.J. MacTIERNAN: Absolutely. The Government has always said that to get the planning for Perth right, there must be a partnership between the State Government and local government. It is not something that the State Government can do by itself. The Government wants to work in partnership with local governments. During the "Dialogue with the city" process every local authority in the Perth-Peel region was invited to participate. From the dialogue emerged an overall steering group with two local government representatives and also a group of 14 local government people, half of whom were elected and half of whom were appointed officers. That group is working out how to translate the principles of dialogue into the local government setting. They are considering how we can move from the big picture down to the local level. This week, the Government has made up to \$500 000 available to the municipalities in the metropolitan area. They want to tackle some of the problems in their areas by undertaking a mini-dialogue. We think of the big picture and then let the local community know what must be done for Perth as a whole and ask how the community can implement those principles at a local level. Some local governments will want to focus on a particular town centre area and some will want to do something across their whole municipality. Others may wish to come together in a cluster, saying that they have a corridor that transverses three or four local authorities and that they wish to come together and work on that corridor. We will be very open and flexible, but we require the key principles enshrined in the community deliberative democracy process to be observed. It must involve a broad cross-section of the community, not just the usual suspects. There must be a focus on getting an exchange of views so that people do not just come in and argue from their own perspectives, but talk to each other and try to learn from each

other. There must be a complete sharing and openness of information. We believe these key principles are necessary to give deliberative democracy substance. It has been well received by local government and we will see a lot of enthusiasm come out of it.

[9.30 am]

Mrs C.L. EDWARDES: Following on from that, referring to the same dot point on the same page about increased community consultation, I would like to refer to the process undertaken in the case of the greater Bunbury regional scheme. There is a lot of concern. I know that members of the community have met with the minister at my suggestion to go through some of the concerns they had raised with me. The concerns included that some of them never received the plans, and others only had 10 minutes to raise their issues. There are serious anomalies from the conservation viewpoint, whereby some of the property owners are doing an outstanding job in looking after their properties while the next-door neighbour is not doing such a good job. The person doing the right thing from an environmental perspective will be disadvantaged. He will lose his property, while the person who cleared his property will not.

Ms A.J. MacTIERNAN: Those anomalies are exactly the same as those that arose when the metropolitan region scheme or the Peel region scheme were implemented. People will always raise those concerns.

Mrs C.L. EDWARDES: The greater Bunbury region scheme is a huge undertaking.

Ms A.J. MacTIERNAN: So was the Peel region scheme.

Mrs C.L. EDWARDES: The greater Bunbury scheme covers a larger area. Some of the environmental assessments were done by desktop and others by looking over the fence. Can the Minister give me her timetable for what is to happen now, particularly following on from the very strong views she has just re-emphasised about community consultation? Without broad community support, it is very difficult to proceed with any plans.

Ms A.J. MacTIERNAN: Absolutely; I agree totally with the member. The region schemes are the work of the Western Australian Planning Commission; they are foursquare within the province of that body. The personnel from the WA Planning Commission are not here at the present time. If the member would like to raise this issue after the lunch break I will be more than happy to provide all that information at that time.

Mrs C.L. EDWARDES: I will raise that one again. I refer the minister to the second dot point on page 749, under the heading "Major Initiatives For 2004-05", and also to the second last dot point under the heading "Major Achievements For 2003-04", dealing with the affordable housing policy. In this month's edition of the *WA Property News* an article headed "Urban growth boundary spells disaster" refers to a survey of a considerable number of developers. Although it is said that the urban growth boundary arose out of the "Dialogue with the city" that I attended in Fremantle, the state sustainability strategy that came out several days after that meeting already incorporated an urban growth boundary. It was clearly part of the Government's policy.

Ms A.J. MacTIERNAN: That was a draft sustainability strategy, I believe.

Mrs C.L. EDWARDES: The article reads -

Affordability has been a key plank in the successful growth of Western Australia's economy. Affordability coupled with good employment prospects has largely driven one of the fundamental growth factors for population in the Perth Metropolitan Area.

***An urban growth boundary, a line drawn on a plan that is most likely outdated from the very moment any such plan is published, would be an enormous mistake.*** Experience shows that when in urban growth boundary was implemented in Melbourne, broadacre prices rose by 30% in a 6 month period and those price increases immediately flowed to the retail value of individual lots, significantly disenfranchising younger people and growing families from establishing their first home.

What would the minister do that is different from what is done in Melbourne, where the introduction of urban growth boundary has been found wanting in the affordability stakes?

Ms A.J. MacTIERNAN: Firstly, it is important to understand that the Government has made no commitment to introducing an urban growth boundary. Secondly, introduction of an urban growth boundary would have to be accompanied by very detailed policies about what is to be done inside that boundary. I have always said that an urban growth boundary in itself is a meaningless concept if there are no strategies to deal with growth inside the boundary. History has shown that those boundaries become politically unsustainable if there is no capacity to provide affordable accommodation inside the urban growth boundary. The focus on an urban growth boundary itself is not all that profitable; what is done to provide opportunities within the existing urban footprint will actually make a difference.

Mrs C.L. EDWARDES: Where did Melbourne go wrong?

Ms A.J. MacTIERNAN: I do not know the situation in Melbourne in detail, but I do know that if the boundary is just imposed it is an attempt to resolve the problem without really dealing with it. The focus must be on what can be done to stimulate growth within the existing urban framework. The local government, industry and community working groups are engaged in examining these processes at the moment. At the moment 60 per cent of the growth takes place

on the urban fringe, and about 40 per cent within the existing urban footprint. Coming out of the dialogue, we believe that to move towards more sustainable outcomes we need to reverse those processes: to have 40 per cent of the growth on the urban fringe and 60 per cent on the network. I will also point out that, unlike other States, Perth has a metropolitan region scheme that, through its delineation of urban areas, operate as a de facto urban growth boundary. We certainly do not believe that the urban growth boundary is the solution to the problem. The solution is actually getting more sustainable levels of growth within the existing urban footprint.

Mrs C.L. EDWARDES: In the light of the minister's comments about the Western Australian Planning Commission, we will probably need staff from the commission in here by about 12 o'clock. I suggest that is convenient.

The CHAIRMAN: The member is suggesting that this committee will probably need to get to the Western Australian Planning Commission before the indicated time of 2.00 pm.

[9.40 am]

Ms A.J. MacTIERNAN: We will organise for them to come in at 12.30 pm.

Mrs C.L. EDWARDES: Possibly at 12 noon, if that is at all possible.

Ms A.J. MacTIERNAN: Can I ask that we have the agreement of the other committee members. That means that we will have Department for Planning and Infrastructure -

Mrs C.L. EDWARDES: We got agreement with the other members while the minister was talking earlier.

Ms A.J. MacTIERNAN: The DPI, Main Roads Western Australia and the Public Transport Authority of Western Australia will all be finished by 12 o'clock.

Mrs C.L. EDWARDES: Or thereabouts.

The CHAIRMAN: The request has been made and the minister has indicated that she can accommodate that. However, I draw the attention of members to the fact that it is their business and they are the managers of their time. It is now 9.40 am and only three members have asked a question in 40 minutes.

Ms K. HODSON-THOMAS: The minister should keep her answers short.

Ms A.J. MacTIERNAN: If members keep the questions short, I will keep the answers short.

The CHAIRMAN: My advice is that the questions need to be more succinct. They have been examining the much broader principles of policy rather than pursuing information.

Ms A.J. MacTIERNAN: We want a bit of intellectual dialogue, and I can see the members opposite are hankering for it.

Mr J.B. D'ORAZIO: I refer to page 743 of the *Budget Statements* and the third dot point of significant issues and trends. The indication is that with the low interest rates and the relative ease of availability of finance there has been an enormous increase in the number of planning approvals required. What steps has the department taken to address this? This is always a contentious issue with councils and developers who want planning approvals. Can the minister explain what we have done to speed up that process, if we have done anything?

Ms A.J. MacTIERNAN: We have put in place a raft of measures. I may get Greg Martin to talk in a bit more detail about this. However, I will make some general observations. Obviously, many of the complaints are directed towards local government as well as to planning. I think this problem has been experienced around Australia. There has been a massive increase in the amount of work to be done because of the sheer growth of the economy. At the same time, there has been a shortage of planners - the private sector has been poaching at a rate of knots many of our best and brightest planners. We have been restructuring, and in this calendar year alone we have put in an extra \$1 million to deal with a lot of the backlog. We have taken on a panel of planners on a short-term basis, some as consultants and some as part-time employees, to help us clear that backlog. We have put in place a much more rigorous process of management of workloads. We have also put a business manager into that section so that we have greater clarity of what is going on and a better spread of workloads across the various planning offices. With the director general, we have set up a group with representatives from local government, the Urban Development Institute of Australia and the Property Council of Australia to take this forward in a collaborative way, which I think has been well received by the industry. Greg may want to talk a little more about what they have been doing.

Mr MARTIN: Thank you very much, minister; you have given a good summary. There are two aspects. I started an initiative because there was disquiet in the industry about the backlog of particularly subdivision applications. We have discovered that that was quite substantial and growing. In fact, in much of the past six to 12 months, the rate of applications coming in has exceeded our capacity to deal with them. I am pleased to say that in most recent times the number of applications handled has exceeded the number coming in. We have not only addressed the backlog but we are also covering the number of applications coming in. Our production rate is about 15 per cent more than it was at this time last year, and we are continuing to work on advancing that. We are also looking at how we can make system and productivity improvements beyond just the number of man-hours that are operated in a day.

Mr M.W. TRENORDEN: I refer to page 743 and capital item 144 under the table for appropriation and forward estimates. There is a very substantial jump in the capital contribution in this year's budget. Can the minister explain that to me?

Ms A.J. MacTIERNAN: A substantial increase?

Mr M.W. TRENORDEN: About a 50 per cent increase.

Ms A.J. MacTIERNAN: The major component of that is funding for the hydrogen fuel cell bus project. Interestingly, that was a project that the previous Government promoted but for which it made no funding allocation. Some \$7.9 million of that figure that the member is looking at is for the hydrogen fuel cell bus project. There is also an increase in the small craft facilities fund because of some of the carryover from previous years because some of those projects hit environmental snags etc. However, the lion's share of the increase is really the fabulous zero-emission hydrogen fuel cell bus.

Mr M.W. TRENORDEN: Can I have that information in detail? Can I ask for supplementary information?

Ms A.J. MacTIERNAN: I am happy to give that to the member. However, I can tell the member now that it is made up of the following components: \$7.9 million for the hydrogen fuel cell bus -

Mr M.W. TRENORDEN: How many buses is that?

Ms A.J. MacTIERNAN: It is three buses plus the fuelling -

Mr M.W. TRENORDEN: That is really what I want to know. I also want to know about the fuelling of the depots. I am interested to track all that back item by item. I would like the information in detail if I can get it.

Ms A.J. MacTIERNAN: Would the member like detail of the expenditure of the hydrogen fuel cell project?

Mr M.W. TRENORDEN: I can ask only for the capital component because of the rules.

Ms A.J. MacTIERNAN: We will give the member an analysis of the \$7.9 million spent on the zero-emission hydrogen fuel cell bus. We know that there is no limit to cant and hypocrisy in this place, but this was a project that was touted by the previous Government when it was under attack for committing to buy 840 diesel buses. Although the previous Government did not fund the project and merely put out press releases about it, we have picked up the ball and funded it, and that is what we are seeing in this allocation.

Mrs C.L. EDWARDES: The minister should not be so defensive about it then.

Ms A.J. MacTIERNAN: No, forward defence is all important.

The CHAIRMAN: I need to allocate a supplementary information reference number. The minister has agreed to provide -

Ms A.J. MacTIERNAN: Details of the \$7.9 million that is associated with the zero-emission hydrogen fuel cell bus project.

The CHAIRMAN: As referenced on page 743 of the *Budget Statements* under division 46 -

Ms A.J. MacTIERNAN: And on page 755, where that actual figure is listed.

[*Supplementary Information No B1.*]

Mr M.W. TRENORDEN: The previous budget allocated \$5.6 million. What are the components of that expenditure?

[9.50 am]

Ms A.J. MacTIERNAN: Which page is the member referring to?

Mr M.W. TRENORDEN: The same item; item 144. It is the capital contribution in the previous budget.

Ms A.J. MacTIERNAN: The previous budget being 2003-04?

Mr M.W. TRENORDEN: No, 2002-03.

Ms A.J. MacTIERNAN: The major item of expenditure was again TRELIS. It is the information technology system that is being developed to drive the licensing system. When we achieved government it was realised that it needed further developmental work; it was not ready to implement. There is an additional allocation of \$5 million to get the system operational.

Mr N.R. MARLBOROUGH: I refer to the second dot point at page 743 of the *Budget Statements*. The Peel area is given some prominence concerning future land requirements. It is a very important issue facing the Government of the day. It will become more so over the next four to five years when an additional 69 000 residential lots will be required in the Perth and Peel regions. That figure equates to a minimum of 16 000 lots being created additional to that which have been created over the past five years. Where are we in providing residential lots? Do we have enough lots

available? Is there a shortage of lots? If so, is that shortage putting pressure on lot prices? I am particularly concerned about the problems we have in obtaining urban land approvals. It seems that wherever people turn Bush Forever plans are in place or other people are seeking to put some form of caveat on urban development. Are we on top of the situation? Are we ahead of land requirements? If we are behind, what processes are in place to ensure we can meet the needs of significant growth?

Ms A.J. MacTIERNAN: We can meet those targets and the estimated growth. However, it is a challenge. Approximately 23 600 lots are available for development. An additional 13 920 have approvals pending. We have estimations of indicative lot yields over the next year. We anticipate that approximately 13 500 lots will be available in the next financial year. The same amount will be necessary for the following year, with 12 000 the year after and 10 000 the year after that. We believe that we can accommodate that need but it is a question of working constantly to achieve it and to identify opportunities for infill. We must take advantage of the new opportunities created by the southern suburbs rail line. As the member knows, there are fantastic opportunities around Wellard. The joint development in that suburb will provide almost 2 700 residential lots. In central Cockburn the figure is even greater.

We are also looking at doing some work near the new Murdoch railway station to see what we can do to provide special student accommodation. As the member would know, the Government is doing a lot of work in Rockingham to create a corridor development from the Rockingham railway station to the city that picks up the university campus and includes the magnificent seafront. I know that is an area of particular passion for the member for Peel. We are working on all those things together. It is an interesting occasion to raise this issue. It is only by having the integration of land use and transport planning that we are able to have a creative approach in Rockingham. As we speak, two luminaries, Richard Lewis, the former Minister for Planning, and Eric Charlton, the former Minister for Transport, are drafting the conservative policy to reverse the trend, go back to the 1960s and tear apart the integration of land use and transport planning.

Ms K. HODSON-THOMAS: I will keep my question very short. I refer to the taxi users subsidy scheme at page 762 of the *Budget Statements*. I know the department was looking at changing the scheme, and that it has done a reversal on the policy. Has any analysis been done of why the department went down that path?

Ms A.J. MacTIERNAN: The area had been classically underfunded in the forward estimates under the previous Government. There has been a very strong growth in demand in this area. The member may recall that, to some extent, the higher rate of the taxi users subsidy scheme for people in wheelchairs was put in place as part of a settlement under the previous Government because standards were not being met for wheelchair accessibility in public transport. The Government has progressed with the purchase of the new wheelchair-accessible buses and 93 new railcars and the new rail system, all of which will be accessible by wheelchairs. Obviously, the alternatives for people in wheelchairs are increasing. The reason the subsidy for people in wheelchairs was higher than for other disabled people was, according to the argument, that to get a wheelchair strapped into a multipurpose taxi is a time-consuming exercise. Some taxi drivers have their meter running while that is occurring. It is understandable that the 75 per cent subsidy was given in the context of an overall settlement because no new buses had been bought and the train line had not been extended. Anyone in a wheelchair, even if he was not using a multipurpose taxi, was claiming 75 per cent. Such people were not suffering any greater disadvantage than any other disabled person. They did not need the time to be strapped in but were receiving the 75 per cent subsidy. There was no equity. It is the case that we did reverse our policy.

Ms K. HODSON-THOMAS: Has any analysis been done?

[10.00 am]

Ms A.J. MacTIERNAN: An analysis was done on why the costs were escalating. As I said, there were instances of fraud. A number of drivers contacted me advising that some passengers would tell them they had a wheelchair inside their house but did not want to take it with them on the day. However, they still asked for the 75 per cent subsidy. In some instances the scheme was being rorted. Quite often people would bring their wheelchairs, but not require them, and just chuck them in the boot so that they would get the 75 per cent subsidy rather than the 50 per cent subsidy. That was not a terribly rational system. However, we recognised that part of the problem was that some people who use a wheelchair can get out of their wheelchair and into the taxi but then require the wheelchair when they get out at the other end. The very persuasive thing that caused us to change the policy was when people pointed out to us that if they could use it only in multipurpose taxis, their waiting times would be unacceptably high. That was the crucial point. When that point was made, I looked at the figures again and said that that was correct and that this will apply to new people coming on. It is really only if people need to be strapped into the vehicle. At the same time, we are trying to get some more multipurpose taxis, and we need to review the whole system of multipurpose taxis to make sure that we have enough available.

Mr J.N. HYDE: I refer to the ninth dot point on page 744, which relates to the increased emphasis being placed on community and industry involvement in planning and decision-making processes. One of my great concerns in Western Australia is about indigenous communities. Often in the past they have been left out of the process. What action has the Government taken to advance planning for indigenous communities in Western Australia?

Ms A.J. MacTIERNAN: I thank the member for the question. First, we had special participation sessions prior to the "Dialogue with the city" to give capacity building to Aboriginal members of the community who wanted to participate, and to give them the confidence and knowledge that what they had to contribute was valuable. I think that was very important and we saw a full-bodied involvement in the "Dialogue with the city" by indigenous people who had been empowered by the special capacity building that we had delivered for them. In addition to that, we have a project called town planning for Aboriginal communities. It is a joint program being undertaken with Aboriginal people and Torres Strait Islanders and, more recently, with the Aboriginal Housing and Infrastructure Council. The Department of Indigenous Affairs also has been involved in the project. We are focusing on improving the living standards and environmental health of Aboriginal communities, and therefore bring to Aboriginal communities some of the planning skills. The project focuses on the large and permanent communities that have populations of 50 or more. It sets out to provide some coordinated land use planning; that is, getting the roads right and putting in place policies such as where the rubbish dumps will be located etc. We have had a full-time officer in Broome who has worked on these projects for the Kimberley.

We have done a lot of work in Fitzroy Crossing, and in particular with the Bunuba community, to incorporate those areas north and south of the town that were previously reserves into an integrated plan with the town of Fitzroy Crossing. It is no longer acceptable to have a planning apartheid in which there is a white town centre and two reserves at either end. As an example, there has been very active involvement with the Bunuba and Mowanjam communities of Fitzroy Crossing.

Mrs C.L. EDWARDES: I refer the minister to the cost of grants and subsidies listed under cost efficiencies on page 752. The estimated expenditure for 2003-04 is an enormous jump over the amount spent in 2002-03. The reason noted is that the 2003-04 estimated actual provides for the payment of amounts carried over from 2002-03. However, there does not seem to be any logic to it, particularly when I look at the 2004-05 target, which is some \$19-odd million. Can I have a breakdown of the 2003-04 actuals and the 2004-05 target program by program? I am happy for that information to be provided by way of supplementary information.

[Mr A.J. Dean took the Chair.]

Ms A.J. MacTIERNAN: We are trying to correlate the items. I will provide that information to the member by way of supplementary information.

[*Supplementary Information No B2.*]

Mr M.W. TRENORDEN: I refer to the significant issues and trends and the ninth dot point listed on page 744, which states that increased emphasis is being placed on planning and decision-making processes. Has any work been done on the Muchea site for the saleyards, because there is a range of issues, including transport and water?

Ms A.J. MacTIERNAN: Yes. We have looked at the transport study to see what would be the impact on a variety of areas of locating the yard at that site. My recollection is that we found that this was an acceptable site in terms of the transport consequences and that the traffic projections could be managed for Muchea. I understand that that has been the limit of our involvement. This was in the lead-up to the decision to be made by Cabinet about the site. As the member will be aware, there was a range of competing sites. Our job was to do the transport study. We did it a couple of times to make sure that we got it right. Cabinet then signed off on Muchea. I am not sure whether we have done any further work on the other needs for the site. I do not think we have. What was the member thinking of in particular?

Mr M.W. TRENORDEN: I was particularly keen on land use, because it is very close to the water mound. I am very interested in whether any work has been done on questions of land use.

Ms A.J. MacTIERNAN: Does the member mean the environmental impact of the Muchea site? Is the member holding out a candle for Northam?

Mr M.W. TRENORDEN: The saleyards should never be built at Muchea. It is simple. I was happy to let the Department of Environmental Protection and Environmental Protection Authority processes happen. However, I thought there would have been a planning process for water use and land use on that site.

[10.10 am]

Ms A.J. MacTIERNAN: The relevance of the land use would be the transport impacts of the site.

Mr FREWER: There has been a good look at the future land use in that area. The committee has not reported as yet. The report is yet to be finalised, but it does take into account the future use of the land as well as the transport requirements.

Mr M.W. TRENORDEN: Has any additional funding been recommended for roads for that site?

Ms A.J. MacTIERNAN: Not at this point. My understanding of the move to Muchea is that we are a few years down the track. Obviously a proper business case is being developed on the moneys that are capable of being retrieved from the sale of the Midland site and the move to Muchea. I think that the transport study we did identified the additional



road requirements. I am happy to check to see whether any requirement for additional roads was identified in the transport study. I will provide that by way of supplementary information.

Mr M.W. TRENORDEN: The question the minister is now heavily involved in is based on the same argument with Toodyay that the minister had concern about three years ago.

Ms A.J. MacTIERNAN: We will certainly get the member that transport study.

The CHAIRMAN: What is the supplementary information?

Ms A.J. MacTIERNAN: The supplementary information is the impacts on the road network of the relocation of the saleyards from Midland to Muchea.

[*Supplementary Information No B3.*]

Mr J.B. D'ORAZIO: On page 749 the first dot point of the major initiatives for 2004-05 relates to pastoral leases. Will the minister explain what commitment the Government has made to addressing the controversial issue of the pastoral industry's access to land? More importantly, some of the pastoral leases have received exceptional circumstances payments as a result of the drought. I believe that leases are revalued every five years. What has the Government done about reviewing lease periods?

Ms A.J. MacTIERNAN: The issue of pastoral leases is very engaging.

Mr J.B. D'ORAZIO: I am.

Ms A.J. MacTIERNAN: I suggest that we not be cavalier about this, because 36 per cent of the land area of this State is under pastoral lease. It is therefore an issue of very considerable significance. We have been working with the pastoral industry to get a better engagement with it on issues such as Aboriginal access and native title, and to get an accommodation or consensus between the pastoral industry and the environmentalists, while recognising some of the very good work that some pastoralists are doing. Some pastoralists are doing an enormous amount of work on environmental rehabilitation and quality rangelands management.

The issue of pastoral lease tenure occupies the minds of pastoral lessees. I am not sure there is much empirical evidence for it, but in their view the tenure arrangements, whereby leases expire and they are then available for renewal but there is no automatic right of renewal, put them in a very precarious situation. Of course, the practical reality is that the leases have always been rolled over. We have given undertakings to look at giving some sort of more continuous tenure. We were certainly not prepared to move to perpetual tenure. We do not think that there would be support in the community for that. However, we have certainly said that we are prepared to look at some more consistent arrangement for those people, some of whom have been there for over 100 years.

Mr M.W. TRENORDEN: They must be pretty old.

Ms A.J. MacTIERNAN: The families. There are probably a few. Certainly a few Aboriginal people have been in the Kimberley for around 100 years. It has been of concern to us that the cost of the basic administration of pastoral leases is not covered by the rents. It is unfortunate that for many years the capacity to review rents was very limited. When the previous Government introduced legislation in 1997 to extend lease periods, it also put in place a five-year annual rent review. We have just completed that five-year rent review. There will be some rent increases, and in some places they will be quite considerable rent increases but still very modest when one considers the value of the leases. The interests associated with Kerry Packer currently own Carlton Hill and Ivanhoe stations. Between those two stations Kerry Packer has control of 659 000 hectares. The total rent that is paid on that land, even with the rent increase, is still only \$23 000 a year. The Holmes a Court Heytesbury interests own a total of 824 000 hectares. The total rent, even with rent increases, is \$32 000 a year. This land in the Kimberley is very valuable. Many of the pastoral leases are selling for around \$18 million to \$20 million. Certainly when compared with other industries, I do not think anyone could say the rent is expensive. The fishing industry is an industry that pays its own way. It must lease premises from government. Although the pastoral industry in the Kimberley is paying in some instances around 35c per hectare, the fishing industry, which leases property from government, is paying in some instances \$160 000 per hectare for sites needed to run the industry.

Mrs C.L. EDWARDES: Your answer is already 12 minutes long.

Mr J.B. D'ORAZIO: What an important issue.

The CHAIRMAN: Order!

Ms A.J. MacTIERNAN: Just very quickly, our total cost for administering the pastoral industry is \$2 million. Even with the rent increase, we will be able to recover only \$1.6 million. That does not even represent cost recovery. However, I do add that we are very concerned that a number of pastoralists in the more marginal areas have been suffering. All those pastoralists in drought-affected areas will get a waiver of rent this year; they will not be required to pay any rent at all.

**The appropriation was recommended.**

[10.20 am]

**Division 47: Commissioner of Main Roads, \$670 985 000 -**

Mr A.J. Dean, Chairman.

Ms A.J. MacTiernan, Minister for Planning and Infrastructure.

Mr M. Henneveld, Commissioner for Main Roads.

Mr R.K. Phillips, Manager, Budget and Program Management.

Mr R.D. Farrell, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Mr S.E. Potter, Policy Officer, Office of the Minister for Planning and Infrastructure.

Mr G.J. Norwell, Executive Director, Technology and Environment.

Mr D.M. Snook, Executive Director, Road Network Services.

Mr M.D. Wallwork, Executive Director, Construction and Maintenance Services.

Mr M.G. Cosson, Manager, Project Programming.

Mr M.W. TRENORDEN: The output performance measures on page 779 of the *Budget Statements* are very confusing. I would like to get some detail on that. Under cost efficiency, the table outlines that the cost per lane kilometre in the metropolitan area has doubled, and that the cost per lane kilometre in rural areas has increased some fifteenfold. Could the minister please explain that?

Ms A.J. MacTIERNAN: As the budget papers suggest, the reason for the increase in rural areas - was the member saying that it had increased from \$1 796 to \$2 706?

Mr M.W. TRENORDEN: It has increased from \$83 281 to \$1.292 million.

Ms A.J. MacTIERNAN: We must be looking at something different. I am looking at page 779. Is that correct?

Mr M.W. TRENORDEN: Yes.

Ms A.J. MacTIERNAN: I am looking at average -

Mr M.W. TRENORDEN: I am referring to the average road construction cost per lane kilometre for both the metropolitan and rural areas. The figure for the metropolitan area has doubled and the figure for rural areas has increased fifteenfold.

Ms A.J. MacTIERNAN: The explanation for the increase in 2004-05 for regional areas is that it reflects the southern transport corridor.

Mr M.W. TRENORDEN: That does not make any sense, minister. That cannot be correct.

Ms A.J. MacTIERNAN: Why is that?

Mr M.W. TRENORDEN: This table is referring to the cost per kilometre. The cost of the southern railway link will not make a fifteenfold difference per kilometre on country roads. That will not happen.

Ms A.J. MacTIERNAN: I am telling the member for Avon that when one looks at the size and cost of the project, and when that is factored into the overall project, it is the explanation for the increase in cost.

Mr M.W. TRENORDEN: What about the previous year? Why did it go up fourfold in the previous year? The southern transport corridor was not in the budget then. I am referring to the 2002-03 actual figure compared with the 2003-04 budgeted figure. It went from \$83 281 to \$291 182. The target for 2004-05 is \$1.292 million.

Ms A.J. MacTIERNAN: It relates to the nature of the roads that have been built. Perhaps Mr Wallwork can explain that.

Mr WALLWORK: In the case of the Geraldton southern transport project, there are a large number of bridge structures, which has pushed the unit rate far higher than the average. In the previous year there would have been similar projects but these were less complicated and involved fewer structures. That is the explanation.

Mr M.W. TRENORDEN: That is no explanation at all. That is a bit of gobbledygook. I want an explanation.

Ms A.J. MacTIERNAN: Hold on. You have to think of it like this: if a road is being built on a flat surface -

Mr M.W. TRENORDEN: Were no bridges built in 2003?

Ms A.J. MacTIERNAN: Hold on. I refer to roads such as the Mt Magnet-Leinster road, which would not have many bridges.

Mr WALLWORK: It does not have any bridges.

Ms A.J. MacTIERNAN: That is a long, flat road. In terms of the calculation of the cost per kilometre, we actually got a lot of road very cheaply.

Mr M.W. TRENORDEN: So you built only one road in 2002-03.

Ms A.J. MacTIERNAN: No. It was a very long road. The fact that we could develop a road that long without any bridge structures meant that we had a low per kilometre rating. One of the road projects included in the 2003-04 budget would have been stage one of the Tom Price-Karratha road, which was not a particularly long road but one built over very difficult terrain.

Mr M.W. TRENORDEN: Why has the road cost doubled in the city?

Ms A.J. MacTIERNAN: Again, I think it would go back to the nature of the roads.

Mr M.W. TRENORDEN: Minister, I do not want to know what you think, I want to know the detail.

Ms A.J. MacTIERNAN: It goes back to the nature of the roads that we have been building, and in particular the complex structures that have been required. Roe Highway stages 5 and 6 would be included in that.

Mr M.W. TRENORDEN: I need that information in detail, because it is a significant change in the budget of Main Roads.

Ms A.J. MacTIERNAN: I do not know whether the member for Avon is implying that somehow or other we are sneakily going out and putting gold leaf on these roads.

Mr M.W. TRENORDEN: I have no idea what is happening.

Ms A.J. MacTIERNAN: I suggest that the member get in a vehicle and drive over these roads. If he looked at them, he would know that some roads are much simpler to construct because they are over simple terrain. When we start getting in any one year -

Mr M.W. TRENORDEN: It has increased fifteenfold. The minister's argument does not make any sense.

Ms A.J. MacTIERNAN: It does make sense.

Mr M.W. TRENORDEN: It does not. It is not logical.

Ms A.J. MacTIERNAN: Quite frankly, if a road is built through difficult terrain, such as between Tom Price and the turn-off, it will of course cost much more.

Mr M.W. TRENORDEN: Give that to me in detail.

Ms A.J. MacTIERNAN: We will give the member some examples.

Mr M.W. TRENORDEN: No, I want the full cost to be provided in the supplementary information. I want to know why that has occurred, in not only country areas but also the metropolitan area.

Ms A.J. MacTIERNAN: We have explained that to the member.

Mr M.W. TRENORDEN: No, you have not; you have given me some gobbledygook that does not make any sense.

Ms A.J. MacTIERNAN: No, we have not given the member any gobbledygook. If the member refuses to try to understand or to apply his mind, that is his problem.

Mr M.W. TRENORDEN: I have driven more than 200 million kilometres in my life. I have been over more roads in this State than the minister has ever thought of. I do not believe the minister for a moment.

Ms A.J. MacTIERNAN: These are just assertions. What I am saying to the member is that it goes back to the difficulty of building some roads compared with others.

Mr M.W. TRENORDEN: If the minister puts that in the supplementary information, I will believe her.

Ms A.J. MacTIERNAN: We will give to the member some information on the major projects and show him their unit cost per kilometre. However, if the member, who said that he has driven over the roads in this State, does not understand or it has not occurred to him that it is easier and cheaper to build some roads than others, God spare us if he ever does become the transport minister!

The CHAIRMAN: I call the member for Kingsley.

Mr M.W. TRENORDEN: Have we agreement on the provision of supplementary information?

The CHAIRMAN: No, there was no agreement for supplementary information.

Ms A.J. MacTIERNAN: I am prepared, by way of supplementary information, to list some of the major road projects.

Mr M.W. TRENORDEN: I want the detail. I want to be able to understand the budget.

The CHAIRMAN: Hang on, member for Avon; the minister was outlining what she will provide in the supplementary information.

Ms A.J. MacTIERNAN: I am prepared to provide information on the major road projects in the State over those three years, including the length of those road projects, so that the member can see the cost per kilometre of those major projects. That will demonstrate the logic of the point we are making to the member.

[*Supplementary Information No B4.*]

The CHAIRMAN: I called the member for Kingsley but she is not here, so I will call the member for Perth.

[10.30 am]

Mr J.N. HYDE: I refer to page 787 of the *Budget Statements* and the section on details of controlled grants and subsidies. The total funding budgeted for local government next year appears to be the same as that budgeted for the current year. What is the position with regard to state government funding of local roads? Are the Western Australian Local Government Association's complaints about road funding justified?

Ms A.J. MacTIERNAN: I thank the member for the question. The Government has kept the grants to local government at the same level as they were last year. I understand some of WALGA's apprehension. In the previous year's budget, it was estimated that there would be a reduction of some \$6 million for regional road groups, and WALGA was very concerned about that. Last year I undertook to work to ensure that the Government would not cut that regional road group funding.

Mr M.W. TRENORDEN: It was down \$12 million the year before.

Ms A.J. MacTIERNAN: The Government has managed to achieve that. The Government has been able to maintain the existing level of funding to the regional road groups because of the improved budgetary situation. Funding for all the other areas, including black spot funding, has increased and other areas of funding have remained safe. I acknowledge the member for Avon's interjection that there was a reduction in funding the year before that. That is undoubtedly true. The Government has acknowledged that it reduced the overall road budget and that because of that the local government's share of funding needed to be reduced. That was done in the context of very substantial additional moneys being given directly by the federal Government to local governments. Overall, local governments have more to spend on roads than they previously had.

Mr J.N. HYDE: It is the State's money from the GST that Western Australia is not getting back fully that the federal Government is keeping. It is taxes on Western Australians.

Ms A.J. MacTIERNAN: I will respond to that. The Government is very concerned about that. If the federal Government pulled its weight on this point, the State Government would be able to give more money to local government. The federal Government is massively underfunding the maintenance program of the national highway.

Mr M.W. TRENORDEN: The State has received \$220 million in extra GST this year.

Ms A.J. MacTIERNAN: The member for Avon can rant and rave elsewhere. This is the estimates committee. Members are trying to get information.

Mr M.W. TRENORDEN: You are trying to run a red herring across the trail.

Ms A.J. MacTIERNAN: I admit that federal government funding this year has not been too bad. However, an area of real concern is the continued underfunding for maintenance work on the national highway. The only road for which the federal Government is responsible is the national highway, and the federal Government is underfunding the State Government by \$5 million a year. The State Government could cut back maintenance on the national highway, which would affect the member for Avon's constituency. He does not seem to be particularly concerned about that.

Mr M.W. TRENORDEN: We have not got a zack out of the State Government in three years.

Ms A.J. MacTIERNAN: The Government has taken a decent, responsible approach and said it will maintain the standards of the national highway. The State Government is taking money out of state coffers that could be going to the local government but is being spent on patching up the national highway.

Mr M.W. TRENORDEN: Where?

Ms A.J. MacTIERNAN: There is a shortfall of \$5 million. The federal Government gives us money for maintenance and it costs \$5 million more for maintenance.

Mrs C.L. EDWARDES: I refer the minister to the New MetroRail package E, which is the first dot point on page 766 of the *Budget Statements*. The minister has said that Main Roads is involved in the New MetroRail project and that the contract completion is due in December 2005. Can the minister point me to where any money is allocated in this division relating to that package?

Ms A.J. MacTIERNAN: The Opposition always believes that, sneakily, there is money somewhere else for the rail project. It is in the Public Transport Authority budget. Although there is a dot point on this page -

Mrs C.L. EDWARDES: Even though there is a dot point here -

Ms A.J. MacTIERNAN: The roadworks and the bridge strengthening work is being done by Main Roads; however, it is being funded out of the New MetroRail project funding. It is totally included in the \$1.5 billion. It is not extra money under this dot point.

Mr S.R. HILL: I refer the minister to page 779 of the *Budget Statements*. When I left Geraldton last night, I noticed that the southern transport corridor was in full swing. Will the minister outline the time frame for the completion of the southern transport corridor?

Ms A.J. MacTIERNAN: I thank the member for that question. It is a fantastic project. It is complementing the other projects in Geraldton, including the Mt Magnet-Leinster Road, which is opening Geraldton to the northern goldfields. It was most pleasing to be with the member for Geraldton the other day to open the first iron ore mine in the mid west for 30 years. It is the first completely new iron ore mine in Western Australia for sometime. That would not have been possible without all these government infrastructure investments. As the member knows, the Government started the project on 17 March 2004. I understand that the project is expected to be completed in mid-2006.

Mr N.R. MARLBOROUGH: I refer to country and metropolitan funding on page 783 of the *Budget Statements*. Is it possible to provide a breakdown of the money spent on roads in the metropolitan region and on country roads? Which of those will receive more funding, and how does the proportion of money spent on country roads compare with previous years?

Ms A.J. MacTIERNAN: One of the great myths spun by members of the National Party in particular is that the Government is not spending money on country roads. The big road programs under the National Party's stewardship were very city centric. It undertook big projects such as the Northbridge tunnel and the duplication of the Narrows Bridge. However, there has been a change in direction under this Government. This Government is spending the majority of road funding on country roads. In 1999-2000 the previous Government spent 48.7 per cent of its road funding on the metropolitan area and 51 per cent on regional roads. That trend basically continued until the Labor Party formed Government. In 2002, 42 per cent of the State's road funding was spent on the metropolitan area and 57 per cent was spent on country roads. In the past two years, 44 per cent of road funding was spent on the metropolitan area. Over this coming year, it is anticipated that 44 per cent of road funding will be spent on metropolitan roads and 55 per cent will be spent on country roads.

Mr J.B. D'ORAZIO: We had better start jumping up and down in the metropolitan area.

Ms A.J. MacTIERNAN: Exactly.

[10.40 am]

Ms K. HODSON-THOMAS: My question relates to page 776, under the heading "Major Initiatives For 2004-05", and refers to a project funded by the State's black spots program: the Reid Highway-Mirraboooka Avenue intersection. This intersection has been the site of a number of fatalities. I note that the work is confined to a modification of traffic signals and the application of a high-friction surface on the approaches. Was any consideration given to a grade separation in that location?

Ms A.J. MacTIERNAN: Consideration has been given to that, but it is an enormous project. Does Mr Snook have a cost on that?

Mr SNOOK: The approximate cost of a grade separation is \$10 million to \$15 million.

Ms K. HODSON-THOMAS: I have an additional question. What is the cost of the modification of the traffic signals and high friction surface?

Mr SNOOK: The total cost of the black spot project is approximately \$600 000. It will involve some realignment of the traffic lanes on Mirraboooka Avenue and the realignment of the traffic signal lanterns on Mirraboooka Avenue to make them much clearer to drivers. Anti-skid surfacing will be put on Reid Highway, which will make it easier for the vehicles on Reid Highway to stop when they come down to the intersection. The important thing about all those works is that in the long term, when a bridge does go through there, all the work done under that black spots project will not be lost. It will still be of use for the people using the intersection.

Mr M.W. TRENORDEN: On page 781, one of the works in progress listed is the widening of the Brookton Highway from Corrigin to Hyden, to which \$1 million has been allocated in 2004-05. On 13 May, in the absence of the minister, the Premier answered a question from the member for Wagin, saying that \$5 million had been allocated in this year's budget. Can the minister show me where the other \$4 million is?

Ms A.J. MacTIERNAN: Would the member like to read the answer given by the Premier?

Mr M.W. TRENORDEN: Yes. It reads -

The Government acknowledges the need to upgrade the road to Hyden and \$5 million has been allocated in the 2004-05 state budget and forward estimates for Brookton Highway to continue these works on the section between Corrigin and Hyden.

Ms A.J. MacTIERNAN: Did the member note when he was reading that that it included the words “and forward estimates”?

Mr M.W. TRENORDEN: Yes, but it refers to the state budget. It says that \$5 million has been allocated in the 2004-05 state budget.

Ms A.J. MacTIERNAN: It also says the forward estimates. The sum of \$1 million has been allocated each year for 2004-05, 2005-06 and 2006-07, and \$2 million has been allocated for 2007-08. That is a total of \$5 million. Whenever money has been available, expenditure on that road has been brought forward. The local governments in the area recognise that the Government has been giving attention to that road. In the past two years expenditure has exceeded what has been allocated in the budget. As additional moneys become available, they are put in. In the current financial year, \$3.3 million has been spent on that road. The Government recognises the need. At the invitation of the shire I went to a football game at Newdegate.

Mr M.W. TRENORDEN: I heard the minister was there.

Ms A.J. MacTIERNAN: While I was there I looked at those roads. The Government has recognised that there is a need, and has made sure that Brookton Highway receives its allocation.

Mr J.N. HYDE: I refer to the bottom line on page 776. Road maintenance funding appears to have increased again. Is there any basis for the reported claim by the Leader of the National Party and shadow transport minister in waiting that the state roads are in a third world situation? I direct the attention of the member to the Cranbrook road, which, by my reckoning is the most amazing road off the Albany Highway. It is such a beautiful road that a bowling ball would roll from the Albany Highway all the way into the town centre and the post office.

Ms A.J. MacTIERNAN: There are some very good roads around Tammin and Cadoux as well.

The CHAIRMAN (Mr A.J. Dean): The member for Perth will keep his question short. We are not relying on his life experiences.

Ms A.J. MacTIERNAN: What the member for Avon has said is absolute nonsense. We always acknowledge that an infinite amount of money could be spent in a State like ours that goes from Wyndham to Esperance. However, to say that our roads are in a third world state is an absolute nonsense. Some difficult decisions were required last year on the reduction of the road budget, but the one principle the Government was very clear on was that it would not cut maintenance or black spots funding. The Government took the step of cutting a number of expansion projects. Expansion projects provide the political fanfare, but no-one notices the day-to-day program maintenance that goes on. The Government took the responsible decision that asset preservation had to be the primary objective. There has been a steady increase in funds well beyond the consumer price index. The figure was \$306 million in 2002-03 and \$362 million last year. This year the budget and amount is \$393.8 million.

Mr M.W. TRENORDEN: Where is that to be spent?

Ms A.J. MacTIERNAN: This is the amount that will be spent on maintenance across the State. Unfortunately the member for Avon left the Chamber earlier on urgent parliamentary business a few minutes ago and was not able to hear the stunning figures the Government has been able to provide. It is now spending 55 per cent of all road funding in regional areas. This is unlike the pattern established under the previous Government, when only 51 per cent of road funding was spent in regional areas.

Mr J.N. HYDE: Twenty-six per cent of our population live outside of the metropolitan area.

Mrs C.L. EDWARDES: I refer the minister to the line item “Supplies and services” under the heading “Cost of Services” on page 783 of the *Budget Statements*.

Ms A.J. MacTIERNAN: I was just stunned by this data that shows that Western Australia has by far the highest standard of roads of any State in Australia.

Mrs C.L. EDWARDES: The estimated actual expenditure for 2003-04 is some \$23 million over budget, and the budget estimate for 2004-05 is an extra \$84 million over what was intended to be spent for the current financial year. Can the minister provide a complete breakdown of both the expenditure and the proposed budget for those amounts?

[10.50 am]

Ms A.J. MacTIERNAN: Is the member talking about supplies and services?

Mrs C.L. EDWARDES: Yes.

Ms A.J. MacTIERNAN: With this budget we have tried to ensure that there are no shortfalls in expenditure. Traditionally, Main Roads Western Australia has not spent what it has been allocated, which has always made it a target for Treasury. To some extent it is inherent that this happens in project-based budgets. We have been much more disciplined in ensuring that if it looks like we will have shortfall in some areas, we bring forward other road projects, which is why we have been able to accelerate projects such as that involving the Brookton Highway. However, we will

provide the breakdown of those figures. The supplies and services figures are the big picture of what Main Roads is doing. I am happy to give the member an analysis by way of supplementary information.

Mr M.W. TRENORDEN: Will that be state and federal funds or just state funds?

Ms A.J. MacTIERNAN: That will also include some federal funds.

The CHAIRMAN: Sorry, what will the supplementary information contain?

Ms A.J. MacTIERNAN: The supplementary information will be an analysis of the supplies and services figures and a comparison of the budget in 2003-04, the actuals in 2003-04, and budget in 2004-05.

Mrs C.L. EDWARDES: Could we also have a breakdown of what constitutes the federal allocation to that?

Ms A.J. MacTIERNAN: Yes.

Mr M.W. TRENORDEN: And the deferrals; that is, what has not happened and what has come forward -

Ms A.J. MacTIERNAN: That could mean rewriting the whole budget! We will provide the members with this information. If they want more, they can put that on notice. As members can see, supplies and services is a vast area. The commonwealth funding will be spread amongst that and also other items. Therefore, it will not capture all of the commonwealth's funding.

[*Supplementary Information No B5.*]

Mr J.B. D'ORAZIO: I refer to page 780 of the *Budget Statements* and the Mitchell Freeway extension under the third dot point. Can the minister tell us what are the plans? As the minister is aware, we have been involved in hearings about developer contributions. The issue about this corridor continues to be raised. Can the minister explain what position we are in with the extension of the Mitchell Freeway and when it is expected -

Ms A.J. MacTIERNAN: We are very keen to get this project under way. In the budget we have included funding for the extension of stage 1 to Shenton Avenue, which is estimated to be completed in 2005 in line with our election promise, and stage 2, which will be completed in 2008. The work for the design contract for both stages is currently out to tender and will close on 20 May. We anticipate awarding that contract the following month with a view to construction beginning in early 2005. I am trying to get the project started in late 2004 - I am cracking the whip in that regard - but Main Roads seems to be a bit resistant to that idea. However, we will get it started as soon as we can and the design contract will certainly be issued by the end of this financial year.

Ms K. HODSON-THOMAS: My question relates to the Peel deviation or the "Perth to Bunbury Highway" as it is named in the *Budget Statements*. On page 781 under Perth to Bunbury highway, I note that \$100 000 has been allocated in the 2004-05 budget. In the event that the federal Government commits to this project financially, will the minister bring the project forward?

Ms A.J. MacTIERNAN: No, we have made it very clear that we are not in a financial position to do that. Since 2001, we have sought to engage with the federal Government on this in a mature and sensible way, which has been completely impossible. For the first two and a half years it did not want to talk about the Peel deviation at all. Now, with the looming federal election and the seat of Canning, which goes down to that area, perhaps in trouble, it wants to bring that funding forward. We could not get a commitment from the federal Government to fund that project at any point. Now it is saying that it wants to commit to it early.

Ms K. HODSON-THOMAS: So this Government is not prepared to commit to that project early?

Ms A.J. MacTIERNAN: I have made it very clear from day one that this was a very expensive project and a number of things needed to happen. There needed to be a partnership between the federal and State Government and we needed some long-term planning so that we could commit those funds. We have made it clear that we do not have those funds to commit until 2008. We have asked the federal Government to work with us towards that time frame. I have no doubt that Senator Campbell, who with his best friend Willy Packer is running the anti-rail program, will say next month that the federal Government is allocating money for this project in the budget for 2005-06 and that we have to match it. We will not do that because we do not have that money.

Mr M.W. TRENORDEN: The money is there.

Ms A.J. MacTIERNAN: It is not there.

Mrs C.L. EDWARDES: The federal money is there.

Ms A.J. MacTIERNAN: As an election ploy, the federal Government will put forward this money after four years of saying that it would not even talk about it and that it could not commit to it. What is really sad about this is that I was the one state minister that gave John Anderson the benefit of the doubt. I actually thought that the rhetoric that surrounded AusLink might in fact be true and that what they wanted to do -

Mr M.W. TRENORDEN: Funny, he says the opposite about you. He says that you are the only minister who will not cooperate.

Ms A.J. MacTIERNAN: Absolute rubbish. I was the one who earlier on said that this is a good idea and that we need to move forward and get more strategic planning. If members look at the correspondence that I have submitted to Anderson since 2001, it has all been about working out with the federal Government when we can do this project in a time frame that makes sense for it and for us.

Mr M.W. TRENORDEN: The answer is 2004-05.

Ms A.J. MacTIERNAN: The member for Avon has a very simplistic idea of how we go about building roads. He does not understand the engineering complexity.

Mr M.W. TRENORDEN: I know that if all the money is spent on one project, there is nothing left for anything else.

Ms A.J. MacTIERNAN: There is no way that we can commence this road project before 2007.

Mr M.W. TRENORDEN: Because all the money has gone into the railway line down south.

Ms A.J. MacTIERNAN: No, just from the sheer point of view of the engineering design work that needs to be done.

Mrs C.L. EDWARDES: The federal Government says it can be done.

Ms A.J. MacTIERNAN: Well, it does not know; it just says that. It is like the member for Avon. It believes that a person has to just assert something - he does not have to produce any evidence or analyse it - and that makes it true. The federal Government does not build roads, so it does not know what is required.

Mr M.W. TRENORDEN: Neither does this Government.

[11.00 am]

Ms A.J. MacTIERNAN: I will use this opportunity to respond to that comment. Works in progress or completed include the Gascoyne bridge, the Mt Magnet to Leinster road, stage 1 of the Tom Price to Karratha road, Roe Highway stages 4, 5, 6 and 7 and the Tonkin Highway extension. The facts speak for themselves. The road projects the Government has completed across the State have been phenomenal. We know that the federal Government will pull a stunt. It will put money in the budget in 2005-06 in order to shore up Don Randall. This is after years of telling us that it cannot commit until it sees the detailed design plans. All of a sudden, all the federal Government has been saying for the past two years goes out the window and we will see an election stunt in which the federal Government will provide money in 2005-06. We are very pleased that the federal Government has at last committed funds to the road. We are telling the federal Government to behave like grown ups and, if it is prepared to provide its share of the money in 2007, the State Government can get the road under way in 2007 and build it to a time frame that is feasible for the State and federal Governments.

[Mr A.D. McRae took the Chair.]

Mr M.W. TRENORDEN: I refer to the works in progress at page 781 of the *Budget Statements*. The minister just referred to a long list of roads -

Ms A.J. MacTIERNAN: I am glad that the member acknowledges it is a long list.

Mr M.W. TRENORDEN: Will the Vasse to Margaret River road, better known as death alley, receive funding this year? Will the Lancelin to Cervantes road receive any funding this year? Will the Mt Barker northern bypass on Muirs Road receive any funding this year? What about the port and blue gum plantation roads in Albany? The minister knows the port of Albany is looking forward to an improvement of those roads. It is estimated that \$51.5 million is needed. I can find only \$1.424 million in the budget. Are any more funds available?

Ms A.J. MacTIERNAN: If the member reads the budget, he will see that several million dollars is allocated for Muirs Road. We are designing the Lancelin to Cervantes road in-house.

Mr M.W. TRENORDEN: Expenditure on the Mt Barker northern bypass is shown as a dash in the budget.

Ms A.J. MacTIERNAN: We do not have money in the budget for that. We cannot fund all the road projects in the State simultaneously just as the member's Government could not fund a wide variety of road projects that we thought were important.

Mr M.W. TRENORDEN: The minister was able to answer the first question about the \$5 million for the Corrigin to Hyden road. I thought the minister could give me some indication on this road.

Ms A.J. MacTIERNAN: Which one?

Mr M.W. TRENORDEN: The Bussell Highway.

Ms A.J. MacTIERNAN: We do not have money in the budget for that this year. However, I am exploring other ways of funding that road. We are looking at some development at Gracetown; we are trying to work that through with the shire. I will certainly argue that, if we have funds released as a result, I would like some of the money put into the Vasse to Margaret River road.



Mr M.W. TRENORDEN: What about the Lancelin to Cervantes road?

Ms A.J. MacTIERNAN: No. As I said to the member, we do not have any funding in the budget this year. The funding starts for that in 2006. However, we are undertaking the design work in-house so that as moneys become available we can start to bring forward the project.

Mr M.W. TRENORDEN: What about the blue gum plantation road? There is an allocation of \$1.424 million but the Government's own estimate is \$51.5 million. Tell me about the forward estimates; they are not evident.

Ms A.J. MacTIERNAN: There is approximately \$1.5 million for this year and the same amount for next year. An amount of \$2 million is available the year after and \$1.5 million for the year after that. The total across the forward estimates is \$6.5 million. When the timber industry regional evaluation strategy report was issued, it was absolute blue sky and full of a whole range of projections that have turned out to be not fulfilled. There was a gross overestimation of the need. We are working very hard to see what we can do to get some of the activity onto rail.

Mr M.W. TRENORDEN: I have only one question left for this division. I refer to page 783 of the *Budget Statements*. I refer to the capital user charges and the increases from \$12.347 million to \$44.908 million and \$62.279 million.

Ms A.J. MacTIERNAN: As this is an accounting practice, Mr Phillips will explain it.

Mr PHILLIPS: Main Roads pays eight per cent of the average net asset position for the year, excluding the road network infrastructure assets, including the land under roads. It is a Treasury policy. We have identified to the Treasury that, in the case of Main Roads, the amount needed each year will increase at a fairly significant rate. The member may note that, in the forward estimates for 2007-08, we have kept the figure the same for 2006-07 because we believe that by that time the Treasury will have identified and sorted out the problem. Main Roads puts a lot of money into what is called the depreciation holding account at the Treasury. It is also charging us eight per cent of the balance of the account. Because the amount in the account is increasing every year by a significant amount, the capital user charge will increase as a consequence. We believe it is not an appropriate situation for our agency. Treasury is looking at that at present.

**The appropriation was recommended.**

*Sitting suspended from 11.07 to 11.23 am*

**Division 48: Public Transport Authority of Western Australia, \$519 993 000 -**

Mr A.D. McRae, Chairman.

Ms A.J. MacTiernan, Minister for Planning and Infrastructure.

Mr R. Waldock, Acting Chief Executive Officer.

Mr R.D. Mann, Director, City Project, New MetroRail.

Mr M.A. Burgess, Acting Director, Transperth, Regional and School Bus Services.

Mr J. W. Leaf, Director, Finance.

Mr K. Stone, Director, School Bus Reform.

Mr A. Cartledge, Manager, Project Coordination, New MetroRail.

Mr P. Joyce, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Mr R.D. Farrell, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Ms K. HODSON-THOMAS: The table relating to major policy decisions on page 789 states that cost and demand pressures are expected to cost \$15.36 million over the next four years. What are the pressures?

Ms A.J. MacTIERNAN: Fundamentally, as Perth grows we will obviously need to be providing new public transport services. In particular, we will be looking at more bus services and more train services. Obviously, there will also be increased cost pressures from such things as award increases and increased insurance. Those cost pressures will arise more in the out years. Every time there is an increase as a result of an enterprise bargaining agreement or award, that is an increased cost pressure we must accept. The population in the south-west corridor is growing at about 3.5 per cent per annum. More people will mean more demand for more services.

Mr N.R. MARLBOROUGH: I refer the minister to the fourth output on page 795. The minister will recall the previous Government saying that its sale of Westrail freight would get rid of the freight debt. Will the minister explain why freight debt still remains?

Ms A.J. MacTIERNAN: This is one of the great tragedies of privatisation. We were made a series of promises on the privatisation of Westrail freight and the freight network but, alas, many of those promises have failed to materialise. One of them was, of course, that we would get rid of the debt that had been accumulated in the freight network. However, we did not get sufficient moneys to pay off the debt. Previously we had a stream of income that enabled us to

service the debt. Now we do not have the stream of income and we have been left with a remaining debt after the sale, which included handing over the rail network for the next 50 years. We are left with a loss of \$331 million, which is costing us \$20 million per annum to service. If ever there has been a problematic privatisation, it is this one. We did not even cover the cost of the debt. We have lost the stream of income and we are now having to spend \$20 million per annum on servicing a debt. That money could have been spent on hospitals, schools and community safety. The promise that the private company would spend something like \$500 million on capital investment has likewise not materialised. Some money has been spent, but certainly nothing in that order. We are still running what one could only describe as an industrial museum. New locomotives have not materialised. Forty-year-old locomotives are being renovated as the major input of capital development.

Mr N.R. MARLBOROUGH: It concerns me that we have this \$21 million annual debt but there seems to be, from the minister's answer, no mechanism by which the new owners of the freight system are locked into paying \$500 million on infrastructure over a period or within the terms of the contract of their ownership for the next 50 years. Are there mechanisms by which the owners can be tied or will the cost of infrastructure eventually come back to the taxpayer?

[11.30 am]

Ms A.J. MacTIERNAN: There are two things. It has an obligation to maintain the rail network; not the rolling stock but the rail network. We are working through, with the Public Transport Authority, the best way in which we can put in place proper audit structures to ensure that we can monitor the performance of the existing rail. Our hope is that we might ultimately get back an asset that has not been sweated. In terms of the promise by the then transport minister and the then Deputy Premier, they announced that we would get \$900 million and not the \$500 million that we actually got. They said that there was to be an investment. When we got into government, there was no contractual obligation. They simply said that they thought they would put in around -

Mr M.W. TRENORDEN: Your solution is to add another \$1.5 billion to the never-never. Great stuff, minister.

Ms A.J. MacTIERNAN: Other than the *AvonLink*, the National Party has a great problem with public transport. It was great to invest in the *AvonLink*, which transports 11 people per day. Every time a person gets on the *AvonLink* it costs taxpayers \$59. According to the National Party pork-barrelling approach to public transport, that is okay, but it is not appropriate to provide a rapid transit system to the people in the southern suburbs and to give them a subsidy of \$4. However, it is appropriate that every one of the member for Avon's constituents who gets on the *AvonLink* gets \$59 a day of taxpayers' money. If they travel to and from, that is \$118. I am answering the question for the -

Mr M.W. TRENORDEN: No you are not; you are just babbling on.

The CHAIRMAN: Member for Avon! Thank you, members. The next question I have -

Ms A.J. MacTIERNAN: Mr Chairman, I do not mind interjections from the member when he is asking his own questions, but I have never known members to interject on other members' questions in this forum.

Mr M.W. TRENORDEN: Except you when you were in opposition.

Ms A.J. MacTIERNAN: No, I used to ask the questions.

The CHAIRMAN: Order! It is true that it is generally the member who has asked the question and the minister who should be allowed to have an exchange. That way we get through this process much more quickly and all members get a chance to ask all the questions they have listed for their particular areas of interest. I call the member for Kingsley.

Mrs C.L. EDWARDES: I am not sure about the page number to which I should refer. It is either page 795 or page 819. I refer to the William Street properties for the city rail project.

Ms A.J. MacTIERNAN: That comes under the Western Australian Planning Commission portion of the budget.

Mrs C.L. EDWARDES: Why am I not surprised?

Ms A.J. MacTIERNAN: The member for Kingsley would not be surprised because we have stated time and again that these properties have been acquired by the WA Planning Commission. As an intelligent woman, I would not be surprised that she was not surprised.

Mrs C.L. EDWARDES: Who paid for them?

Ms A.J. MacTIERNAN: These properties were acquired by the WA Planning Commission using the metropolitan region improvement fund.

Mrs C.L. EDWARDES: So the funds for those properties came from the metropolitan -

Ms A.J. MacTIERNAN: From the metropolitan region improvement fund, just as the acquisition for the Zuvela properties in the member's electorate came from the metropolitan region improvement fund.

Mrs C.L. EDWARDES: Who is doing the negotiations?

The CHAIRMAN: Hang on, we are not dealing with an appropriation under this division.

Ms A.J. MacTIERNAN: We are not.

Mrs C.L. EDWARDES: If I refer to page 795 and the continuation of city project works, for which there is \$134 million -

Ms A.J. MacTIERNAN: That is the rail. It is not the acquisition of that property.

Mrs C.L. EDWARDES: Who is doing the negotiations? The PTA?

Ms A.J. MacTIERNAN: No, the negotiations are being done by the WA Planning Commission and LandCorp. I make this point: we are acquiring those properties, which will have a railway station built under them through which some 40 000 people will pass each day, and the property will then be sold.

Mrs C.L. EDWARDES: I will ask the question under the next division. Thank you.

Mr J.B. D'ORAZIO: I refer to the major policy decisions on page 789 of the *Budget Statements* and the item on public transport fares. Is this the allocation made to the Public Transport Authority to compensate for the recent decision to freeze public transport fares? If so, can the minister tell me what impact this will have on the services provided by the PTA?

Ms A.J. MacTIERNAN: The figure of \$1.4 million is the compensatory amount for the fact that our Government has made a decision to freeze all public transport fares for the coming year. We have had a much better than expected budget outcome. We have finally convinced the Commonwealth Grants Commission that we needed an increased share in the commonwealth receipts. We have done very well by way of our budgeting. The fact that we have managed four out of four surpluses means that we have reduced our debt payments. That has enabled us to give a community dividend. That community dividend has been provided in a number of ways, including by cutting stamp duty, exempting first home buyers from stamp duty and cutting land tax. Another important way in which we have returned that community dividend has been to put a freeze on all public transport fares for this year. We have been very disciplined since we have been in government to increase those fares only by the consumer price index. In fact, concession fares have not increased at all. However, to ensure that the community dividend from our very effective and efficient management of the budget goes back to the community, we are pleased to be able to say that we have delivered another benefit to our travelling public. I have some charts with me that demonstrate the performance of the conservative Government in this area in real money terms. That Government hit pensioners year after year. It slugged concession fare holders in particular. That can be compared with the performance of our Government. In real money terms we have reduced the amount of fares.

Mr M.W. TRENORDEN: You are talking only about the metropolitan area. What about country areas?

Ms A.J. MacTIERNAN: We have brought regional town bus fare services into the system.

Mr M.W. TRENORDEN: Try to get a bus from Quairading to Perth! They do not exist.

The CHAIRMAN: Order, member for Avon! This is not your question. I have given the member advice that if he wants to carry on with this committee -

Mr M.W. TRENORDEN: I do not give a damn. If she throws barbs my way, I will answer them. That is the way it goes.

Mr J.N. HYDE: Come on! There are three buses in Denmark and three buses in Geraldton. They are all over the State.

The CHAIRMAN: Order! This committee process will work well -

Mr M.W. TRENORDEN: It has not worked well so far, so I do not see why it will in the future.

The CHAIRMAN: We have got through an extraordinary amount of work in two-and-a-half hours. I suggest that if the member wants to finish the divisions -

Mr M.W. TRENORDEN: That is your view, Mr Chairman, not mine.

The CHAIRMAN: I call the member for Avon to order!

Mr M.W. TRENORDEN: You can do that.

The CHAIRMAN: I have done it.

Mr M.W. TRENORDEN: You can do that four or five more times if you like.

The CHAIRMAN: The normal standing orders apply here.

Mr M.W. TRENORDEN: I do not give a damn. You can do that. Go for it. That is your world, not mine.

Mr J.B. D'ORAZIO: Can I have the answer to my question?

The CHAIRMAN: I think the minister had finished with that answer.

Ms A.J. MacTIERNAN: That payment is part of the community dividend that we are able to give back to the community.

Mr J.B. D'ORAZIO: The second part of the question was whether it would affect services.

Ms A.J. MacTIERNAN: Not at all. As I said, it is being funded with an increased allocation from the consolidated fund, in recognition that we will not cut services. That freeze on fares will not come at the cost of public transport services.

Mr M.W. TRENORDEN: I refer to page 796 of the *Budget Statements*. My question follows on from something I spoke about earlier; that is, the bus acquisition program. The estimated expenditure for 2003-04 is \$6.7 million and for 2004-05 it is \$34 million. How many new buses have come in through the 2003-05 process?

Ms A.J. MacTIERNAN: Between 2003 and 2005? Do you mean over two years?

Mr M.W. TRENORDEN: Yes. How many were organised before this budget, since you have been in government? In other words, from the time you have been in government to now, how many new buses have there been? How many new buses will the Government purchase in the current financial year? How many buses in the system are not being used?

[11.40 am]

Ms A.J. MacTIERNAN: Basically, the Government has been purchasing about 70 buses per annum. There was a hiatus in the last calendar year because, just as the Labor Party had predicted when in opposition, the DaimlerChrysler company had not developed a Euro 3 standard gas bus. When in opposition, the Labor Party predicted that this problem would arise because of the previous Government's decision to purchase buses from a firm that had committed itself to providing diesel rather than natural gas buses. To wait for DaimlerChrysler to catch up, the Government had to suspend the receipt of chassis for one year until DaimlerChrysler was able to manufacture a bus capable of satisfying the new federally mandated Euro 3 standard buses. DaimlerChrysler has done that and the buses are back in production. Other than that hiatus, between 60 and 70 buses have been acquired this year. To make up for the year of the hiatus, the Government contracted to build 26 country coaches for Transwa, which enabled its factory at Balga to continue, notwithstanding that hiatus. Those buses have been very successful in country areas.

Mr M.W. TRENORDEN: Would the minister indicate how many buses currently being used are over 10 years old?

Ms A.J. MacTIERNAN: I do not have that figure. However, the average age of buses has reduced significantly since we formed government. As I said, the Government has been purchasing these buses as fast as they can be produced.

Mr M.W. TRENORDEN: Will the minister provide as supplementary information how many buses in service are over 10 years old and how many buses in depots are not being used?

Ms A.J. MacTIERNAN: All buses in depots are being used. I will provide the member with a comparison between the average age of buses and the number of buses that are over 10 years old under the previous Government and under this Government.

[*Supplementary Information No B6.*]

Mr J.N. HYDE: I refer to the output and appropriation summary on page 789 of the *Budget Statements*. I noticed an advertisement placed by the federal Government in Saturday's *The West Australian* in which the federal Government appears to be taking credit for providing more funds for public transport. The advertisement highlights the point - I have the advertisement here, knowing that the minister is longsighted - with a large photo of a train. The advertisement claims that the Western Australian Government will receive \$133 million from the federal Government for transport. Given that there are eight train stations in my electorate and two new you beaut underground stations will be built, has there been an escalation in contributions from the federal Government to the Public Transport Authority's budget?

Ms A.J. MacTIERNAN: Absolutely not.

Mr J.B. D'ORAZIO: It has a photo of a train in the advertisement.

Ms A.J. MacTIERNAN: It does. The irony of this is extraordinary. The federal Minister for Local Government, Territories and Roads - interestingly there is not a federal minister for integrated public transport, but it has a federal Minister for Roads - at every opportunity, sledges the Western Australian Government's commitment to public transport. He has publicly said in every forum around Australia that the State Government should stop construction of and criticises the Western Australian Government's investment in the southern suburbs rail project. The minister's complete obsession and antipathy to rail and public transport is extraordinary. However, the federal Government has a cheek to place an advertisement, including a photograph of a train -

Mr M.W. Trenorden interjected.

Ms A.J. MacTIERNAN: I appreciate that the member for Avon is locked in a life and death struggle with the member for Carine. He considers it is absolutely important that he performs well today so that he can wrest the prize of opposition spokesperson for transport from her. However, he is making a fool of himself. All he is doing is sitting like a naughty schoolboy -

Several members interjected.

The CHAIRMAN (Mr A.D. McRae): Order, members!

Mr J.N. HYDE: With regard to trains, the federal Government has even flogged off the *Indian Pacific*. It cannot even claim it is a federal train.

Ms A.J. MacTIERNAN: Exactly. I think we have covered the point.

Ms K. HODSON-THOMAS: I refer to school bus services under the heading major policy decisions on page 789 of the *Budget Statements*. I note the allocation of moneys for school bus services in 2006-07 in the first table on that page. There is an estimated saving of \$2.15 million over the next two financial years. Will the minister explain how those savings will be achieved?

Ms A.J. MacTIERNAN: The reason there appears to be a decrease is because a back payment has been allocated this year. When the Government reached the historic settlement with the school bus industry, the Government promised it would provide back payments from 1 July 2002. An additional \$7.7 million in back pay has been added. What appears to be a reduction is in fact not a reduction. It is only a reduction because the back pay from 2002 was included.

Ms K. HODSON-THOMAS: Are the savings not as a result of the rerouting of some of the -

Ms A.J. MacTIERNAN: Savings have been made from efficient administration. There had not been an accurate recording of what routes were being travelled; for example, already the Government has identified some \$600 000 a year that was paid for trips that were not taken. By accurately defining the routes, the Government has been able to save \$600 000 over and above what it would have had to have paid. I was always curious about why the industry was so angry that the Government accurately charted the routes. It turns out that some operators were claiming for more money than they were travelling. A few operators were underpaid as well. Overall, a study of those who were overpaid and those who were underpaid has resulted in savings of \$600 000 a year.

Ms K. HODSON-THOMAS: It has been a contentious issue within the industry and the agency. They are unhappy with the contract.

Ms A.J. MacTIERNAN: Some people are unhappy with the contract. I refer the member to the president of the Shire of Gnowangerup who thinks it is a very good contract.

Ms K. HODSON-THOMAS: An unprecedented number of contracts - 124 - are up for sale.

Ms A.J. MacTIERNAN: That demonstrates that these people have made a motser out of it.

Mr M.W. TRENORDEN: Or it indicates the dead opposite. They cannot make a living out of it and must get out.

Ms K. HODSON-THOMAS: I think it is the dead opposite.

Ms A.J. MacTIERNAN: It is an important point. An unprecedented number of contracts are being sold. However, two factors are involved. People in the industry were unable to sell the contracts before because for a number of years there had been no certainty about what was the longevity of the contracts. Anyone who diligently went to a lawyer would be told that the contract was only a five-year contract but the operator would tell the lawyer that the Government said it would roll-over the contract. There was no legally enforceable entitlement to that, which dampened the price. The prices of these contracts have held out extremely well, and they are selling because they are worth a fortune.

[11.50 am]

Ms K. HODSON-THOMAS: I do not think any of them have been sold, as yet. I just understand that 124 contracts are on the open market. I will ask one more brief question; I am trying to keep it short. I understand that where the minister has been reviewing the routes, a number of students are now travelling a further distance when it was always intended that those students would at least travel the minimum distance. Has that been really analysed thoroughly? Some students are actually travelling on a bus that moves away from the most direct route to their school.

Ms A.J. MacTIERNAN: Standards have been set, and for many years the service provided to all students has met those standards. In addition to that, I understand many students are actually travelling less distance. From time to time it is necessary to rationalise services. These things build up in an ad hoc way, and from time to time we need to take a look at it and see whether the services are being provided in the most rational way. That is exactly the process we undertake for the delivery of public transport, such as in my electorate. We consider what is being provided and ask whether a better service can be delivered within the same budget. In this case, we have not attempted to do it within the same budget; an extra \$6 million a year is being spent.

Mr N.R. MARLBOROUGH: There is a lot of excitement in my electorate, not only because I am the local member, but also because the Government is delivering a modern rail service. Many questions have been asked, and we have started to hold public meetings. Could the minister please confirm whether the construction of the Wellard-Leda station is included in the item mentioned at the bottom of page 795 of the *Budget Statements* for the continuation of the construction on the southern suburbs railway?

Ms A.J. MacTIERNAN: I confirm that for the member. At one point the Government was considering whether to defer the construction of the Wellard-Leda station, only because it did not want that station built in advance of the development of the area. However, the department has now been working very closely with the Department of Housing

and Works, Peet and Co and the local shire, and now believes that sufficient development will be on-stream to make it sensible to build this station right in the very outset. Services will begin in late 2006. There will be services at 10-minute intervals during peak periods. There will be a big emphasis on walk-on and cycle access. Wellard will be a transit-oriented development around a railway station, maximising the number of people who can walk on or cycle to the station. We expect the member for Peel to be out there as a model of physical activity, leading his community forward into a new age of active use of public transport.

Mrs C.L. EDWARDES: I refer the minister to the total cost of output 1 on page 790 of the *Budget Statements*. Under the heading "Reason for Significant Variation" the statement reads -

Increase is mainly due to the introduction of the capital user charge for the Public Transport Authority and borrowing costs associated with the New MetroRail project.

Can the minister confirm the figures given in the Legislative Council that this increase is mainly due to borrowing costs associated with the New MetroRail project - \$1.218 billion will be borrowed to fund this project - and also that the interest payments alone, independent of the principal borrowings, will be around \$1.3 billion over 33 years?

Ms A.J. MacTIERNAN: Absolutely; I unashamedly confirm that. However, I caution the member because I have noted that many members of the Liberal Party, particularly those hanging around Peppermint Grove and Mosman Park, are looking at the interest payments and the capital repayments and then adding the cost of the project on top of that and coming up with some fairly extraordinary figures. Of course there will be interest repayments, just as there are interest repayments on the Northbridge tunnel and the northern suburbs railway. It is about time the Liberal Party answered some questions. In the upper House, Hon Simon O'Brien said that not only did the party not support the southern suburbs railway, it also still supports the closure of the Fremantle-Perth line and would not have built the northern suburbs railway. The community has a great deal to be concerned about if there is any possibility of this mob getting back into government.

Mr J.B. D'ORAZIO: I refer the minister to the capital works program item on page 795 for the delivery of 18 three-railcar sets. Can the minister explain the effect these new railcars will have on the capacity of the existing lines?

Ms A.J. MacTIERNAN: We will be doubling the number of railcars as part of this purchase. One of the great lacks of insight in the conservative critique of the rail project is that capacity across the entire network will be enhanced. Already we are seeing a cap on demand because all the trains, be they from Armadale, Midland, Fremantle or Joondalup are absolutely chock-a-block during peak times. That has suppressed demand. The acting chief executive officer of the Public Transport Authority assures me the first trains will be arriving at the end of this month. That will have an important impact on increasing the number of people using the rail system right across the network. I know the member for Kingsley is very pleased that we are building the Greenwood station in her electorate, and that she will see the benefit of this investment.

Mrs C.L. EDWARDES: Could I seek some further information at this point? Will the Greenwood train station have the same zoning as the Warwick station, to encourage people who are now illegally parking to use the station?

Ms A.J. MacTIERNAN: It will be zone two.

Mrs C.L. EDWARDES: Is that the same as Warwick?

Ms A.J. MacTIERNAN: Yes.

Mrs C.L. EDWARDES: I thank the minister.

Ms A.J. MacTIERNAN: On the existing lines we are looking at an increase in capacity of around 20 per cent during those peak periods.

[12 noon]

Mr M.W. TRENORDEN: I refer to page 793 of the *Budget Statements*. I will ask the minister a question about her favourite hate in the train she promised to shut down; that is, the *AvonLink*. With regard to major achievements for 2003-04, the *AvonLink* will not commence this year, will it minister?

Ms A.J. MacTIERNAN: Of course it will. The member said this year did he not?

Mr M.W. TRENORDEN: It is not going to happen this year, is it minister?

Ms A.J. MacTIERNAN: It will happen this year.

Mr M.W. TRENORDEN: So the *AvonLink* will be running before 30 June this year.

Ms A.J. MacTIERNAN: No, sorry -

Mr M.W. TRENORDEN: It is not going to happen, is it minister?

Ms A.J. MacTIERNAN: Sorry, I need to clarify something. The member said "this year". I take "this year" to mean -

Ms K. HODSON-THOMAS: This financial year.

Ms A.J. MacTIERNAN: Does the member mean this year or this financial year? Can the member make himself clear?

Mr M.W. TRENORDEN: To use the minister's own vernacular; "read the statement, minister". The minister likes to abuse me so I will have a go at her. The heading states "major achievements 2003-04", which happens to be this financial year. Will the *AvonLink* be running before 30 June?

Ms A.J. MacTIERNAN: No.

Mr M.W. TRENORDEN: Well done minister; you said you would stop it.

Ms A.J. MacTIERNAN: It will be running by July.

Mr M.W. TRENORDEN: The minister said she would stop it; she has done that very well.

Ms A.J. MacTIERNAN: It is important to understand that the *AvonLink* -

Mr M.W. TRENORDEN: It will be on the front page of the paper next week.

The CHAIRMAN: Order, member!

Ms A.J. MacTIERNAN: The *AvonLink* was running when we came into government. The *AvonLink* is still running, and what is more, we are going to have a new and vastly improved *AvonLink* service.

Mr M.W. TRENORDEN: Against the minister's every wish. The minister has said all along she would can that service.

Ms A.J. MacTIERNAN: No, we are making the *AvonLink* work. We will be unfolding a new package for the *AvonLink* that will see this service being made a worthwhile service and servicing many more people.

Mr M.W. TRENORDEN: Why will it be eight months later, minister?

The CHAIRMAN: Order, member for Avon!

Mr M.W. TRENORDEN: I am allowed to ask the question.

The CHAIRMAN: Member for Avon -

Mr M.W. TRENORDEN: You said it is my question time. I will ask the question.

The CHAIRMAN: Member for Avon, I now call you to order for the second time.

Mr M.W. TRENORDEN: You can go for it, Mr Chairman; you do not want to be accountable either.

The CHAIRMAN: I will give the member some advice on the process.

Mr M.W. TRENORDEN: I will give you some advice too.

The CHAIRMAN: I will give the member for Avon some advice on the process. I would normally turn to the member at the end of the minister's response to his question to see whether he wanted to ask further questions about the initial matter he raised. If the member continues to badger and interject in the way that he has done, he will end up in conflict with not only me but also every Chairman of the Committee. My advice to the member is that he desist from his consistent badgering, and make his point, and then he will get an opportunity for a further question about the matter he is pursuing. I have now called the member for Avon to order for the second time, and I will pass over to the next member.

Ms A.J. MacTIERNAN: Can I assure the member that there was a technical problem with the train, as often happens when one is moving into leading-edge technology. Rather than accept the train, as has happened in the eastern States, and then have to cut the service short when the train was not fully operational, we have decided that it is better to ensure that the train is 100 per cent operational before we take delivery of it. That is the only reason for a delay.

Mr M.W. TRENORDEN: It is not because of the minister's stated reason that she does not like the train?

Ms A.J. MacTIERNAN: As the member knows, I absolutely love trains. The *AvonLink* has great -

Mr M.W. TRENORDEN: There is no passion for the *AvonLink* from the minister or any of her people over there at all.

[Mr D.A. Templeman took the Chair.]

Mr J.N. HYDE: I refer to page 793 of the *Budget Statements* and major achievements for 2003-04. With regard to the new *Prospector* railcar services - I will be using the *AvonLink* in a couple of weeks to go to Northam on that line - when will the services commence? What is the reason for the delay in introducing that new train and what is the effect of that delay on the budget? My understanding is that some testing is happening at the moment on the Midland track and that the train is running, even if not on the designated service line just yet.

Ms A.J. MacTIERNAN: The train is running. As I said, we are trying to ensure that the electrics are 100 per cent reliable before we take delivery of it. This delay in service has had no detrimental effect on the budget. The cost has been borne by United Goninan, the supplier of the train. We are very excited about the first formal trip for the *Prospector*, which will be running on normal services as of 28 June 2004. It will be a fantastic service. Bookings are now open and we urge members to book a trip to the fabulous city of Kalgoorlie.

Mr J.N. HYDE: So it is a 2003-04 delivery.

Ms A.J. MacTIERNAN: It is a 2003-04 delivery for the *Prospector*. The *AvonLink* will open shortly thereafter as a new and enhanced service. In particular, we will see some very good services for the people of Merredin.

Ms K. HODSON-THOMAS: Mr Chairman, it is so nice to see you here.

Ms A.J. MacTIERNAN: She says that to all the Chairmen.

Ms K. HODSON-THOMAS: No, this one in particular, because he is a new chairman in the Estimates Committees and we should encourage him to continue in that role. At page 796 under works in progress, \$8 million appears for the North Quay rail loop at the Fremantle port. Can the minister tell us what will be the expected average length and height of the double-stacked containers that will use this loop and the rail through the historic west Fremantle precinct and along the Fremantle esplanade; how many 20-foot equivalent containers will be carried on this line, including empty returns to the port; and how many train movements there will be per day?

Ms A.J. MacTIERNAN: My understanding is that at the height of the capacity we anticipate there will be - I have to use these phrases carefully - eight train movements; that is, four trains in and four trains out. We anticipate that the maximum freight load will be four trains in and four trains out per day; that is, a total of eight train movements per day, which is one every three hours. When we came into Government, we had the absurd situation in which five trains per week were using that infrastructure that cost hundreds of millions of dollars. We have now got that up to around 10, perhaps 12, trains per week. We have certainly more than doubled the number of trains going in. It was an absurd lack of use of that infrastructure. However, at the height of capacity, we are only expecting four trains; that is, eight train movements a day.

Ms K. HODSON-THOMAS: What about the height of the trains? Will they be double-stacked trains?

Ms A.J. MacTIERNAN: It is certainly our hope that they will be double-stacked trains. All modern efficient rail logistics suggest that we should be using double-stacked trains. We will need to do work on the Fremantle-Kewdale line to effect that, and this \$8 million loop is part of that. We have asked the federal Government to work constructively with us to fund the necessary package to do that. We estimated at the time that it would cost about \$24 million. We asked the federal Government for \$12 million. We are still hoping that we will get a share of its money, particularly as it is spending something in the order of \$300 million on fixing up the linkages into Sydney. We hope that the federal Government will be able to throw us a few crumbs by the way of \$12 million.

Ms K. HODSON-THOMAS: Can the minister provide by way of supplementary information the average height and length of the train expected, considering that there is no-one here to provide her with that information?

[12.10 pm]

Ms A.J. MacTIERNAN: To meet the 30 per cent target, it is necessary to have four trains of 600 metres in length.

Ms K. HODSON-THOMAS: What about the height?

Ms A.J. MacTIERNAN: Obviously, it is the height of two containers.

Mr N.R. MARLBOROUGH: I refer to the SmartRider ticketing system listed as a major initiative at page 792 of the *Budget Statements*. The budget papers indicate that the new system is intended to be introduced in 2005. Is that the financial year? What time will it be introduced in that year? Will the minister advise of the progress of the system and what impact it will have on the passengers?

Ms A.J. MacTIERNAN: We anticipate the rollout of the system in March 2005. That is our aim. We are currently running a trial involving 450 patrons at the Stirling train station. We might be able to give the member a ticket at that station if he is interested in seeing how the system operates. This is about introducing the latest in technology to our public transport system to encourage people to use public transport. Australians have a very high take-up rate of new technology. We are confident that this new technology will be embraced. It involves people acquiring a card that holds value, much like a credit card. The difference is that people put money into the card before it is spent. It is not a credit system. The card holds a certain value, which can be utilised to access public transport. People will not have to carry around handfuls of money. They can keep the card in their wallets or bags. The card is scanned when a person enters the system through a barrier and is scanned again when he exits. The system will automatically calculate the fare and deduct that value from the card. The Government will encourage people to link the card to their bank accounts so they can have an automatic top up of the card each month.

Mr N.R. MARLBOROUGH: Will it apply to buses as well?

Ms A.J. MacTIERNAN: It will be applicable to buses and ferries. Obviously, the system will be rolled out over time. For people who are uncomfortable with the new technology, there will still be paper tickets available. We expect a very high take-up rate of the new system. It makes using public transport very efficient. It is part of the endeavours the Government must make to get people out of their cars and onto public transport. We will ensure that Perth remains a liveable city into the twenty-first century.



Mr J.B. D'ORAZIO: Does that mean that a person can link the card to his bank account and have it credited automatically?

Ms A.J. MacTIERNAN: Yes, it is an option. However, not everyone will want to do that because some people have concerns about privacy. The option will be available, and we will encourage people to use it, because it makes the system more economical. People will receive larger discounts if they use that option.

Mr J.B. D'ORAZIO: I refer to the first output at page 790 of the *Budget Statements*. Concerning the Kenwick link, is the minister able to advise of the comparative cost of operating the previous Government's discredited Kenwick deviation? I have a great interest in this topic as I was on the planning commission when it was considered. We thought it was a stupid idea even then.

Ms A.J. MacTIERNAN: Is that right?

Mr J.B. D'ORAZIO: Absolutely. It was only considered because it was supposed to save some money. Is the minister able to advise what it will cost to operate?

Ms A.J. MacTIERNAN: I will keep my comments brief. It is a pretty extraordinary story. The operating estimate for the Kenwick deviation - less the revenue from the fare boxes - is approximately \$40 million per annum. The operating cost for the fast, direct railway is approximately \$24.5 million. I would like the member for Kingsley to take this on board. It would cost \$15 million more per annum to operate the Kenwick deviation than the fast, direct link. It would be a second-class service for almost twice the price.

Mr J.N. HYDE: I refer to the capital works program at page 795 of the *Budget Statements*, particularly the reference to the city project works. I am very keen to grill the minister to see what she can advise is being done to keep alive the idea to sink the rail line between Northbridge and Perth.

Ms A.J. MacTIERNAN: It has become evident that it is not financially feasible to either sink the rail all the way to the freeway or to Milligan Street. The Government is still very confident that either now or in the future the rail line between William Street and King or Lake Streets will be sunk. I was in Melbourne on Sunday and I looked at Federation Square. The cost and value of land in Melbourne is much higher than in Perth. No rail line has been sunk between the central business district and the south bank of the river. However, a portion runs across a bridge. It is important to get these ideas into perspective when we look at costs. Because we intend to sink some of the Mandurah to Joondalup line between William and King Streets, it will be feasible either now or in the future, as a separate project, to sink the Fremantle line. There will be only one line remaining aboveground at that time. There will be no operational difficulty in sinking the line in the future. The two projects do not have to be done together. However, we are still working towards seeing whether we can do it simultaneously with the work currently being undertaken. If we can, we will do it. If it is not financially feasible, we have no doubt that it will happen sometime in the future. There is nothing we are doing now that will compromise that. Of course, what we are doing now makes it possible. If we had gone with the Kenwick deviation, it would have been impossible.

Mr J.N. HYDE: The minister can guarantee that there will be no decision to not sink the Joondalup line between the CBD and King Street?

Ms A.J. MacTIERNAN: We have already contracted for that; it is already happening.

Mr A.D. McRAE: Concerning this division, I would like some details on the works planned in this financial year and the out years on the two railway stations on the fast, efficient and direct New MetroRail line that affects my constituents. At the moment, two stations are proposed with the working titles of Leach Highway and South Street. There is some debate whether they should be called Bateman and Murdoch or some other names. Some City of Melville councillors have suggested Bull Creek.

[12.20 pm]

The CHAIRMAN (Mr D.A. Templeman): The member needs to refer to a line item. I presume he is referring to the line item for rail stations.

Mr A.D. McRAE: I am indeed. I want to get some idea of the program of planning and works for those two stations.

Ms A.J. MacTIERNAN: The contract for the construction of those two stations is currently out for tender and we expect to announce the preferred proponent shortly. We anticipate that probably in three months we will have the signed, sealed and delivered contracts for both those stations. I think that the South Street station should be called Murdoch.

Mr A.D. McRAE: I agree with that.

Ms A.J. MacTIERNAN: I think there is a lot of value in doing that.

Mr A.D. McRAE: I also think the other station should be called Bateman.

Ms A.J. MacTIERNAN: That is certainly being considered. A lot of work is being done around the Murdoch station. As we always say, this is more than just a railway line; this is about getting a transit-oriented city and developing an

interconnected city between hubs of activity. We are now focused on getting some very creative development happening around the Murdoch railway station. I hope that in the next couple of months we will have some ideas with which we can go out to the community.

**The appropriation was recommended.**

**Division 49: Western Australian Planning Commission, \$55 291 000 -**

Mr D.A. Templeman, Chairman.

Ms A.J. MacTiernan, Minister for Planning and Infrastructure.

Mr J. E. Dawkins, Chairman.

Mr I. Patterson, Secretary.

Mr P. Frewer, Executive Director, Integrated Planning, Department for Planning and Infrastructure.

Mr T. M. Hillyard, Manager, Western Australian Planning Commission Land Asset Management, Department for Planning and Infrastructure.

Mr R. D. Farrell, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Mrs C.L. EDWARDES: I refer to the major achievements for 2003-04 on page 826, and in particular the market gardens in east Wanneroo. I know that a number of matters to do with market gardeners are still before the minister. Can the minister give me a time frame for the east Wanneroo land use and water management scheme, and how consultation is progressing? More particularly, can the minister give me a time frame for those market gardeners to have their appeals heard?

Ms A.J. MacTIERNAN: Our approach has been not to just deal with these matters on an ad hoc basis. About eight appeals from the east Wanneroo area were made against rejections of subdivision applications. Although a number of landowners had what seemed to be a fairly cogent argument - that is, they could not get a water allocation so why should they continue to be defined as horticultural or rural users - I thought it was very bad planning to make decisions to fundamentally change the planning for east Wanneroo on the basis of ad hoc appeals, so I set up the east Wanneroo land use and water management strategy, which has been chaired by the local member, Dianne Guise. Dianne has brought together the Department of Agriculture and the Western Australian Planning Commission to look at land capacity, water availability and future plans. This committee has come up with three different concept plans. We have briefed the Wanneroo council on those and shortly we will hold a public forum at which we will go through those various concept plans and get feedback from the affected landowners. We hope that we will have a draft report that will go to the Planning Commission by around June.

Mr J.B. D'ORAZIO: I refer to the third dot point on page 828, which relates to the "Dialogue with the city". What steps are being undertaken to implement a dialogue with the city at a local level? It is great to have these initiatives, but we need to see how they will be effected locally.

Ms A.J. MacTIERNAN: I will be very brief on that matter, because we went through it during the Department for Planning and Infrastructure division. Since the dialogue with the city was held, we have been working with a local government group, comprising some 14 elected officers, to develop a framework for how those broad objectives of dialogue are translated into action on the ground at a local government level. Also, to assist local government, yesterday we announced a \$1.5 million program, \$500 000 of which will be directed towards encouraging or enabling local governments to run their own mini-dialogues so that they can get their communities on board and engaged in this process. An additional \$1 million will be available in the following year to those communities to implement some of the infrastructure works that might be necessary to put those in place. At the moment we are also forming a partnership with the Western Australian Local Government Association.

[12.30 pm]

Mrs C.L. EDWARDES: I refer again to page 826 and to major achievements for 2003-04. Although it is not specifically mentioned, I take it that one of the plans affected by advice and recommendations would be Capricorn Coastal Village in the Yanchep-Two Rocks area, which is owned by the Tokyu Corporation and is part of stage 1 of the St Andrews development. What is the current status of the plans for that coastal village development? Does the current structure plan for the development include retaining the existing Club Capricorn camping and caravanning facilities or does it provide for replacement facilities?

Ms A.J. MacTIERNAN: I have approved a town planning scheme amendment during the past couple of months that would enable them to reconfigure some of that site. They are still in the process of developing the local structure plan for the whole area.

Mrs C.L. EDWARDES: I take it that the minister has not approved anything that incorporates camping or caravanning facilities. What is the current state of the process?

Mr FREWER: The structure plan will need to complete evaluation and approval. Rezoning will flow from the approval of the local structure plan. There is also a district structure plan, which has been required by the City of

Wanneroo to cover the whole of the land holdings of Tokyu. That is still being developed by the proponents in consultation with state and local governments.

Mrs C.L. EDWARDES: Would the minister support any structure plan that did not incorporate caravanning or camping facilities?

Ms A.J. MacTIERNAN: We would certainly be very focused on ensuring the maintenance of those sorts of facilities in the area. One of the things that we have been very conscious of is the loss of caravanning and camping areas. If there were to be any reduction in that area, there would have to be some compensating provision nearby.

Mr J.N. HYDE: I would like to take a regional focus. At the fourth dot point on page 828, one of the regional planning initiatives refers to Carnarvon-Ningaloo. Will the minister explain the current status of the Carnarvon-Ningaloo regional planning process?

Ms A.J. MacTIERNAN: It is now at the stage where it is a draft strategy. The strategy has been drawn up after very extensive public consultation. A series of option papers were developed. They went out to the public for a period of about six months. Active workshops to go through the elements of the option papers took place in all the affected areas. Arising out of the public and professional comment on those option papers, we came up with a strategy. To satisfy the statutory requirements, it had to be produced as a draft strategy. That is now available for consultation over the next few months. I think at the end of May the public consultation period will be complete. We will then prepare a response to it with a view to having that strategy signed off by July 2004. At the same time, work is progressing on a whole range of fronts. Getting the infrastructure right in Coral Bay is of course part of what we are doing. Sewerage works are under construction; drilling and design for water supply is under way; and there are now environmental approvals for the boat ramp, the construction of which will be under way shortly.

Ms K. HODSON-THOMAS: I refer to page 830 and the major achievements for 2003-04. The land acquisition mentioned on that page refers to the southern suburbs railway and the city project, including the underground William Street platforms and the completion of the negotiations of the compensation claims for the new city railway station. Will the minister outline for us what negotiations have been completed to date with property owners and lessees? Have any of those negotiations been settled; and, if not, where do they stand?

Ms A.J. MacTIERNAN: A number of claims have been settled. There has been a final discharge on four of the properties. Some of these relate to businesses.

Ms K. HODSON-THOMAS: Are they lessees?

Ms A.J. MacTIERNAN: Yes. We have so far settled in full \$3.23 million of claims of which \$2.78 million has gone to landowners. We have paid an additional \$2.45 million in advance payments. We anticipate that this year we will be settling an extra \$32.92 million.

Ms K. HODSON-THOMAS: Is it possible to get a breakdown of those figures - the \$3.23 million in claims -

Ms A.J. MacTIERNAN: No, it is not for claims. We will be very candid about this. The amount for claims well exceeds the amount we have budgeted for. The claims amount to \$67 million.

Ms K. HODSON-THOMAS: I understand that. That is why I am asking the minister.

Ms A.J. MacTIERNAN: We think that a large element of those are in pixie land. There is an enormous amount of blue sky in the estimates that have been made by people of their entitlements. However, those are all the claims that we have received. I am happy to give the member a breakdown of the \$3.23 million that we have paid out to date - that is, the settled-in-full payments - and the \$2.45 million in advanced payments that we have made.

Ms K. HODSON-THOMAS: Will the minister provide that by way of supplementary information?

Ms A.J. MacTIERNAN: Yes.

[*Supplementary Information No B7.*]

Ms K. HODSON-THOMAS: The figures that the minister has provided to date relate to not only property owners but also lessees, do they?

Ms A.J. MacTIERNAN: That is right, although of those that are settled in full, \$2.7 million is for landowners. Therefore the majority has been for landowners, but not exclusively. Some of the businesses that have settlements discharged in full - and I must say I think some are very generous - are Traveller's Club, Student Flights, the Haircut Shop, Soi Duong Footwear Specialist and Mountview Corporation Pty Ltd.

Ms K. HODSON-THOMAS: What about King Kong?

Ms A.J. MacTIERNAN: There is a King Kong. He is a lessee. He is King Kong in the city. He has been made an offer and been paid \$404 000 to date.

Ms K. HODSON-THOMAS: Is that an advanced payment?

Ms A.J. MacTIERNAN: Yes, an advanced payment but not a discharge. Part of the problem with the owner of King Kong Sales is that his analysis of his entitlement under his arrangements with the landlord is very different from the

landlord's analysis of his arrangements with the landlord. The landlord has made one set of claims about the nature of the agreement and he has made a contrary set of claims about the nature of their arrangement.

[12.40 pm]

Mrs C.L. EDWARDES: I refer the minister to the major achievements for 2003-04 on page 828 and specifically to the greater Bunbury region scheme. I asked a question on this matter earlier. The *Budget Statements* identify that the scheme is in preparation and should be completed in late 2004. Some very unhappy people will still be caught up in that scheme. Those people believe that their concerns have not been adequately addressed. Those who continue to do the right thing for the conservation and preservation of their properties will be impacted upon more greatly than other landowners who by comparison have not done the right thing. Some would prefer to retain their properties and continue to manage them in an environmentally sensitive way. I understand that the Appeals Convener recently sent two representatives to go onto the land, rather than to do the work on the desktop or by looking over the fence, which occurred last year. I am surprised to find that the listing for this scheme states that it should be completed in late 2004, when a significant number of people are still very unhappy about the process.

Ms A.J. MacTIERNAN: The member would know about such issues from her experience in her electorate with the Zuvella family, who have been unhappy that their property has been characterised as regional open space. Nevertheless, the member valiantly supported the WA Planning Commission and its acquisition of that property, notwithstanding the unhappiness of that group of people.

Mrs C.L. EDWARDES: Although that was done long before I was a member of Parliament. I supported the establishment of Yellagonga Regional Park.

Ms A.J. MacTIERNAN: The member actively prosecuted the case. There are always unhappy people when a regional planning scheme is introduced. We accept that. We will never be able to please all of the people all of the time. However, at the urging of Hon Adele Farina, who brought a group of those landowners from Bunbury to meet with us in February, we went through their concerns. It seemed to me that some alternatives might be available. As a result, more detailed work has been undertaken, which the member acknowledged. The Environmental Protection Authority has gone to the area to do a more detailed assessment. One gentleman in particular - I think it might have been Mr Smith - had some very interesting points to make about his area. The member for Kingsley made a valid point that it is ironic that those people who have acted in a very conservation-minded way and whose land has not been cleared now find themselves in a situation in which that land has become valued. I accept that there is a feeling that that is unfair. We are experiencing extraordinary levels of growth in the south west and we must make accommodation for regional space, including regional space of high conservation value. We stress, and it is important to remember, that this is not a resumptive scheme. Even once this scheme is in place, we will not go around resuming their properties. They can hold onto their properties for as long as they like, but if they want to redevelop that land, that is the point at which our obligations to purchase that land will come into effect. If they want to sell that land at any stage, our obligations will arise. They can keep that land for as long as they like. However, ultimately, they will not be able to develop or clear it.

I point out that the metropolitan region scheme was implemented or gazetted more than 40 years ago. Some areas that were gazetted under the metropolitan region scheme as regional open space are still in private ownership. This does not happen overnight.

Mrs C.L. EDWARDES: I wish to clarify the process. The *Budget Statements* state that the scheme should finally be prepared by late 2004. Does that mean that a major amendment is not likely to come into the Parliament before next year?

Ms A.J. MacTIERNAN: It may do. I will go through the flow chart. We are expecting the Minister for the Environment to finalise the environmental appeals by next month. When that is done the committee will consider the final report on submissions, because the environmental issues must first be cleared. The WA Planning Commission will look at the final report on submissions. In August or, more probably, September, the committee will consider final scheme documentation. Around September-October the WAPC may be able to consider the final report on submissions. That would then come to us and to Cabinet for consideration. That all depends on the timing of the Minister for the Environment and the finalisation of the appeals. It is possible that this could be at least laid on the Table of the Parliament before the end of this year.

Mrs C.L. EDWARDES: I refer to the major achievements on page 828. The minister mentioned that over the past 40 years of the metropolitan region scheme, some properties have not yet been resumed.

Ms A.J. MacTIERNAN: I think the word I used was "acquired".

Mrs C.L. EDWARDES: Does the minister know of the properties that were acquired during that period -

Ms A.J. MacTIERNAN: During the past 40 years or so?

Mrs C.L. EDWARDES: Yes. Of those properties, which were subsequently sold by the Government? Has any assessment been done of properties acquired and then subsequently sold, but for which a first option was not given to the original owners?

Ms A.J. MacTIERNAN: What sometimes happens, for example, is that only part of a property might be required for regional open space but the owner wants to sell the entire property. In that instance, the entire property is purchased. The required area is then excised and the bit that is not required is on sold. As I am sure the member would be aware from her time as a minister, it is important to understand that if land is acquired rather than resumed, there is no obligation on the Government to offer it back to the owner when it wants to on sell it. That obligation arises only if property is resumed. There are a number of instances in which land has been acquired for a road and has not all been used when the final road reserve has been developed. The obligation is to offer that land back to the landowner if it was resumed. I imagine that the WA Planning Commission has been abiding by the law and doing that.

Mr HILLYARD: Very diligently.

Ms A.J. MacTIERNAN: It has been diligent. It is important to understand that if it is a negotiated purchase rather than a resumption, it is not necessary to do that.

[12.50 pm]

The CHAIRMAN: I refer to the region scheme planning initiatives and the implementation of the Peel region scheme listed on page 828 of the *Budget Statements*. Is the minister able to provide details of the value of the land that has been acquired to this point since the implementation of the region scheme?

Ms A.J. MacTIERNAN: The Western Australian Planning Commission has purchased about \$3.8 million worth of land just for the Peel deviation. This financial year the Government has spent another \$265 000 on land acquisition. For the coming financial year it is proposed that another \$5 million be spent on land acquisition for the Peel scheme. That will bring the total amount the Government has spent on the Peel scheme to \$8.8 million, which is well in excess of the Government's undertaking to spend \$5 million. That gives lie to the type of nonsense being peddled by Senator Ian Campbell that the State Government is not moving full steam ahead with the facilitation of the scheme. Interestingly, in the Peel region scheme, overall some \$17 million of land has been purchased. They are big acquisitions in the Peel region.

Ms K. HODSON-THOMAS: I have a follow-up question to that asked by the member for Kingsley. So that I can clearly understand this matter, which relates to the Fremantle eastern bypass, will the minister advise whether the properties acquired by the Government for that road reservation were purchased or acquired?

Ms A.J. MacTIERNAN: They were all purchased. No-one was ever going to build it, so they never resumed anything.

Ms K. HODSON-THOMAS: There is no need to make this political. I am trying to get some clarification. In essence, do those properties not have to go back to the original owners?

Ms A.J. MacTIERNAN: That is correct.

**The appropriation was recommended.**

*Sitting suspended from 1.00 to 3.00 pm*

#### **Division 50: Industry and Resources, \$130 582 000 -**

Mr A.J. Dean, Chairman.

Mr C.M. Brown, Minister for State Development.

Dr J. Limerick, Director General.

Mr G.A. Dellar, General Manager, Office of Major Projects.

Mr B.J. Peden, Project Manager, Approvals Review Team.

Mr S.G. Grocott, Acting Director, Business Development.

Mr G.W. Stephens, Acting Director, Office of Aboriginal Economic Development.

Mr P. Herlihy, Manager, Management Accounting.

Mr S. Smith, Deputy Director General, Mineral and Petroleum Services.

Mr T. Jupp, Project Director, Forest Policy Implementation Office.

Mr N.G. Roberts, Chief of Staff, Office of the Minister for State Development.

Ms J.P. Gisbourne, Principal Policy Adviser, Office of the Minister for State Development.

Mr D.J. Lee, Principal Policy Adviser, Office of the Minister for State Development.

The CHAIRMAN: This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated fund. This is the prime focus of this committee. While there is scope for members to examine many matters, questions need to be clearly related to a

page number, item program or amount within the volumes. For example, members are free to pursue performance indicators that are included in the budget statements while there remains a clear link between the questions and the estimates. It is my intention to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, I ask the minister, when this occurs, to clearly indicate to the committee what supplementary information he agrees to provide. I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the committee clerk by 11 June 2004, so members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers. Accordingly, I ask the minister to cooperate with those requirements.

I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide will be sought by 11 June 2004.

Mr C.J. BARNETT: The first dot point at page 839 refers to some concerns about the United States economy. I am interested in knowing how the department assesses the current robustness, or otherwise, of the United States economy and its impact on Western Australia.

Mr C.M. BROWN: I will let Dr Limerick talk about how the department assesses that, but from my perspective the figures that are coming out certainly suggest that the United States economy is improving. There is no question about that. Some very good numbers on employment growth and economic forecasts have been delivered recently. However, a number of commentators are saying that they are worried about whether the current growth rate in the United States will be sustainable over the medium term. They are also toying, as the Leader of the Opposition would be aware, with the question of interest rates. Various pundits are suggesting that interest rates will move. That is a matter, as I understand it, that Greenspan has an opinion on. Certainly from my perspective, from reading what the economic commentators have to say, there is a strengthening economy in the United States, but it is by no means clear that it will be sustainable in the medium term. Dr Limerick may wish to comment on that from a departmental perspective.

Dr LIMERICK: My only additional comment would be about the impact of sustained oil prices, if they remain above \$40 a barrel, on not only the US economy but economies worldwide. As the minister said, there was a concern until recently that the jobs growth in the United States was not being reflected in the figures. It seems to be evident now, from the most recent figures that have come out, that there is jobs growth in the United States and that the United States economy is going ahead. However, it is a bit fragile due to oil prices and, of course, whatever might come out of the politics that will lead up to the United States presidential election at the end of this year.

Mr J.N. HYDE: I refer to page 839, significant issues and trends. I refer particularly to the protection of old-growth forests. What support has been provided to the timber industry, particularly in the south west?

[3.10 pm]

Mr C.M. BROWN: I thank the member for the question. As members know, the Government came to office on a platform of protecting old-growth forests. That was clearly a commitment that was given in the election campaign and one that we have moved rigorously to implement. We always knew that that commitment would mean a slimming of the timber industry and that we would need to provide various levels of assistance both for those companies that are exiting the timber industry and those that will stay in the timber industry. A number of companies have gone out of the industry. In fact, we have exited quite a number of businesses. I made a parliamentary statement on that matter about a month ago, in which I listed the payments that have been made for the business exits, together with the industry assistance payments. A number of companies sought a business exit before the end of their contracts, which was 31 December 2003. Each of those companies had a contract with the Forest Products Commission for an amount of jarrah. When those companies exited, the cancellation of those contracts resulted in the recovery of nearly 193 000 cubic metres of jarrah. We have provided additional funding for industry development assistance. We were hopeful that the Australian Government would come forward with a co-contribution to work with the State on the original intended allocation of \$15 million. Unfortunately, that did not occur and the State had to consider increasing the amount that it had set for industry assistance. As such, we have now allocated a total of \$28.5 million for industry assistance. I released a ministerial statement detailing all the companies to which those funds went. We are finding new opportunities emerging and I will refer to one.

Whenever timber is in short supply, people become imaginative in their efforts to recover as much timber as possible. The State is currently working with and prepared to assist a company that is considering purchasing some new equipment. This new equipment will result in the company using residue timber; that is, timber that is not currently used but is just thrown out. The work on this project will create an additional 30 or so jobs in regional Western Australia. Interestingly, because the product is residue timber, it will generate royalties for the State roughly estimated at \$1.5 million a year. Although the State will assist the company with a payment of about \$2.2 million, the payback

for that will be about \$1.5 million plus a year in additional royalties and about 30 or 40 jobs in regional Western Australia. We have worked assiduously with the companies that have been given a timber allocation and we are still working on more things to be done. We have also assisted companies that are exiting the industry.

From time to time members have asked about the process companies go through when they exit the industry and how assessments are made of payments made to those companies. A panel of assessors, which includes Pricewaterhouse and RSM Bird Cameron, the Australian property consultants, assess the value of the businesses and then make recommendations to an across-department committee that includes the Forest Products Commission, my department, the Department of Industry and Resources, the Department of Education and Training and the forestry policy implementation office. The panel then considers the payments and any appeals that may be lodged on behalf of people going out of the industry. Applicants who consider they have not been given an appropriate exit business payment have the opportunity of appealing and when there is disagreement on the valuation of a business, advice is sought from the Valuer General's Office, which conducts an independent arbitration. It has been a very comprehensive process. We have been working with both timber companies that are exiting the industry and those that are staying in the industry. We are seeking to assist the industry by working with those staying in the industry on upgrading their equipment so that they can work with timber that is available and increase their recovery rates. We have also been working strongly with and providing money to members of the furniture industry so that they can improve their designs. For example, although the American market likes the finish of jarrah interior furniture, it did not like the design. We have provided money to members of the furniture industry so that they can work with the University of Western Australia to improve their designs and export opportunities. There has been some success with that work. We are close to getting to the end of the restructuring process, but we are not quite there yet. Overall the vision is for the timber industry to continue, albeit with lower volumes, and for maximum value adding. We are working hard to achieve those objectives.

Mr C.J. BARNETT: I asked a question about the United States on some general project issues. I am interested to know how the department views the medium-term prognosis for China's growth. Does the minister see particular risks in the very high rate of growth in the Chinese economy?

Mr C.M. BROWN: I will comment first and then I will ask Dr Limerick to comment. I was in China about three weeks ago. While I was there, I had some discussions at the most senior level with the National Development and Reform Commission; that is, as the Leader of the Opposition knows, the economic regulator in China. The chairman, Ma Kai, is the equivalent of a cabinet minister, if we compare the Chinese system with the British system. I met with Vice-Chairman Zhang while I was there, who is equivalent to a senior minister compared with the British experience. Essentially, as the Leader of the Opposition knows, China had about a 9.5 per cent growth rate last year. The major speech given by Premier Wen Jiabao at the National People's Congress in March this year indicated that China did not want that sort of growth rate. It wants the growth rate to come down by about two and a half points and is aiming at a growth rate of about seven per cent. As the Leader of the Opposition would be aware, that is still a very significant growth rate. In my view the Chinese economy will continue to grow significantly, but the Chinese leadership will not let that growth get away from it. I will give one example of that. The Chinese National Development and Reform Commission has required each proponent for a new steel mill to get the commission's approval. There are currently 22 applications for new steel mills, ranging in size from a few million tonnes up to 10 million tonnes. If all those steel mills were to come into production, they would provide conservatively more than 100 million tonnes of steel. Although the market will take more steel production, it will not take that amount. While I was there, the question was: why not let the market sort it out? The difficulty for the Chinese leadership is that many companies seeking to expand their production or set up new facilities are state-owned enterprises. The Chinese Government is therefore keen not to invest money in state-owned enterprises and then find that the investment is not in the critical place. My judgment is that China will continue to grow and for the next financial year the Chinese leadership will see that growth continue at seven per cent. There has been some debate about whether that might be after the Beijing Olympics, as some economic commentators have suggested. However, we will have to see where the Chinese leadership takes the country in 2020. It wants the country to be equivalent to an industrialised country. If the Chinese leadership is to achieve that objective, it must have growth rates of at least seven per cent. My perception is that growth will be very strong in the next four to five years and the Chinese leadership will have to have stronger growth in the out years after that as well if it wants to achieve the goal it has set for itself. Dr Limerick might also comment on the economic position in China.

[3.20 pm]

Dr LIMERICK: I agree with all the minister's comments. Interesting statistics came out at the end of March. The investment growth in China to the end of 2003 was about 27 per cent. The latest statistics to the end of March this year are around 40 per cent. That has started to ring alarm bells because inflation also started to kick up to about 3.4 per cent at the end of the first quarter. That triggered Wen Jiabao's comments about having to put on the brakes. Even so, the Asian Development Bank is forecasting that investment growth will average about 17 per cent by the end of 2004-05.

The latest assessments I have seen by Standard and Poor's and the International Monetary Fund suggest a soft landing. In the past couple of weeks Standard and Poor's has said that it sees no need to downgrade the quality of Chinese credit. The IMF came out positively a couple of weeks ago in its last world economic review and said that it foresees growth in China being able to continue in the long term at six to nine per cent provided the pace of reform continues to be quite

strong. This is being driven by, as much as anything else, the Chinese Government's very positive approach to what it calls "xiaokang", which is to increase the wealth of the Chinese from about \$US1 000 per capita now to about \$US3 000 per capita by 2020. That will treble the individual wealth of the Chinese person in the street. That in itself will lead to a growth in consumerism. Growth at the moment is being driven by infrastructure development and new investment in manufacturing equipment. Over the next several years, that will convert into more of a consumer-driven economic growth, and that will take some of the heat from the huge flow of materials inputs that go into China and, therefore, the increasing costs that is causing to not only China but also everybody else in the region.

Mr C.M. BROWN: The other point about the domestic economy is that when we met senior officials in Shanghai they suggested that, in the technical areas, wages were now averaging \$US6 000 a year. That is a huge increase, albeit only in Shanghai. That happens to be the most significant area of growth. There is no doubt that for some of the technical and skilled workers, rates are starting to move quite significantly. People in leadership positions at the provincial level were trotting out those figures. Officials indicated that, even in our sister State of Zhejiang province, the average, from memory, of about \$US1 800 has increased to around \$US3 000. In some of those areas incomes have already increased.

Mr J.J.M. BOWLER: The seventh dot point on page 840 refers to the international competitiveness of Western Australia and ends with the words "responsible growth". As a member whose electorate takes in much of the mining industry, I am particularly concerned at the growing internationalisation of the mining industry and its possible impact upon individual operations. I refer to the Windimurra vanadium mine and the fact that a very profitable mine in Western Australia might be closed by forces beyond our control. I understand the minister is aware of this. What is happening and what does the future possibly hold?

Mr C.M. BROWN: I am very much aware of that. We have raised that matter formally with the senior management, both in Western Australia and internationally, to try to get some agreement that if they do not want to operate the mine, to at least put it on the market.

Mr C.J. BARNETT: You are following my suggestion.

Mr C.M. BROWN: No. We have raised that matter with the Xstrata people. They have indicated to us that they are prepared to receive a commercial offer for the mine. The sticking point appears to be that they have said that they have not received a commercial offer. What they consider to be a commercial offer is a commercial offer for the value of the investment in the plant for the mine. They said that if they were to receive a commercial offer like that they would consider it. That is not to say they would accept it, because they say in their own media release that part of the issue with Windimurra relates to the world supply of vanadium and the impact on the price.

I have indicated quite firmly that if the purpose of the closure of a mine in Western Australia is to keep the market tight and keep prices high, that is not in the State's public interest and Xstrata must understand that. Equally Xstrata has said that from its perspective, for a variety of reasons, the mine is not economical and the company has decided to close it. It remains of that view despite representations. It raises a very important public policy question; namely, what powers should be open to the State in the event that a decision is made by a company that ostensibly means it is closing down an operation here when it appears that that closure is, in part, about keeping up world prices. There are no coercive powers or provisions under the Mining Act to deal with that matter.

Accordingly, I have taken up this matter with Xstrata, at both state and international levels, and have got nowhere on the company's position. I have taken the opportunity of formally raising that matter with the Chamber of Commerce and Industry and the Chamber of Minerals and Energy seeking urgent discussions because it is a critical public policy issue that will apply to not only Xstrata but also every company. If changes are to be made to the Mining Act, obviously those changes will not apply to a single company; they will apply per se. I have only very recently written to both chambers. I hope to have discussions with them later this week about that matter. I also asked in that letter whether they could bring to bear some influence on the decision and to make some representations on behalf of the State. We are making the representations and seeking to involve the industry groups in that matter because it is an important public policy issue. Clearly, at this juncture, it appears that Xstrata will not change its position, although it says it is open to a commercial offer. As I said, I hope we can have some discussions about this matter with the two Chambers later this week or early next week. The issue is complex because Xstrata is in the process of dismantling the plant. It has been put to me that once the plant is dismantled the opportunity will have gone.

The removal of the tenements has been raised with Xstrata. It has indicated to us that it does not intend to try to keep the tenements. It has certain legal obligations concerning the tenements and rehabilitation. Xstrata has said that if it can get a buyer for the plant, it will sell it. Regardless of whether it gets a buyer, it will be happy to hand on the tenements, although it has certain obligations under the Mining Act to undertake rehabilitation and so on. It would have to fulfil those obligations first unless an arrangement could be entered into with someone else who was prepared to take on those obligations.

[3.30 pm]

Mr J.J.M. BOWLER: If the minister does not have power under the Mining Act, does he think that is the way we will have to go, particularly in view of the fact that the internationalisation of the mining industry around the world will lead to more examples of this in coming years?



Mr C.M. BROWN: It is a matter to which I want to give some thought. Two things that make Western Australia a standout place for investment are security in this State and low sovereign risk. We must be very careful about putting provisions in the Mining Act that allow the State to move in in such circumstances, because we could undermine international investment in the State.

Mr J.J.M. BOWLER: Queensland has something like that, though, does it not?

Mr C.M. BROWN: No, Queensland has -

The CHAIRMAN: Would members keep their questions and answers short, please.

Mr C.J. BARNETT: I have a point of order. I seek some clarification. I do not mind pursuing the issue, but I understand that normally formal questions are asked by various members.

Mr J.N. HYDE: They are interjections. We are happy for the Leader of the Opposition to interject.

The CHAIRMAN: There is no point of order. However, I ask that members keep their questions and answers short, please.

Mr C.M. BROWN: I will finish that answer. Queensland's arrangements for a certain bauxite mine are obviously similar to what we have in some of our state agreements; that is, under the state agreements, if a company does not go ahead and develop a mine or produce a project within the time frame it is given, it can be given notice. The company could then lose the ground, and it would be given to somebody else. That has not been the practice in WA. Generally, with most projects, when proponents have not been able to go forward, there have been some negotiations between the State and the proponent about some progress being made or deferments being given. That sort of provision does not exist under the Mining Act, but it does exist under most state agreement Acts whereby proponents have vacant land upon which they have an obligation to go forward with a project.

Mr C.J. BARNETT: I will continue on the Windimurra issue. Late last year, a Canadian group bought out Western Metals Ltd and its Pillara mines in the Kimberley. It immediately ceased its production. Some 200 jobs were lost. There was an immediate rise in the value of its Canadian operation. To me, that was anti-competitive and in breach of World Trade Organisation guidelines. Now Xstrata is suggesting that it will start to dismantle the plant at Windimurra. I ask the minister: firstly, has the company removed any equipment from that plant; and, secondly and specifically, what action has the minister taken to ensure that plant is not gutted, because that would be an act of economic vandalism?

The CHAIRMAN: Would the Leader of the Opposition point to the line item that refers to that?

Mr C.J. BARNETT: It is exactly the same line item that the member for Eyre referred to.

The CHAIRMAN: He should have pointed to it too.

Mr J.J.M. BOWLER: Point No 7.

Mr C.M. BROWN: We have made representations to Xstrata to not dismantle the plant and to on-sell it, or to at least make it available. I do not know whether it has started dismantling the plant as of today.

Mr C.J. BARNETT: Further to that, has the minister spoken personally to Xstrata management in Zurich, or has the department -

Mr J.N. HYDE: The Leader of the Opposition could not get away with this in question time, and he is trying again in this committee hearing.

Mr C.J. BARNETT: Has the minister spoken personally to the management in Zurich? Is it the minister's intention that he or a senior person from the department will discuss the issue with the senior management in Xstrata, because, with respect, that is where the decisions will be made?

Mr C.M. BROWN: Yes. We have communicated formally with the people in Zurich.

Mr C.J. BARNETT: Has the minister spoken with them personally?

Mr C.M. BROWN: No, we have sent them a letter about that, so they are very clearly aware of the position. They have come back to us and said that they are prepared to consider any offer.

Mr C.J. BARNETT: Any offer?

Mr C.M. BROWN: Any commercial offer. The point they have made to me, correctly or otherwise, is that they have not received a commercial offer.

Mr C.J. BARNETT: Would the minister explain his understanding of a commercial offer?

Mr C.M. BROWN: I will not explain my understanding of a commercial offer, but I will explain what I understand they mean by a commercial offer. I think what they mean by a commercial offer is an offer that takes into account the amount of investment they placed in the plant.

Mr C.J. BARNETT: With respect, that would not be a commercial offer. If they are talking about scrapping the plant, the value of the plant to them today is its scrap value, and any offer equivalent to or above that would have to be, by definition, a commercial offer.

Mr C.M. BROWN: The State does not control commercial negotiations between one entity and another. Those entities are free to make whatever commercial arrangements they wish or do not wish to make. The point that I have raised in my communication with the company is that we do not want mining operations closed down in Western Australia for the purpose of creating a tight market and inflating prices. If it is done for that purpose, it is not in the public interest. We have put that to the company, both verbally to the people in Western Australia and in writing to the senior people in the company. They have put back to us their position on that. I still think that leaves some questions unanswered. That is why I have raised the matter with the two Chambers with a view to having some urgent discussions with them about what they consider, from a business perspective, to be an appropriate response from government. It seems to me that if the company is going to do something that disadvantages the State, the State must look to see what it will do and what powers are available to it. The advice that I have received - unless that advice is incorrect - is that there are no powers under the Mining Act to do anything about it. If that advice is correct - I have no reason to doubt that the advice is correct - it leaves a vacuum in terms of the coercive powers the State may need in those circumstances.

Mr C.J. BARNETT: The minister will not find powers under the Mining Act. However, I suggest that the minister should be prepared to go to Zurich with the chief executive and confront that company head to head. I also suggest, if the minister has not done so, that he should refer this matter to the Foreign Investment Review Board. Has the minister done that?

Mr C.M. BROWN: No.

Mr C.J. BARNETT: I suggest the minister do that.

Mr M.P. WHITELY: I refer the minister to the sixth dot point of significant issues and trends on page 840, which refers to the importance of sustainability and governance issues. How does that apply in the case of the proposed expansion of Alcoa World Alumina Australia's operations at Wagerup?

[3.40 pm]

Mr C.M. BROWN: As the member knows, earlier this year Alain Belda, who is the Chairman of the Board and Chief Executive Officer of Alcoa worldwide, was in Western Australia. He indicated very firmly at the time that Alcoa was interested in expanding its operation in Western Australia. Arising from that, and following further discussions with Alcoa at the state level, it is clear that Alcoa is interested in expanding the Wagerup operation. I issued a media release about three or four weeks ago - I might be incorrect on that - indicating that Alcoa was interested in expanding in Western Australia and that the Government would undertake community consultation with the local communities with a view to arriving, within a matter of a few months, at a position on whether it would be generally supportive of the Alcoa expansion. Since that time, a sustainability study has been taking place under the chairmanship of Simon Holthouse, a former chairman of the WA Planning Commission. He is a very good person. He is overseeing that study being carried out by a consultant. Discussions will be held with the local community in Hamel and Yarloop about the expansion. We hope to have information on that matter in the next one to three months, when government will make an in-principle decision. I point out for the sake of the record, importantly, that some people have put it to me that government has already made a decision on the matter. Government has not made a decision on the matter, and government will make a decision on the matter only once community consultation has been sought and advice has been provided to government.

Equally, Alcoa has made it clear that it can invest in many places around the world, and that it does not propose to invest in areas in which it will face significant opposition from Governments or local communities. That view was forcefully put by the former Executive Vice-President of Alcoa, Mr John Pizzey, who has now retired. As far as I am aware, that remains Alcoa's view, notwithstanding the departure of Mr Pizzey. Alcoa is also undertaking a community consultation process. Two separate - it is important that they be separate - processes are taking place: the government is undertaking one, and Alcoa the other. A decision will be made in the next couple of months on the expansion and whether the Government and community are generally supportive of it. Once that decision is made, if it is made in the negative, Alcoa will invest elsewhere in the world; if it is made in the positive, Alcoa will be required to go through the normal approval processes, including environmental and others, to take into account all matters associated with its operation.

Mr C.J. BARNETT: I refer to output 1, titles and royalty administration, outlined on pages 845 of the *Budget Statements*. I notice a reduction in the budget for this area. With the pick-up I hope we will see in exploration and certainly in mining activity, I would expect growth in funding in this area. Why has the budget been cut by eight per cent in real terms for this part of the department? The figures for this program are outlined on page 844. The cut is about \$2 million from titles and royalties administration, which seems incongruous given mining industry activity.

Mr C.M. BROWN: What is referred to as a cut can be explained as follows: the previous year's allocation included two projects, one of which related to the MiTiS minerals title system, and the other was a special project related to native title. Those special projects received an allocation of a little more than \$1 million. If the Leader of the Opposition

takes that figure off the estimated actual, he will find that the figure is almost exactly the same as that of the previous year. A cut has not occurred. The previous year had two special projects that are now completed.

Mr C.J. BARNETT: The first dot point on page 845 refers to a reduction in the backlog of outstanding mineral applications. What is the current number of outstanding mineral title applications?

Dr LIMERICK: The figure for mining lease applications is 5 100, and the applications total is 12 000.

Mr C.J. BARNETT: How does that compare with recent years?

Dr LIMERICK: If the member wants accurate information, I will have to provide it by way of supplementary information. From memory, there have been around 5 400 mining lease applications.

Mr C.J. BARNETT: Can I seek as supplementary information the figures for applications in both categories for the past five years?

The CHAIRMAN: Is the minister prepared to provide that information?

Mr C.M. BROWN: Yes.

The CHAIRMAN: Can the minister reiterate the information to be provided?

Mr C.M. BROWN: We will provide advice on outstanding applications.

[*Supplementary Information No B8.*]

Mr C.M. BROWN: We have been working on this area for some time. I gave notice in Parliament of proposed changes to the Mining Act that very much result from a major report of the technical task force into native title matters and the Keating and Bowler reviews. A couple of issues in the Mining Act need to be worked through. The intention is to introduce some legislative changes that will seek over two to three years to reduce that backlog substantially. An interplay between the Mining Act, the Native Title Act and to some extent the Environmental Protection Act has caused the backlog. It is a matter of working through the interaction between the three pieces of legislation, bearing in mind that one is national legislation. It is a matter of working with the mining and native title representative bodies to find a way forward. We are close to that point. If we can achieve the level of agreement I hope will be forthcoming from all interests in the mining industry and those representing native title and environmental interests, changes will reduce that backlog by 80 per cent over three years.

Mr C.J. BARNETT: Can I clarify that the data I seek is for the past five years?

Dr LIMERICK: Yes.

Mr J.N. HYDE: The sixth line item under major policy decisions on page 841 of the *Budget Statements* refers to the 2005 World Exposition in Aichi, Japan. It has an allocation of \$600 000 for the 2004-05 budget and \$250 000 in the forward estimates. For what purposes will that funding be used?

Mr C.M. BROWN: This is a major World Expo to be held in Japan, which is very much supported by the Japanese Government and pursued with some rigour by the Japanese Ambassador to Australia a few months ago when he visited Western Australia and had discussions with the Premier and me. The Japanese Government is keen for strong participation in the World Expo. The Australian Government is allocating significant resources to showcase Australia, and has encouraged all States to participate. We have agreed to participate in the expo.

[3.50 pm]

Mr J.N. HYDE: What will be its duration?

Mr C.M. BROWN: It will be of six months duration. It is a significant program and will consist of 145 events. It will be an opportunity to showcase Western Australia through a whole variety of areas such as business missions and a VIP program that will showcase the provision of fine wine and food from Western Australia. There will be six priority sectors per month, starting from April and ranging through automotive, agribusiness, information and communications technology, environment, biotechnology, natural resources and energy. This will be a very significant program. We will be working with a range of departments and agencies to promote Western Australia and Western Australian business. The Australian Government is putting in considerable resources. Invest Australia, which is an agency of the Australian Government, will be setting up investment seminars and workshops to promote Australia as an investment destination. As part of the Australian forum, it will be very much about promoting Australia as a whole rather than any particular State, although we will be there seeking to draw attention to Western Australia. We will be there supporting the Australian push but we will be promoting Western Australian companies to get business opportunities for this State. There will be a variety of opportunities for business matching and host functions in the Australian pavilion. It will be a very significant investment. It is envisaged that most of the Australian States will participate. Japan is obviously our No 1 trading partner, so we will certainly be there. Just as all of the trade ministers from the Commonwealth and the States agreed to participate in promoting Australia in China, this will, in a similar vein, be the Commonwealth and the States participating together to promote Australia in Japan.

Mr P.D. OMODEI: I refer the minister to major initiatives for 2004-05 on page 845. The second dot point refers to finalising and implementing the royalties management system. What changes will be made to the current process under this system? I also refer to the next dot point which relates to finalising the petroleum amendment Bill and implementing changes. What amendments will this Bill provide and how will they assist the industry?

Mr C.M. BROWN: Are you talking about the Mining Amendment Act, first of all?

Mr P.D. OMODEI: Yes, the royalties management system under the Mining Amendment Act.

Mr C.M. BROWN: I will let Mr Smith provide the answer to both of those questions.

Mr SMITH: In terms of the royalties management system, we have brought forward investment in the information technology system to facilitate the electronic lodgment of royalties. To date it has been a manual system and we are moving to electronic lodgment. The development of that electronic system is in place at the moment and it is expected to be completed within the next six months.

Mr P.D. OMODEI: The other matter related to the Petroleum Amendment Bill and the last dot point under major achievements.

Mr SMITH: The amendment Bill is currently being drafted and is with parliamentary drafting. The purpose of that is to bring into line some of the amendments to the commonwealth legislation that have been passed for the National Offshore Petroleum Safety Authority.

Mr C.M. BROWN: That is an agreement between the Commonwealth and State Governments to establish the National Offshore Petroleum Safety Authority, which is a national authority. It is an agreement between all the States and the Commonwealth. The legislation has passed through the federal Parliament and complementary state legislation is required.

Mr P.D. OMODEI: That has not been done yet.

Mr C.M. BROWN: No.

Mr SMITH: The legislation is currently being drafted and is on track for being lodged in the autumn sitting, with a view to it being passed in time for NOPSAs to be established by 1 January 2005.

Mr P.D. OMODEI: Is that this autumn?

Mr SMITH: That is right.

Mr WHITELY: I refer the minister to page 841, major policy decisions and the line item referring to the Ravensthorpe infrastructure package, which identifies \$2.3 million of expenditure in the coming financial year and \$15.7 million in the out years. Can the minister elaborate on what this covers?

Mr C.M. BROWN: Yes. The Ravensthorpe project is a major investment project by BHP Billiton involving some \$1.4 billion. BHP Billiton indicated early in the piece that it was interested in maximising opportunities for local employment; that is, employment in the regions rather than a fly in, fly out arrangement, which would mean fairly significant increases in the population in Ravensthorpe, Hopetoun and Esperance, and additional infrastructure would also be required. Early in the piece it was estimated that some \$55 million would be required for that purpose and a request was made to the State Government, which looked at the matter and indicated that it was prepared to put up one-third of that amount. The company would put in one-third and the Australian Government would also put in one-third. An application was made by the company to Invest Australia to provide those funds. As yet a positive response has not been received from the Australian Government on this matter. The local community is making representations to the Commonwealth about assisting the project, but the Commonwealth does not have a coordinated or consistent approach to the funding of infrastructure projects like this. The local communities are very keen to maximise local employment opportunities, as is the State Government. We are continuing to work with other state agencies for the best way to utilise the money that has been allocated, which is part of the money the member referred to, which will maximise the opportunity to get local employment in that area. It will be a difficult task unless the local communities can convince the Commonwealth to also make a contribution to the infrastructure needs of the project. This is an important project for the State. It will provide significant employment opportunities during the construction stage and also the operational stage, creating in the order of 300 jobs, which will make a significant contribution to those three communities in the great southern.

Hopefully we can maximise that opportunity. The funds allocated and shown in the *Budget Statements* are the State's contribution towards the project employing people from the local community, rather than having a fly in, fly out arrangement.

[4.00 pm]

Mr C.J. BARNETT: The second last dot point on page 845 of the *Budget Statements* refers to facilitating the use of standard heritage protocols as an initiative for the coming year. What is proposed by that, given the variability of heritage issues?

Mr C.M. BROWN: The Government carried out a major review of the interaction between the Mining Act and the Native Title (State Provisions) Act and established a technical task force on native title. It considered ways of speeding up access to land so that companies could get access to land more quickly than was otherwise the case. One of the questions that had to be considered was how quickly Aboriginal heritage issues could be dealt with. The technical task force proposed the use of standard heritage protection agreements to reduce the amount of time it takes to achieve a grant for an exploration title. The State has reached heritage protocols with five of the six native title groups. It has yet to reach a heritage protocol agreement with the Kimberley Land Council. The policy is essentially this: when an exploration tenement application commits to entering a standard agreement for the area, the application will be submitted to the expedited procedure under the Native Title Act. The State has agreed that it will submit to the expedited procedure under that Act when the standard heritage protocols are used. In response, the native title parties going through the standard procedure agreed to will not object to the expedited procedure going forward under the Native Title Act, and that means that the application will be capable of being granted in six months, instead of approximately 12 months or longer, as is now the case. The standard heritage agreements also provide a mechanism to allow exploratory activity to be undertaken on prospecting and exploration licences while protecting Aboriginal heritage. The standard heritage agreement will provide that heritage surveys are conducted ahead of ground-disturbing activities as agreed to by the parties, and at costs set out in the agreement. It is proposed that the standard heritage agreements, which have very much been developed in consultation with native title represented bodies and the mining industry, will work through Aboriginal heritage processes in a balanced way, but in a way that provides certainty for native title representative bodies, heritage issues and the mining industry.

[Mr D.A. Templeman took the Chair.]

Mr J.J.M. BOWLER: Page 841 of the *Budget Statements* refers to clearing the backlog of mining tenement applications, which came out of the report I was commissioned to write. Is this the only part of the *Budget Statements* that refers to the recommendations I made in my report?

Mr C.M. BROWN: A number of recommendations contained in the member for Eyre's report are proposed to be incorporated in the changes to the Mining Act, but they also have budget implications. One of those relates to the length of exploration licences. In his report, the member for Eyre recommended that exploration licences that have a five-year term be extended for a further five years and for periods thereafter. Essentially, in that way, people can carry out exploration on exploration licences and mining on mining leases. The intention is to give effect to that recommendation. Importantly, the legislation will also give companies the opportunity to revert from mining leases to exploration licences, and that will allow access to the ground so that they can continue with their exploration activities.

Mr J.J.M. BOWLER: That is for mining applications, not mining leases that have already been granted.

Mr C.M. BROWN: Yes. In terms of mining lease applications, there will be an opportunity for those parties to apply for exploration licences and to have them extended for the period set out in the Act. As the member for Eyre pointed out in his report, there is a need to have mining leases used for mining and exploration licences used for exploration. The backlog, in part, arises from the fact that there are currently restrictions in the Mining Act. Basically, companies are compelled to go for a mining lease if they want to hang on to ground when, in fact, they are not ready to proceed with mining and simply wish to preserve their position for further exploration. The intention is to make those changes. The opportunity to make those changes will arise when we work through some of the issues in the Act, and that will give greater opportunity for people to get access to the ground. Some of the other recommendations the member for Eyre made in his report are referred to on page 841 of the *Budget Statements*. For example, he recommended that the amount of funds available for pre-competitive geoscientific information be increased, and additional funds have been made available. Funds have also been made available for the release of company exploration data, which has to be withheld under the Mining Act currently, but which will be able to be released once changes to the Mining Act are effected.

Mr C.J. BARNETT: I refer to output 2 on health and safety on page 846 of the *Budget Statements*. I seek an explanation. The budget has been reduced by about seven per cent and yet it is intended that full-time equivalent staff be increased from the current number of 176 to 190. How does the minister reconcile a reduced budget with increased staffing levels? What will be the implication in this area? In other words, what is going on?

[4.10 pm]

Mr C.M. BROWN: I will let Dr Limerick go through that.

Dr LIMERICK: Following on from the Bellevue inquiry last year, it was proposed that the department's database, particularly on explosives and dangerous goods, be improved so that agencies such as the Fire and Emergency Services Authority of Western Australia, the Department of Environmental Protection and so forth would have access to the information in that database. A considerable sum - I do not have the exact number in my head - was set aside to implement that database, and that is what has increased the expenditure in the current year.

Mr J.N. HYDE: Dot point eight on page 840 refers to regional telecommunications. What is the Government doing to address the telecommunications issues in regional Western Australia, particularly broadband and associated issues?

Mr C.M. BROWN: Essentially we have looked at what can be done to improve telecommunications services in the remote areas of the State. From time to time opportunities arise to partner with the Australian Government in getting additional or improved telecommunications services in remote areas. The Government intends to invest some \$2.8 million to improve telecommunication services in the Ngaanyatjarra lands in the eastern part of the State. This will be our contribution as part of a \$5.8 million broadband project. The intention of the project is to provide improved telecommunications for voice and data, videoconferencing and Internet services. It will cover an area of 250 000 square kilometres that is sparsely populated, with some 2 500 residents. We have made a commitment to put in that money, along with the Australian Government, which has provided \$2 million from the commonwealth coordinated communications infrastructure fund. This is one of the most isolated areas in the world, and certainly one of the most isolated areas in Western Australia. One of the matters raised in the Gordon inquiry was the need to improve telecommunications for the delivery of government services in remote Aboriginal communities. The allocation of this money will enable those services to be much better provided in that very remote part of the State. As a result of this project, the people in that area will be able to have a telephone in their home. We are also working on telehealth, improving educational outcomes with virtual classrooms, and improving the delivery of police services. All of these important areas will be enhanced with improved telecommunications services.

The funding has been provided. However, the precise nature of the technology that will be used has yet to be determined. The technology is changing all the time and is moving ahead in leaps and bounds. Therefore, the Government is not willing at this stage to stipulate the technology that will be used. We intend to go to the market to seek the best technology that is available so that we can achieve an outcome that will best deliver these telecommunications services.

Mr J.N. HYDE: In that 250 000 square kilometres, will a set number of communities or a percentage of communities be covered? Has that sort of detail been determined yet?

Mr C.M. BROWN: The intention is that all of the 12 indigenous communities in that area - I think Warburton is the largest one - will be serviced. It will depend on the technology that is available, but the intention is to provide a very wide coverage so that it is not related simply to the community, and people who move a few kilometres outside the community do not have a telecommunications service. The intention is that the service will be very broad indeed.

Mr P.D. OMODEI: I refer to page 855, works in progress, Ord River irrigation, stage 2. The estimated total cost is \$15.539 million, and the estimated expenditure for 2003-04 was \$2.689 million. How much of that has been spent, what are the works for, and what progress has been made on that project?

Mr C.M. BROWN: We cannot provide an answer at this time about the precise nature of the expenditure of \$2.689 million for the Ord River irrigation project, stage 2, so we will provide that by way of supplementary information.

*[Supplementary Information No B9.]*

Mr P.D. OMODEI: I also asked how much money has been spent and what has it been spent on.

Mr C.M. BROWN: Essentially the project is about opening up an agricultural opportunity at the Ord River.

Mr P.D. OMODEI: Does it mean more irrigation channels?

Mr C.M. BROWN: Yes.

Mr M.P. WHITELY: Dot point three on page 845 refers to a recommendation of the Keating "Review of the Project Development Approvals System". One of the other recommendations of the Keating review was to limit the role of the Warden's Court. As the minister would know, I have raised some concerns about the loss of opportunity for the Warden's Court to raise economic, social and environmental concerns. What action has been taken on that recommendation of the Keating report? Has that been picked up in the amendments to the Mining Act?

[4.20 pm]

Mr C.M. BROWN: The member is correct about the recommendation from the Keating review - if not the review conducted by the member for Eyre - which suggests that the role of the Mining Warden relates to issues under the Mining Act, rather than social, economic and environmental issues. The Mining Warden's role was originally regarded as more of a technical role. I have some empathy with the views expressed in the reviews by Keating and the member for Eyre. However, it is important that the community have a mechanism for its views to be considered. That is a matter that we have given some attention to, but we have not yet concluded a view on the precise way in which it ought to be done. Until we have come to a position on that, it is not intended to change the current jurisdiction of the Mining Warden. There is some substance in the Keating review and in the report prepared by the member for Eyre. However, we have not come to a landing on how to allow communities to be heard on matters in which they currently have no opportunity to be heard, particularly on social issues that are outside the purview of the Environmental Protection Authority. We are working on that complex issue, as a number of options must be considered. Essentially, that matter is not addressed in the proposed amendments to the Mining Act. We will need to give further consideration to that matter, but we are not likely to come to a landing on it for some time.

Mr P.D. OMODEI: Page 864, under "Other", shows a contribution from the regional investment fund of \$4.5 million in 2004-05. For what projects is that expenditure?

Mr C.M. BROWN: Essentially those funds were used for old-growth forest policy payments.

Mr P.D. OMODEI: Payments to whom? Were they for exits, redundancies or incentives for new business? Will the minister provide supplementary information on that?

Mr C.M. BROWN: The amounts are \$2.5 million, \$12 million and \$4.5 million - \$19 million in total. We have now allocated some \$28.5 million for industry development purposes under the old-growth forest policy, but not all of that money has been expended.

Mr P.D. OMODEI: Can I have supplementary information on exactly what the \$4.5 million will be spent on?

The CHAIRMAN: Is the minister happy to provide that as supplementary information?

Mr GROCOTT: We are not certain yet what the amount of \$4.5 million will be spent on. As the minister said, we are negotiating the distribution of \$28.5 million to assist in projects that will tie in with the timber industry assistance program.

Mr P.D. OMODEI: Do you double count? Do you have a budget that reflects the same amount in the regional development budget?

Mr C.M. BROWN: No, it is not double counting. I have tabled in the House a very detailed list of every project that is being funded with industry development funds.

Mr P.D. OMODEI: Yes, I know.

Mr C.M. BROWN: I will update that list as we go forward. If the member would like me to update the list, I can do that, but there is not much to add at the present time.

Mr P.D. OMODEI: I thought it might have been part of the \$8 million that the minister announced a couple of months ago.

Mr C.M. BROWN: In terms of the \$12 million?

Mr P.D. OMODEI: Yes.

Mr C.M. BROWN: Overall, as the member knows, we have allocated \$28.5 million. Up to \$8 million has been allocated to the purchaser of Sotico Pty Ltd.

Mr P.D. OMODEI: Is that in response to the request for proposals?

Mr C.M. BROWN: As the member knows, Wesfarmers Ltd is selling Sotico and must make a decision on that shortly. Various potential purchasers of Sotico have come to the State seeking financial assistance. The State has indicated it will make available up to \$8 million to a purchaser, and a decision on that will be made shortly.

Mr P.D. OMODEI: I return to page 863, line item "Protecting Our Old Growth Forests" policy. I note that in last year's budget the estimated actual was \$28.17 million, and there is another \$3.386 million this year. I presume those amounts are for exactly the projects the minister outlined: \$8 million to assist the purchase of Sotico and the further funds, I presume, for assistance to those businesses that have won the right to timber volume under the request for proposals. Further, will the minister advise whether the State Government has bought out Caesar and Peter Colli's mill at Dwellingup; and, if so, at what cost was that exit?

Mr C.M. BROWN: The last matter is under review; therefore, no decision has been made.

Mr P.D. OMODEI: Obviously, that will be a major amount of money. Where is it in the budget?

Mr C.M. BROWN: There are different expectations of the amount it will be, but no decision has been made. It is a complex matter because of its nature. We have looked at the matter, the company has responded to us with its views and those views are being considered. However, no final determination has been made.

Mr C.J. BARNETT: Output 3 on page 849 refers to the iron ore industry. I remind the minister that in 2001 he introduced a state agreement Act for what was commonly known as the mineralogy project; that is, the Fortescue magnetite deposits and an integrated iron processing complex. That is now three years ago, and I ask the minister what progress has been made with that project?

Mr C.M. BROWN: We are to receive an update from the proponent on the project very shortly.

Mr C.J. BARNETT: At that time the minister touted with much fanfare that project worth \$5 billion of expenditure. Does the minister expect the project to go into construction in the near future, if at all?

[4.30 pm]

Mr C.M. BROWN: As the member knows, state agreements set dates for things to occur based on the advice at the time the agreement is struck. Not every state agreement signatory finds that it is able to meet the time frames of those

agreements. As the Leader of the Opposition will be aware, many proponents must come forward, before those state agreements go any further, to seek arrangements for the project to be deferred. One that most immediately comes to mind is the state agreement on the Mitchell Plateau. That was reached in 1971, but it has been deferred on numerous occasions and there is still no project. State agreements set dates for projects to occur, and sometimes they occur by those dates. Often proponents must come to the Government and seek to have those dates shifted back. At this stage there is no request for us to change those dates. If a request were made, we would have to consider it.

Mr P.D. OMODEI: At the bottom of page 865, it states that a determination by the Treasurer, pursuant to section 23A of the Financial Administration and Audit Act, provides for the retention of cash receipts by the department. The goods and services tax is in that list. Last year's actual amount was \$12.515 million and last year's budget amount was \$10.098 million. The amount projected in 2004-05 is \$10.157 million. Are they the actual receipts in the department for the GST or is it an amount that Treasury has allowed the department to retain?

Mr HERLIHY: It is an estimate of the goods and services tax receipts back from the Commonwealth based on payments made.

Mr P.D. OMODEI: That will fluctuate. Surely that figure should be inflated considering this year we received a windfall. We projected the receipt of a total of only \$50 million from GST and finished up with \$233 million. Why is the estimated actual only \$10.098 million for last year?

Mr HERLIHY: It is our estimate based on forward expenditure of what will be returned to the department.

Mr P.D. OMODEI: I understand what you are saying. However, last year in the 2003-04 budget, the figure was \$10.098 million. It is not a very big increase this year but the actual receipts of GST from the Commonwealth were far in excess of those predicted for 2003-04. Are you saying that the department will receive only that amount and no more? I am trying to ascertain whether that is the actual amount or whether that is the amount that Treasury has allowed the department to retain.

Mr C.M. BROWN: I understand that this figure relates to department expenditures and GST returns. It does not relate to the GST pot from the commonwealth collections of GST to which the member referred and which have increased for a variety of reasons. Firstly, the economy has grown and, secondly, the Australian Taxation Office has implemented various initiatives to make sure that those who might not be fully aware of the obligations under the GST arrangements are made aware of them. That has had the effect of increasing the receipts for the GST. Part of the reason for the additional funding for Western Australia was a recalculation by the federal Government of the amount that should be allocated to the States. That resulted in the State getting more funding than anticipated.

Mr C.J. BARNETT: I refer to investment services under output 3 and the preamble about the need to attract investment to the State. Two major resource construction projects are the North West Shelf Train 4 and the Hismelt Corporation Pty Ltd facility at Kwinana. Has the department been monitoring industrial action and stoppages on those sites? How many stoppages have occurred and how many days have been lost through industrial action on each site?

Mr C.M. BROWN: I had some discussions quite some time ago with the North West Shelf people about the role they would like the State to play in industrial relations and whether they wished the State to become involved in those matters. The North West Shelf people indicated that they believed they had the capacity and the wherewithal to deal with their own industrial relations issues free from the State. Their wishes have been honoured. Likewise an arrangement was entered into by Rio Tinto with the Australian Council of Trade Unions on the Hismelt project. I have not received any representations from Rio Tinto seeking intervention from the State in arrangements that it has entered into with the ACTU.

Mr C.J. BARNETT: I seek, by supplementary information, an account of the number of stoppages on both sites and the number of working days lost, because both projects operate under state agreement Acts.

Mr C.M. BROWN: This information is not immediately available through the department's records, so it cannot be provided as supplementary information.

Mr C.J. BARNETT: Will the minister undertake to access that information, given it is a state agreement project?

Mr C.M. BROWN: If the Leader of the Opposition cannot get the information from the proponents, obviously he can request that we get it. Neither of the proponents has raised this matter with us.

Mr C.J. BARNETT: I am asking the minister to provide what information the department has or can ascertain on the industrial stoppages on both sites.

Mr C.M. BROWN: If the member is unable to get it from either of the -

Mr C.J. BARNETT: I am asking you.

Mr C.M. BROWN: I am giving the answer. If the Leader of the Opposition is unable to get that from the two proponents, he can raise that with us.

Mr C.J. BARNETT: I am seeking formally for that supplementary information to be provided.



Mr C.M. BROWN: It is not in a form in which it can be provided.

Mr C.J. BARNETT: How do we know that? What form is it in?

Mr C.M. BROWN: It is not in a form that can be provided.

Mr C.J. BARNETT: The department will have information on that.

The CHAIRMAN: The minister has indicated that he is not in a position to provide that supplementary information.

Mr C.J. BARNETT: For clarification, I think the minister is indicating that he is not willing to provide it.

Mr C.M. BROWN: There is no obligation under the state agreement Act for that information to be provided. It has not been comprehensively provided at all on that matter.

Mr C.J. BARNETT: Surely, if output 3 is about attracting investment, the burning issue concerning both projects is industrial disruption. I find it impossible to accept that the department does not have a good idea of the number of stoppages and days lost on both projects.

Mr C.M. BROWN: It is not a requirement under the state agreement Act for that information to be kept by the department.

Mr C.J. BARNETT: You are not willing to provide it.

Mr C.M. BROWN: I will say this very slowly: it is not a requirement under the state agreement for the information to be provided.

Mr C.J. BARNETT: The department will know the status of industrial stoppages on both projects.

Mr C.M. BROWN: Well, you know -

Mr C.J. BARNETT: Do you know what is going on with those projects or not?

Mr C.M. BROWN: Yes, we do know what is going on. It is not a requirement under the state agreement Act for that information to be provided and it is not in a form that can be provided.

Mr C.J. BARNETT: If I ask a question in Parliament, there is a requirement for the minister to answer it.

[4.40 pm]

The CHAIRMAN: I ask the Leader of the Opposition to refrain. The minister has made it clear that he is not going to provide that information.

Mr C.J. BARNETT: He is not willing to provide it.

The CHAIRMAN: I say to the Leader of the Opposition that I am now making a ruling. Therefore, would he cease -

Mr C.J. BARNETT: We cannot pursue that matter.

The CHAIRMAN: Would the Leader of the Opposition cease interrupting? I am now giving a ruling. If the minister does not agree to provide the information, the Leader of the Opposition can -

Mr C.J. BARNETT: The minister is not willing to provide that information.

The CHAIRMAN: I will have to call the Leader of the Opposition to order for the first time if he continues to interrupt. The minister has indicated that he will not provide that information. Therefore, I need to advise the Leader of the Opposition, as the person who asked the question, that he can lodge that question as a question on notice, which of course is his responsibility.

Mr P.D. OMODEI: I refer the minister to the other state services listed on page 863, and in particular to the regional headworks scheme. I note that the estimated actual for 2003-04 was \$5.32 million. There is no allocation in this year's budget for the regional headworks scheme. Does that mean it is no longer under this budget, or has that program ceased?

Mr C.M. BROWN: Essentially, regional headworks applications can be made through the regional development fund. Of course, that scheme is operated by the Department of Local Government and Regional Development.

Mr P.D. OMODEI: Is the minister saying that that is where it has gone?

Mr C.M. BROWN: I am saying that that is the department to which people make their applications now, yes.

Mr C.J. BARNETT: I refer to the eighth dot point on page 849 relating to the Burrup Peninsula. Again, in 2001 many media releases were issued by the Premier and the minister about, if I recall, some eight projects that apparently were imminent on the Burrup Peninsula. Would the minister provide an overview of progress on those eight projects?

Mr C.M. BROWN: Yes. The Burrup Fertilisers Pty Ltd project is under construction. Unfortunately, there was a disagreement about the Dampier Nitrogen Pty Ltd project between the joint venture parties that caused them to divide. The department has had to make quite a difficult decision about which of those proponents will retain the land. All of

the approvals are in place for the GTL Resources (Australia) Pty Ltd project. Both commonwealth and state assistance has been made available to GTL. It is a matter for GTL to come forward with its project. It is understood that GTL is seeking to resolve one major commercial matter, which is not a matter that involves the State. A decision must be made by the company involved in one of the two Japanese projects about whether it wishes to go forward, based on its review of capital costs. The other project is still some way away. There is another project involving the other Dampier Nitrogen partner. That group now needs to make a determination about whether it will go forward with the project, based on some alternative land on that site.

Mr C.J. BARNETT: The same dot point refers to the State's \$183 million worth of infrastructure to support gas processors on the Burrup Peninsula. Given that answer, as it now stands, Burrup Fertilisers has essentially done the concreting and is starting the steelwork on one project. That is under construction. With the \$183 million for infrastructure, how much and what has been built, and what is proposed to be spent and built in the forthcoming year?

Mr C.M. BROWN: It is proposed to build a new gas jetty that will service Burrup Fertilisers and other projects. Rather than run through it, I am happy to provide that by way of supplementary information so that we can set it all out for the Leader of the Opposition.

Mr C.J. BARNETT: I want to know what has been done and what is proposed to be done with the money from that infrastructure package.

Mr C.M. BROWN: A range of work has been done. A number of the corridors have been put in and so on. Obviously, some engineering work etc has been done.

The CHAIRMAN: For the purposes of Hansard, will the Leader of the Opposition clarify the information he is seeking?

Mr C.J. BARNETT: Yes. I would like information on the infrastructure package for the Burrup Peninsula detailing what work has been done in years up to the current one and the expenditure involved, and what is proposed for the forthcoming year. I would like a summary of what has been spent and what will be spent, and on what.

Mr C.M. BROWN: We will obviously have to pick a date, such as 1 January this year, and say by and large that is what exists there.

*[Supplementary Information No B10.]*

Mr M.P. WHITELY: On page 855, under the capital works program, the construction of the marine industry technology park at Jervoise Bay is identified. Will the minister please outline how this is progressing?

Mr C.M. BROWN: Yes. Of that money, some \$12.5 million has been allocated for land acquisition. The remaining part of those funds will be provided for central support facilities and associated infrastructure. The member would know from the statements that we have made that the first tenant in that area will be a company Raytheon Australia Pty Ltd, which has been attracted to Western Australia to establish a research and development facility. It will be an anchor tenant on that site. It is intended over future years to seek to attract onto that site more companies involved in research and development and training as the development of the Australian Marine Complex proceeds further.

Mr C.J. BARNETT: The fifth last dot point on page 849 refers to the commencement of the implementation of the Bentley technology precinct development master plan. My understanding is that part of that includes a hotel or accommodation facility of some sort. Is that correct, and will the minister explain what is proposed for that site and whether it meets the initial guidelines for the development of Technology Park?

[4.50 pm]

Mr C.M. BROWN: The master plan has not been finalised at this juncture. It is to come forward. Some work is being done. It is envisaged that a detailed plan will come forward in the next few weeks, or within the next month or so. That detailed plan will provide for a staged development of the precinct. Essentially, the plan is to look at the physical infrastructure, the road transport system and the transport link issues and the development of shops and offices between Technology Park and Curtin University. As the Leader of the Opposition is aware, Technology Park has grown substantially and has operated very well indeed. It is recognised that Technology Park contains no significant area for people to socialise and integrate. That needs to be improved. Many people involved in research and development need to meet to come up with new ideas. That is also being looked at. The master plan is nearing completion. When it comes to government, we will look at the proposal. There has been no sign of it. Discussion has taken place about a hotel development. An expression of interest was called for a hotel, and the expression of interest was awarded. However, the matter is with the local authorities.

Mr C.J. BARNETT: With the awarding of that expression of interest for the hotel development, does that tender comply with the original planning approvals for Technology Park?

Mr C.M. BROWN: I cannot see that it would not comply.

Mr LIMERICK: Without knowing exactly the statutory planning provisions, I am not in a position to answer that question. An aspect of the new technology precinct concept certainly is to provide greater opportunities for mingling

among the various campuses, if I can use that word, in that area. Therefore, greater opportunity will be provided to share ideas and the benefit of the intellectual knowledge contained in the broad precinct. I am not aware of the statutory requirements. I would have thought that is a matter for the local government.

Mr C.M. BROWN: It is waiting for that process at the moment.

Mr C.J. BARNETT: The first dot point on page 850 relates to the Ravensthorpe nickel project. What is the likelihood of the work force being fly in, fly out to Ravensthorpe?

Mr C.M. BROWN: The indication from BHP Billiton is that it is keen to have a localised work force. The company has spoken to local authorities in the region about that matter, and the local authorities are enthusiastic. I refer to Esperance and Ravensthorpe. Certainly, 300 people in that work force will not be in Ravensthorpe. Some locations will be in Hopetoun and Ravensthorpe, and a large number in Esperance. The two shires are very interested in the proposal. Representations made to the Government by the company are genuine in its desire for a localised work force. The Government is working with the company to see whether the infrastructure can be provided to facilitate that development. A great opportunity exists for a localised work force between the three centres.

Mr C.J. BARNETT: Page 849 of the *Budget Statements*, under major achievements for 2003-04, makes reference to the establishment of a 1.45 teraflop high-performance computer. I do not know whether it is the so-called supercomputer, but I would appreciate an update on what is proposed and where the project stands at present.

Mr C.M. BROWN: It is not the supercomputer talked about previously. The department has done a lot of work considering industry development opportunities to arise from high-performance computing in Western Australia. The department has promoted that aspect. Ongoing discussions are taking place to see whether an opportunity exists for such development. The Pinnacle Blue project talked about at earlier times was discontinued. The department is looking at further opportunities for high-performance computing in the State to particularly consider the utilisation of such computing capacity by small and medium business as well as the oil and gas industry. Although the promotion has occurred and a lot of work has been done at the departmental level, no final decisions have been made at this juncture.

Mr C.J. BARNETT: Page 851 refers to the output for geological services and access to the West Musgrave area being granted and fieldwork being done etc. What exploration activity has been undertaken? Does it include aerial geological surveys?

Mr C.M. BROWN: The area of aerial work was a recognised deficiency. This matter was certainly raised last year at the ministerial committee involving commonwealth and state ministers. Questions were raised about further aerial surveys being done in not only Western Australia, but also other parts of Australia. It was indicated at that stage that the Australian Government was prepared to partner the States to a maximum of a dollar-for-dollar basis to increase the aerial survey in competitive geoscientific material. Given it was also a recommendation arising from the report by the member for Eyre, the matter was looked at by Cabinet. This resulted in an additional \$12 million being allocated to that work - namely, \$3 million a year. This can be seen in the budget papers. Our expectation is that the amount will be matched by the Australian Government. If so, \$6 million will be provided for such research work for the mineral sector.

Mr C.J. BARNETT: I refer to the Chemistry Centre outlined on page 852. I am interested in where we stand in response to the steering committee recommendation regarding the future structure, governance and operation of the Chemistry Centre in conjunction with universities. It has been going on for a while. What is the current state of play?

[5.00 pm]

Mr C.M. BROWN: The Leader of the Opposition is correct; it has been going on for a while. It is getting close to a decision on the way forward. Further consideration is being given to some type of joint venture arrangement between the Government and the universities to create a consortium of chemical expertise in Western Australia. The idea is to deliver the core analytical services required by government. That includes law enforcement agencies etc. It will also support chemistry-based education, academic and applied research, as well as providing a forum for consultancy to industry and government. A lot of work has been done on the proposal and it is expected to be with me formally in the next month or so when a decision will be made for the future. Over the years, the Chemistry Centre has been subject to an enormous number of reviews. I do not know how many. The director general tells me it has been reviewed and reviewed since 1981, and the time has come for a decision to be made for the way forward.

Mr C.J. BARNETT: The first dot point under output 6, industry development services, on page 854 under major initiatives for 2004-05, refers to a strong Western Australian presence at the 2005 World Exposition in Aichi, Japan. Obviously the minister will not be going, but I would be interested in what is proposed by the State's presence?

Mr C.M. BROWN: Everyone knows the importance of Japan as our trading partner. Firstly, the Japanese Government is very keen for us to have a strong presence. The Japanese Ambassador has made representations to both the Australian Government and the various State Governments. The Australian Government is putting in quite a lot of resources, simply because of the very strong relationship that exists between Australia and Japan. The Australian Government has prevailed on the States to participate equally. We have allocated the funds that are shown in the

budget papers to indicate that we will participate in Aichi for obvious reasons. This expo will go for six months. We have not worked out the detail; the department will be working on that. A project coordinator will be appointed to work on that issue. The project will occur during the time of the next Parliament and I would see whoever might be the Minister for Agriculture having a role, as well as the Minister for State Development and the Premier of the day. There will also be opportunities for business missions. There will be a rolling series of events. One month it will be automotive, one month it will be information communications technology, one month it will be agribusiness and so on. There will be an opportunity to link in with various missions over that period. The plan is to participate fully. Obviously it will be up to the Government of the day, but all the arrangements will be made so that the Government can fully participate in those various opportunities next year.

Mr C.J. BARNETT: Is it intended that the Western Australian display or activities will be part of the overall Australian project?

Mr C.M. BROWN: Yes. It is intended to be an Australian pavilion, which I am told by our federal colleagues will be pretty big and impressive. Within that there will be opportunities for the State to do its own promotion. It has been stressed to us that it will not be split between the Commonwealth and the States; it will have an industry focus. In the month for ICT companies it will be geared around that project. Western Australian ICT companies will have an opportunity to participate. If a Western Australian minister goes with a mission, he will obviously promote Australia when he is offshore, but with an emphasis on Western Australia. The intention is the same as was done with China three or four weeks ago when all the Australian and state trade ministers attended. The intention is to do it as an Australia-incorporated model, but for each of the States to be represented.

[Mr A.J. Dean took the Chair.]

Mr P.D. OMODEI: I refer to the details of the administered transactions expenses on page 863, and in particular the Western Australian Land Authority estimated actual expenditure of \$9 million in 2003-04 for the Oakajee industrial estate buffer expansion referred to under statutory authorities. Was that money spent; and, if so, what was the rationale for it? Obviously the Government is not in favour of the Oakajee site, particularly the Minister for Planning and Infrastructure.

Mr C.M. BROWN: The money was allocated. Prior to our coming into office, land was purchased and there was a dispute over the value of that land. The matter went to the Supreme Court and the court found that the State had undervalued the land. As a result of that decision, the State had to make appropriate arrangements. We have been advised by the State Solicitor's Office on this. Appropriate payments, in accordance with the decision of the Supreme Court, were made and the advice is that that amount is \$9 million.

Mr P.D. OMODEI: Are those buffers all in place now?

Mr C.M. BROWN: Yes, they are.

Mr C.J. BARNETT: In relation to the proposed Oakajee development, I am conscious that this Government has spent in the vicinity of \$90 million deepening Geraldton harbour. Where would the Government see any industrial development occurring for the mineral processing project in the Geraldton region at the moment?

Mr C.M. BROWN: I guess it depends on what size it is and what we are talking about. Some discussion is occurring with a proponent at present, but no-one has come to a landing on that matter.

Mr C.J. BARNETT: On page 855 under the capital works program, an amount of \$2 million has been allocated to aircondition Mineral House. Although I do not begrudge airconditioning for people working in that house - it is a pity we could not have some here, but it is not too bad today - can the minister provide a general comment. I know Mineral House has been around a while - I am not sure of the exact age of the building - but can the minister comment on the suitability of work of that type for this building.

Mr C.M. BROWN: The allocation of \$2 million will ensure that the building has a longer life into the future. The issue of government buildings is an interesting one. The Leader of the Opposition and the member for Warren-Blackwood would know about government-owned buildings and some of the challenges Governments face. No doubt people always like to have modern buildings, and Governments would like to provide people with the best working environment they possibly could, but there are constraints to doing that.

Mr C.J. BARNETT: The details on page 860 provide financial data. In 2004-05 there has been a reduction of \$39 million in grants and subsidy payments. I am seeking an explanation of why it has decreased from \$73 million in 2003-04 to \$33 million in 2004-05.

[5.10 pm]

Mr C.M. BROWN: The decrease reflects the receipt of a large proportion of the Commonwealth's contribution to the Jervoise Bay project, which is now completed.

Mr C.J. BARNETT: On the same page, revenue from mining royalties is estimated to increase by approximately \$50 million. From which sectors will that increase in mining royalties come?

Mr C.M. BROWN: Page 864 of the *Budget Statements* provides details of the expected increases and decreases.

Mr C.J. BARNETT: I refer to page 863, details of controlled grants and subsidies. About \$51 million has been allocated to the Water Corporation and the Dampier Port Authority for infrastructure development on the Burrup Peninsula. What position will the Government take if only one project eventuates on the Burrup? The principle behind that allocation is obviously that the infrastructure will be shared by several projects. However, as of today only one project is under construction on the Burrup.

Mr C.M. BROWN: Obviously the intention is to ensure, as best we can, that the infrastructure will be shared. The Leader of the Opposition would be aware that various projects have been undertaken in which shared infrastructure was the key goal; however, it did not work out. One project that stands out significantly is the wool scour project. Significant funds were expended on that project. However, the project went sour, and further moneys had to be allocated to improve the common-user infrastructure. However, that still did not work, and the matter finished up before the courts. Although the land was set aside for a wool scouring area, there is now only one company on that site, and that company employs 35 people as of today. That project did not turn out as originally envisaged and in fact cost a poultrice more than had originally been set aside because the technology did not work. However, the company that was the recipient of that common-user facility was not required to pay more. In this case, the intention is that the site will be developed and the common-user infrastructure will be used by other projects.

Mr C.J. BARNETT: I thank the minister and his staff.

**The appropriation was recommended.**

*Committee adjourned at 5.14 pm*

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