

Hon Michael Mischin; Hon Diane Evers; Hon Sue Ellery; Hon Tjorn Sibma; Hon Colin De Grussa; Hon Alison Xamon; Hon Nick Goiran; President; Hon Dr Steve Thomas; Hon Pierre Yang

McGOWAN GOVERNMENT — LEGISLATIVE AGENDA

Motion

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [1.05 pm]: I move —

That this house expresses its concern about the government's legislative and other priorities, given the time available to the fortieth Parliament.

I commence by pointing out a couple of facts that are immutable and found the basis of this concern. We are now into the end of the third year of the McGowan government. An enormous number of pledges and promises were outlined before the election, many of which will involve considerable debate in this Parliament should legislation be prepared and introduced to deal with them. Although we have several weeks of sittings to go through, the rest of this year will effectively be occupied by debate on the Voluntary Assisted Dying Bill 2019, and quite rightly so. When the sitting dates were set for this year, it was anticipated that extra weeks would be needed to provide for that opportunity, although it seems that even then insufficient regard has been had for the complexities and importance of that legislation. Our job is not made any easier by the government's rejection of proposed amendments in the other place, which are now being posited as a possibility here.

Leaving aside what is left of this sitting year, next year we have 20 sitting weeks, each of which has 10 hours maximum for orders of the day—type business to deal with legislation. Sixty sitting days are forecast before Parliament rises and is prorogued before the election. Of those days, nine will be largely occupied by budget contributions and, having regard for the Standing Committee on Procedure and Privileges' concerns and business at the moment, I expect that some time will be occupied in a debate on a report that is ultimately tabled on the difficulties, issues and constitutional crisis with which it is currently wrestling. That does not leave the government with a great deal of time in the forthcoming year, unless in desperation it seeks to extend sitting hours to get through its legislative agenda, which, at the moment, is quite an agenda. On my last count, there are 39 bills on the notice paper of this house and the Legislative Assembly. Of those, 13 are still in the Legislative Assembly. That is by no means all the legislation that has been forecast. There are 26 bills sitting in this place, including the Voluntary Assisted Dying Bill. Many of those pieces of legislation have been hanging around for quite some time.

One of the more urgent pieces of legislation, on which a considerable amount of work had been done by the former government, is the Residential Parks (Long-stay Tenants) Amendment Bill 2018. I remind members that under the last government, a considerable amount of work was done to prepare the grounding for the legislation. It was finished when a report was presented around the time of the state election in March 2017, which was received by the minister. Thereafter, it was announced with a great flourish in July 2017 that the McGowan government would fix all the problems. There was the usual stuff about how nothing had been done by the previous government et cetera—except the hard work. However, we did not see any legislation to amend the Residential Parks (Long-Stay Tenants) Act until the bill was presented in the Legislative Assembly on 17 October 2018. That debate was disposed of within a bit of a month. It received its third reading on 22 November. One accepts that things get barged through the Legislative Assembly fairly quickly because of the numbers there. The bill was introduced into this place on 27 November last year. It then did not come up for debate until 12 February this year, when it was referred to a committee of this place to consider elements of it. That committee's report was delivered with quite some expedition. It presented its report to this Parliament on 21 March this year. It is legislation that has enormous ramifications and importance for those living in residential parks. Admittedly, legislation like that may need to be fine-tuned, and that was the purpose of the standing committee that dealt with it. However, we have seen nothing of it since. Instead, priority has been given to a raft of legislation that has held up the time and work of this house and achieved very little in return.

Hon Tjorn Sibma might say something about the wonderful public and health sector right-of-return legislation, which also took up a fair amount of this house's time last year. We finally got into Committee of the Whole House on it, and the moment we got into committee on it Hon Tjorn Sibma asked a question based on some information he had received from the government and it disappeared. One wonders what is going on in the government's ranks when those responsible for the carriage of bills here do not know what their instructing ministers or the government are doing. Where is that legislation? Why did we waste time on it if it is not going to be proceeded with? I get back to the Residential Parks (Long-stay Tenants) Amendment Bill. When will it come on for debate? Obviously, not this year. Voluntary assisted dying seems to be the most important legislation on the government's agenda, never mind the people living in residential parks. A variety of legislation has taken up the time of this house that one would think, objectively and rationally, ought not to be given priority.

Hon Nick Goiran may have something to say about the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018, another piece of legislation that took up a considerable amount of this house's time. I am sure the government will say that that was Hon Nick Goiran's fault because he filibustered and wasted time. He took around 22 hours of the chamber's time on that bill when it could have been waved through, as was done in

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the Legislative Assembly. One does not underestimate the importance of tidying up the law to those who are struggling with human reproductive technology issues or surrogacy. Indeed, it was considered by the previous government in its dying days as an issue that needed to be resolved in due course. However, it became patently clear that what was presented to this place, and so avidly supported in the other place, was fundamentally flawed. The work had not been done. It is all very well for ministers in the other place to rave on about how they are action men and women and that they are doing things that were not attended to by the previous government. It is quite another to bring up half-baked legislation that has not been patiently explored and considered. As it happened, the reason for the delay in its progress here was twofold: legitimate concerns about whether this house had been told the full story regarding that legislation and its operation, and the failure on the part of the government to provide the house with all the information it needed. Madam President, you will recall that, finally, notwithstanding us being told on several occasions that a report on which a considerable amount of public money had been spent looking at the legislation was utterly irrelevant to matters of debate, that turned out to be wrong. When the report was finally squeezed out of this government and the matter went to a committee, it was revealed that it was germane to the legislation and we had been denied relevant information and, ultimately, the bill was flawed. It would have created discrimination and prejudice rather than cured it.

One wonders on two levels: what is happening to the management of the business of this house and what is happening in government? The government may want to rush around and put in legislation but it needs to be done properly and patiently. It is one thing to stick it into Parliament; it is another thing to get it out of Parliament in a manner that will enable it to work. Despite the criticisms of this house from the other place and those who seek to be opportunistic and blame us for the delay, we have fixed legislation on numerous occasions. I will give members a very early example—the Courts Legislation Amendment Bill. Amongst other things, that legislation extends the term for magistrates. Members might recall that it was introduced into this place on 6 September 2017. I questioned whether it was a high priority bill. I know it affects magistrates and their retirement ages but whether it affects the man and woman in the street and whether they would give it priority over other issues is questionable. Nevertheless, a considerable amount of time was taken dealing with it. It was introduced on 6 September 2017, but not brought on for debate until 29 August 2018. After an inaccurate briefing and assurances to the Magistrates' Society of Western Australia that it was being held up in this place, we finally had to reveal that the Attorney General had not told the truth to the Magistrates' Society, or it had somehow misinterpreted what he had to say. The society was of the view that the delay in its passage was due to this house. It had not been brought on for debate here at that point; it had not been through the Assembly. However, priority was given to that legislation over the Corruption and Crime Misconduct Amendment Bill, which was much trumpeted as a bill that would cure corruption and prevent members of Parliament from taking advantage of a loophole that could allow them to escape scrutiny by the Corruption and Crime Commission. We will come to that in a moment too.

There is the Financial Transaction Reports Amendment Bill, which Minister Roberts, the Minister for Police, had said was essential that it be passed. In fact, she wrote to the Standing Committee on Uniform Legislation and Statutes Review saying it was that urgent that she wanted it passed before the winter recess. Magistrates' retirement ages seemed to have been more important than that. The Criminal Code Amendment (Intimate Images) Bill was not given priority over extending magistrates' retirement ages. I will not go through the whole sad story but members will recall that amendments were moved by Hon Alison Xamon that had been foreshadowed around October the previous year with the Attorney General in a spirit of cooperation, to which she did not receive the courtesy of even a response. When the bill finally came to be debated in this place and considered in detail in Committee of the Whole, a great deal of time and effort was wasted having to deal with what were essential uncontroversial amendments. She did the best she could with those amendments. They were agreed in this place and were then sent to the Assembly and the Attorney General raved on about how they were wholly inadequate and he would fix them. The bill was dealt with in the Assembly. His version of how it should have been done was accepted; it was brought back up here and, of course, this house accepted it. What a waste of time and energy.

That brings me to another point about this government's management of business. Priority seems to be given, not to the effective passage of sound legislation or cooperating with this house in making effective that legislation and dealing with business properly, but in trying to demonstrate stubbornness. A bill is presented, and no amendments will be entertained. We have gone through that process on a number of occasions. Members will recall the farce of the residential tenancies legislation. We had to argue out a number of changes that ultimately were misrepresented in the other place when the amendments were passed in this place and sent back to the other place, and eventually they were accepted by the government. Therefore, once again, a piece of legislation had to bounce back and forth. That could all have been solved with a bit of commonsense and a bit of cooperation and goodwill on the part of the government, rather than a talk-to-the-hand attitude and trying to blame this place for doing its job.

I fear that a similar process will be experienced with the Voluntary Assisted Dying Bill. Amendments to that bill have been advanced by government backbench members who feel strongly about some issues in the bill. Those amendments were rejected out of hand in the other place. I fear that instead of considering those amendments on

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their merits, those amendments will be entertained in this place, but to what end—to blame this place for delay, or to blame this place for doing its job and fixing up legislation?

I have just two examples. The Coroner's Court legislation is another example. That bill was introduced in the other place with a great deal of fanfare. The bill then went nowhere for over a year. The bill came to this place, and went nowhere. That bill was non-controversial. It was a meritorious piece of legislation. The Attorney General picked the low-hanging fruit, out of numerous recommendations that had been worked on by the previous government. He introduced the bill with a great deal of trumpeting and carry on about how the last government had done nothing on the subject—well, no, except to try to implement as many of the recommendations as possible in a way that did not require legislation. The Attorney General picked the low-hanging fruit, and the bill was brought into the other place and was passed very quickly. The bill then sat in this place for over a year, and finally it was passed. However, what happened to the rest of the recommendations that the Attorney General claims the last government had done nothing in respect of? Two and a half years have passed since the Attorney General took office. If it was all that simple, why has not the “Energizer Bunny”, as the Attorney General has been dubbed by one journalist, managed to succeed in doing something? When will we see that legislation?

I have asked about the legislative agenda of the Attorney General in respect of this and other matters, and all he can tell us is that it is a work in progress. That does not tell us anything at all. I can mention other pieces of legislation. We have heard a great deal about animal activists. Whatever one may feel about the cause that they are promoting, in May this year—I think on 23 May—the Attorney General told the estimates committee in the other place that he was proposing to introduce legislation at the earliest opportunity, and it would go to cabinet next week; that would have been at the start of June. He subsequently said that cabinet had given approval to draft. Where is that bill? We have heard nothing more about it.

I want to talk about another area within the Attorney General's portfolio. Other members can speak of matters that are of interest to them. I am only skimming the surface, because of the time available to me. What has happened to the pre-certification for building approvals? That was to be introduced within six months of the Labor government taking office. What has happened to subcontractor protection? That was one of the keystones of the Labor Party's election policy. Nothing has happened with that. The Fiocco committee came up with recommendations. We have not heard anything about it since. And so on and so forth. I say to the Leader of the House, through the President, that we are running out of time.

I suspect that part of the problem is that this government came into office without a legislative agenda. That was done so that the Attorney General could pick the eyes out of what had been done by the former government, bring in a raft of bills, some of them quite trivial, and claim that he has introduced 23-odd bills; therefore, he is a great reformer. However, his attention span then expires. Rather than try to bring any of those bills to conclusion, other than niche bills that affect perhaps small interest groups but not the general population, his attention wanders, and there is no commitment to do it. Time is spent on exercises of pushing forward legislation that ought to not have as much priority as other pieces of legislation.

I turn now to the manner in which business is managed in this house. That is done by most ministers not in a spirit of cooperation, and not by working with this disparate house to achieve an end, but on a take-it-or-leave-it basis. The government will pay the price for that very shortly. Frankly, the Voluntary Assisted Dying Bill is another example of that.

HON DIANE EVERS (South West) [1.25 pm]: I rise to speak on this motion for myself, because the Greens have agreed that we can all speak on this as we choose. I want to say first of all that I am very pleased that the opposition has recognised that our current system is not working. It is not ideal. It is a real problem in terms of trying to get legislation through. This is my first term in this place, but I understand that this is how it has occurred for many terms in the past. The idea is that the government tries to do things, and the opposition tries to stop it from doing things. That does not make much sense to me. I recognise that we are not getting through legislation. I recognise that on the notice paper is an appropriation supplementary bill that goes back to 2011. If the government was working, that would have been addressed long before 2019, and let us say even 2020. It is a joke. I am not the only one who notices. Something does not work about the system that we have, and I have not yet seen cooperation or any idea of collaboration to try to fix it. That is what I thought we are here for. I thought that we were elected to work for the betterment of the state and to try to improve things. But I have understood now that the role of the opposition is to make sure that the government does not look good. I recognise that on a number of occasions, bills have been improved through this process, and I am really pleased to see that. But I would just like to ask: can the opposition honestly state that every word spoken in debate has been said in order to try to improve the bill, or have there been times when some of the words spoken have been said in order to make things take a long time?

Hon Sue Ellery: Surely not!

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Hon DIANE EVERS: It is on both sides. Both sides have had the opportunity to be in opposition. I just do not understand why that seems to be the normal course of things.

Hon Michael Mischin: If you are prepared to take an interjection, it is not just to improve the bill, but to point out flaws with legislation and how policy may be misconceived. That is part of a party's job as well—as you do.

Hon DIANE EVERS: Yes, I understand. There are great opportunities to do that. I really appreciate it when those things are done to improve bills. But that is not what we take all of the time to do.

Therefore, for my part, I think this is how it goes. It sounds as though the opposition is saying, “Labor is doing it wrong, or the government is doing it wrong, and we have been really successful in holding up things.” I think we can do better than that, and that is what I would like to see. I would like to see some of that legislation, those 39 bills that the member talked about. Would it not be wonderful if we could get through those bills and either have them passed as they are or with improvements to them? It may not even be all of them. I am not saying that I would agree with all of them either. But let us bring them on and let us have a debate in which we try to do positive things, rather than just try to hold things up. The idea is that we will end up at the next election in a better place than we were in at the last election, and, four years after that, see that happen again. But I recognise that that is not how the system works. That is why I think the whole system needs to be reviewed. This whole adversarial system just slows us down. On a number of occasions in this place, I have had the opportunity to speak about how slow we are to address climate change. That is because we still have our heads stuck in the sand as a unit. I think our system allows us to stay in that position. That is because our system does not encourage debate and improvement, and finding answers. It is about winning. That is not what we need, especially going into the future. I look forward to a change.

HON SUE ELLERY (South Metropolitan — Leader of the House) [1.29 pm]: I thought I might need to hold onto the table; I was expecting a withering attack. With ironic tones for the purposes of *Hansard*, I say it is a wonder I am still standing after the withering attack by Hon Michael Mischin!

Hon Tjorn Sibma interjected.

Hon SUE ELLERY: I know you will give it a good shot, but if that is the best that the front bench of the Liberal Party has to offer us in this place for the next 17 months, I do not know how we are going to make it through. Again for the purposes of *Hansard*, that was ironic.

I will make this point, and Hon Diane Evers also touched on it, which relates to what happens when in opposition and what happens when in government. To a certain extent, Hon Diane Evers was spot on: the more things change, the more they stay the same. Those members who have been around for a while might remember that in the dying days of the Barnett government back in 2016, the opposition of the time, ably led in this place, if I may say so, raised the issue —

Hon Donna Faragher: That is a matter of opinion!

Hon Tjorn Sibma: That is an ironic statement!

The PRESIDENT: Order!

Hon SUE ELLERY: That is so unkind, honourable member, and I have been so kind to you. Members have to forgive me because I am still reeling from the attack by Hon Michael Mischin.

When in opposition, we were complaining about a backlog of legislation from the government and that we were running out of time to deal with it. At the time, the very able Leader of the Government in the Legislative Council, Hon Peter Collier, said, “If we get a backlog of legislation, that’s an exciting time.” That was from an ABC rural radio report, I think it was, in July 2016. As I say, the more things change, the more they stay the same. I want to take note of what this government has achieved by way of legislation and, if they get the chance, others will also do so. Do I have 20 minutes or 15?

The PRESIDENT: You have 20 minutes.

Hon SUE ELLERY: Okay. Thank you.

Hon Michael Mischin: It just seems like two hours!

Hon SUE ELLERY: Seriously, you’re saying that! Anyway, that is good because I will get to talk about some other things as well.

I will preface my comments with this before I get into the list: the difference, of course, between the previous government and this government in the Legislative Council is the make-up of the Legislative Council. This government is getting its legislation through with more parties than there have ever been before in the Legislative Council.

Hon Nick Goiran: It is not doing a very good job!

Hon SUE ELLERY: Let the numbers do the talking, shall we?

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I will start with the bills that have been assented to, since the start of the fortieth Parliament, that give effect to our election commitments: the Western Australian Jobs Act 2017; the Misuse of Drugs Amendment (Methylamphetamine Offences) Act 2017; the Sentence Administration Amendment (Multiple Murderers) Act 2018; the Transport (Road Passenger Services) Amendment Act 2018; the Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018; the Reserves (Marmion Marine Park) Act 2019; the Police Amendment (Medical Retirement) Act 2019; the Infrastructure Western Australia Act 2019; and with all kudos to my deputy, the Waste Avoidance and Resource Recovery Amendment (Container Deposit) Act 2019.

The following bills are on the notice papers of the houses and will also give effect to election commitments: the High Risk Offenders Bill 2019; the Civil Procedure (Representative Proceedings) Bill 2019; the Criminal Appeals Amendment Bill 2019; the Small Business Development Corporation Amendment Bill 2019; the Ticket Scalping Bill 2018; the Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018; the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019; and the Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2019.

To date in the fortieth Parliament, 122 government bills have been introduced over a period of 54 sitting weeks. For the same period during the thirty-ninth Parliament, 112 government bills were introduced over a period of 59 sitting weeks. The stat reports for the Legislative Council, which are available on the Parliament's website, show that the McGowan government passed 89 bills up until September 2019; the Barnett government had passed 90. The former government had passed one more bill in circumstances that were vastly different—it had a majority in the Legislative Council and this government does not. The latest reports from the Legislative Council's website, as at the end of the September Legislative Council sitting period, indicate that the McGowan government has passed on average 1.74 bills each sitting week. That is 89 bills in 51 sitting weeks. At the same point, in September 2016, the Barnett government, with a majority in the Legislative Council, passed 1.73 bills each sitting week. That is 90 bills in 52 sitting weeks. The McGowan government is marginally outperforming the Barnett government despite the fact that it does not hold a majority in the Legislative Council. We are also dealing with additional parties and an Independent, and our legislative agenda has included some very sizeable bills that each party has varying views on.

Looking at what happened under the previous government when Hon Michael Mischin was Attorney General, between 21 March 2013 and 21 October 2013—seven months—a total of five bills were introduced. The total number of bills introduced by the former Attorney General during the second term of the Barnett government, between 21 March 2013 and 17 March 2017, was 22. I hear members ask: shall we compare the pair! Okay. Between 17 March 2017 and 28 October 2019, the current Attorney General; Minister for Commerce has introduced 36 separate pieces of legislation. Following a minor restructure of the ministry in December 2018, the Attorney General now also has Commerce, so he picked up five existing commerce bills. That makes the total 41. Shall we compare the pair again? That is 22 under the previous Attorney General and 41 now. But let us take out the commerce bills that he inherited and stick with the 36. Members can see that, if anything, those stats absolutely disprove the assertion made by Hon Michael Mischin that this government cannot manage its legislative agenda. We make no apology for pursuing and enacting the legislative changes that we brought before the house. We are getting on with doing the job in how we manage our legislative agenda.

There was a classic case of mismanagement of legislation under the previous Attorney General that related to dangerous sex offenders. Members might recall that in 2014 there was considerable public concern about the release of prisoner TJD. The then Attorney General, Hon Michael Mischin, put out a media release at the time in which—guess what?—he praised himself for moving swiftly! We know he does not like it when Attorneys General put out media releases praising themselves because he talks about that a lot in here, but he did that.

Hon Michael Mischin: Do you want to provide it?

Hon SUE ELLERY: I have it here. The then Attorney General praised himself for moving swiftly by reviewing the Dangerous Sexual Offenders Act within three months and promising resultant legislation in the spring session of that year's Parliament—so within six months of the media release. Parliament did not see the legislation until 2 December 2015. It was not passed until seven months later, on 30 June 2016. That was two years after the press release. What is more, what the then Attorney General promised would be a "comprehensive review" into all aspects of the act to ensure that it met the community's expectations actually delivered a series of minor amendments, because the review, we were told at the time, did not expose any fundamental difficulties with the legislation.

There is another example in the case of the Bail Act. The former Attorney General introduced amendments to the Bail Act on the last sitting day of the thirty-ninth Parliament, knowing that there was no chance of it passing both houses of Parliament, but claiming that introducing that legislation demonstrated the Barnett government's commitment to the reforms should it be re-elected, when every person in Western Australia knew there was

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a snowflake's chance in hell of it being re-elected by the date of the last day of the thirty-ninth Parliament in 2016! In late 2014, there was a great article in *The West Australian* headed "Parliament meanders to a stop". It states —

Premier Colin Barnett gave an insight into the Government's mindset on the eve of this final three-week sitting period when asked whether he was happy with how much legislation had been passed during the year.

His response was —

"Yes. I'm not out to pass record numbers of legislation," he said. "I think there's too much regulation."

Ironically, perusal of the State Law Publisher's online archives reveals the Premier has passed a record amount of legislation, at least for modern politics.

A record low.

...

At times during the past two years the Legislative Council has run out of Bills passed by the Lower House to debate.

...

Legislation described as matters of priority in the lead-up to the 2013 election have yet to materialise.

A new biodiversity Bill promised in late 2012 is nowhere to be seen, forcing the Government to deny during parliamentary estimates that it had dropped it.

Mandatory minimum jail terms for perpetrators of sexually violent home burglaries, described as the first order of business for a re-elected Barnett Government, have been introduced but will not be passed until at least next year.

...

Symbolic of the Government's shambolic program has been the Royal Succession Bill, the procedural legislation required to be passed through all Commonwealth parliaments so a girl can ascend to the British throne.

All 15 other realm nations have adopted it and Westminster Abbey only waits on WA to pass the Bill, which was introduced in February but not debated until October and it now languishes before a parliamentary committee.

The second-term Barnett Government has spent a lot of time pursuing things it said before the election it wouldn't (public sector redundancies, council amalgamations) —

That one was a roaring success. It continues —

while ignoring much of what it said it would do ...

Does anyone remember the Metro Area Express light rail? The article continues, and I could not have written it better myself —

To suggest that the Government has been struggling for direction since being re-elected would be putting it mildly.

Hon Michael Mischin: Who wrote that?

Hon SUE ELLERY: Dan Emerson.

Hon Michael Mischin interjected.

The PRESIDENT: Order!

Hon SUE ELLERY: Does the member take issue with anything in that article?

Hon Michael Mischin: Yes, with who wrote it: Dan Emerson. Where is he working now?

Hon SUE ELLERY: The member actually does not take issue with anything in the article.

Hon Michael Mischin interjected.

The PRESIDENT: Order! One person is on their feet. You have had ample opportunity. The Leader of the House has the call.

Hon SUE ELLERY: I also hope the member is not questioning the professionalism of a former —

Hon Michael Mischin interjected.

Hon SUE ELLERY: I hope that is not the case, honourable member.

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The PRESIDENT: Leader of the House!

Hon Michael Mischin interjected.

Hon SUE ELLERY: Honourable member —

The PRESIDENT: Leader of the House, if you can just proceed. Ignore the interjections, as you should, and just refer your comments to me.

Hon SUE ELLERY: I will, Madam President. It is important to place on the record the professionalism of journalists, including former journalists who, from time to time, work for various parties such as Tony Barrass—does anyone remember him?—Jessica Strutt and others.

Hon Alanna Clohesy: Dixie.

Hon SUE ELLERY: Of course, Dixie Marshall. If I had another 20 minutes, I could talk about Dixie Marshall, but I do not.

The PRESIDENT: Order! I think we are getting a little distracted now. Perhaps get back to the subject at hand, Leader of the House.

Hon SUE ELLERY: It is a very important subject at hand, Madam President. I am happy to defend the honour of those professional journalists who, from time to time, will work for various parties be it in opposition or in government. It happens on both sides; there is nothing improper about it. Working for one side or tother does not make that person any less professional than they would otherwise have been judged.

This government has set its number one priority and is getting on with delivering jobs. If members opposite want to talk about the priorities of government, of course we have a heavy legislative agenda. The numbers that I have talked about clearly show that, but we should compare the pair. Sorry, honourable member. I know that you are struggling; I feel your pain. The Legislative Council is made up of many different parties, which is a good thing—democracy at work—but the government does not have a majority. We should compare that, honourable members, with what the Liberal Party achieved in government when it did have a majority. It had an Attorney General who could not move very fast compared with our Attorney General, who clearly can. I could go on for a very long time. I could remind the house about the importance of the measures that we recently announced to have a stimulus effect on the Western Australian community. I could talk about all those things. I could also talk about how the previous government had a bill before this house called the Pilbara Port Assets (Disposal) Bill and its partners —

Hon Peter Collier: Keep talking about us.

Hon SUE ELLERY: The member has given me no choice. The motion moved by the opposition is so patently ridiculous and the effort put in by the front bench lead speaker was so overwhelming that I have no choice but to respond in these terms.

Many people here will not remember the Pilbara ports bill. It came into this place and then it disappeared because of a disagreement between the two parties in government. It is not unusual for a bill to come before this house and for the relevant parties—in our case, parties on the crossbench or other parties—to have issues with it that they want to resolve. The government then stops the progress of that bill to deal with those issues. The Pilbara ports bill was a classic. It came into this place and the National Party was saying behind the Chair that it was not having a bar of it, so the Pilbara ports bill disappeared for months on end.

The Voluntary Assisted Dying Bill that is before the house now is an important bill that reflects the views of the vast majority of Western Australians. We make no apology for dealing with that bill. Members of the house have made the point that they wanted a reasonable time to debate the bill. I am on the public record probably about 1 000 times as having said that we will give members a reasonable time to scrutinise the bill. We expect a decision to be made before we rise in December, but we need to listen to Western Australians who are saying that although they want us to give due scrutiny to the legislation, they want it passed. They do not understand and they certainly do not respect the use of what have been described as filibustering techniques. I have been in this place for 18 years. I have seen and used every filibustering technique there is to use.

Hon Peter Collier: We have heard all this.

Hon SUE ELLERY: The member is going to hear it again.

Hon Peter Collier interjected.

The PRESIDENT: Order!

Hon SUE ELLERY: The point I was trying to make is that there are a range of ways to hold up a bill when the person doing it has no intention of changing the way they will vote, and no capacity to influence those who might be considering otherwise.

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I am proud to be part of the McGowan government that has a really strong legislative agenda that it is prosecuting. It is out in the community every single day working with Western Australians to make our state even better than it already is.

HON TJORN SIBMA (North Metropolitan) [1.48 pm]: I rise to provide my full-throated support for this motion. It is an excellent motion and well calibrated. I want to focus on one dimension of government activity, or inactivity as the case may be, that relates to its policies in public sector management. I will focus on the legislative component at the outset and then work backwards to policy. I want to read in a press release from Hon Mark McGowan of 21 September 2017 titled “Changes to payout provisions for senior bureaucrats”. This statement presaged the introduction of the government’s Public and Health Sector Legislation Amendment (Right of Return) Bill 2018, a bill that has been marooned at clause 1 since 6 December last year and a bill, furthermore, that the Liberal Party supports. I can see no impediment to the passage of that bill, other than perhaps injured pride. My friend Hon Alison Xamon made some excellent observations about the threat to existing industrial agreements for those senior bureaucrats who had signed contracts that had certain provisions, enshrined in law, that the government was looking to take away. She made the sound observation—which we support—that perhaps we should let those contracts run their natural course, but that the government is completely entitled to implement its policy agenda on new contracts. I have been waiting for some progress in this area since 6 December last year, but there has been no progress. That is strange, because I take the Premier at his word. He stated in his press release —

“Large, excessive payouts are something I want my Government and future governments to avoid when possible.

“These measures create a reasonable level of fairness and will help limit payouts in the future.

This is it, apropos the Leader of the House’s earlier comments —

“We’re getting on with the job ...

The government has not got on with the job since 6 December last year, and we are still waiting. I am from the opposition, but I am actually here to help. I support the terms of this motion because I am concerned about the government losing faith in itself. It should not do that; it is wonderful! It is doing a great job! I am here to support it, but 11 months later there has been no action. I am asking a question today, I am just seeking an answer, and I will wait for it when it comes at the appropriate time. I am asking a simple question: does the government intend to move that legislation on or not?

Hon Stephen Dawson: It’s not question time!

HON TJORN SIBMA: It is not question time! I am waiting for it, but I just thought I would give the government an early indication in case a brief gets lost on the way from wherever they come from to this chamber, because sometimes papers disappear.

This is an important point to raise, because the government, or at least its staff, drafted amendments that were consistent with the amendments on the supplementary notice paper moved by Hon Alison Xamon, and effectively mirrored the intent of those amendments. When I brought that fact to the attention of the Leader of the House, it appeared that no-one had passed that brief on to her, and I am very, very upset for her. She did not have to be put in that embarrassing position. I think sometimes she has good reason to lose confidence in herself and in the operations of her government, if she is not even being advised of amendments that the government is considering to its own legislation.

If we happen to move through the Voluntary Assisted Dying Bill 2019 this year, I earnestly hope that consideration will be given—the government has the power—to the Premier discharging one of his bold new public sector initiatives, because I am here to help. To help him along, I even drafted my own legislation the year before; perhaps that was not enough. It is still on the notice paper, so if the government needs any hints or tips, it can go back to my bill; it might help. I do not know whether it will, but it would be a good place to start.

However, this legislation is not the sole example of the government’s failure in public sector management. How could I overlook such outright winners as the voluntary targeted separation scheme? That was a scheme designed for the purposes of budget repair. In the very first budget speech provided by the government, it was claimed that the reduction of 3 000 FTEs across the public service would contribute to efficient and manageable finances in the public sector. What has happened to that? It is true that people were paid out; I think we have now got to 3 000, which was the initial target. I refer to the Public Sector Commission’s “Annual Report 2017–18”, which states —

At the conclusion of the VTSS on 30 June 2018, 2314 employees from across the sector received voluntary separations which totalled \$279 872 630.

The Treasurer indicated in the 2018–19 budget paper No 1 that that scheme had been designed to save an estimated \$1.1 million over the current forward estimates period. That might have been achievable if the government had not then gone out and recruited exactly the same number of people it had terminated. At the same time that the

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government was making these sorts of claims, albeit through the Public Sector Commission, a note was published by the Public Sector Commissioner. Under the heading, “Did You Know?”, it states —

As at 30 June, 2,691 public sector employees have been converted from casual or fixed-term employment to permanency as part of efforts to **ensure a more stable workforce** ...

This is a significant increase in one quarter, up from 759 in March 2019.

On one hand, the government is lauding itself for budget repair and getting all these people who do not contribute anything meaningful out of the public sector, and paying them close to \$280 million in the process; on the other hand, it is then recruiting exactly the same number of people, if not more. That, frankly, is stupidity. It is innumerate; it is economically illiterate. That is why my good friend Hon Michael Mischin moves very balanced, cadenced motions like this one, effectively calling out the government’s lack of professionalism and lack of competence, because it provides us with so much material to get into. He was limited by the mere 20 minutes available to him to reflect upon the catalogue of government disasters, one after the other. If he had limited himself to the domain of one single portfolio, he would still have struggled. I am still struggling, but I know that other people in this place wish to speak.

I want to reflect upon something that gets to the policy priorities of government. Members should think about how members opposite spoke about the public sector before they came into government. The Premier made some very, very bold claims in public about what he was going to do. When he was Leader of the Opposition, he unveiled the then opposition’s 20–20–20 plan at a Committee for Economic Development of Australia event. I will quote the then Leader of the Opposition from, presumably, 2016, because I want to reflect on how well he has discharged these big policy initiatives. This media release states —

Mr McGowan used the opportunity speaking at the CEDA event ... to announce his party’s plan to link the salaries of senior public service Directors General and Chief Executive Officers to measured performance.

He explained that Labor proposed introducing a maximum of 20 Key Performance Indicators—KPIs—that senior public service figures would have to meet.

What happened? After three years, where is that? It continues —

“And if those KPIs are not met,” Mr McGowan said, “Then the Department or Agency heads face the prospect of a 20 per cent cut to their annual pay.”

Look out! How many DGs or CEOs have actually encountered this kind of reprimand or muscular executive performance management? He would not have had the opportunity to do that across the public sector because he would have been too busy managing the absolute catastrophes in the education portfolio over the first two budgets and the ongoing saga that is the Minister for Fisheries and the Minister for Corrective Services. Perhaps the Premier has been too busy to implement this 20–20–20 punitive measure across the public sector, linking pay to performance, because he is too busy managing the non-performance of his cabinet. Perhaps that is the explanation. I am a reasonable person and I am here to help the Premier rediscover belief in himself and faith in his own government. I know that is hard when he is dealing with what he is dealing with, but there we go.

I want to finish on the absolute wholesale catastrophe that was the machinery-of-government changes—another magnificent McGowan initiative brought to us by the over-promoted director general of the Department of the Premier and Cabinet, Darren Foster. What an absolute disaster that thing has been, not only for the absolute damage and carnage it has caused within the Department of Primary Industries and Regional Development. We have spoken about the absolutely deplorable state of morale and effectiveness in that department on previous occasions, but it is not just me and the opposition trying to be helpful, and who have identified the rolling omnishambles that is the machinery-of-government changes. I will sit down after I have done my work on this, but I want to quote from the Auditor General’s “Audit Results Report — Annual 2017–18 Financial Audits of State Government Entities”. I will quote from page 23. This came almost two full years after the McGowan government was elected, nearly 18 months after the machinery-of-government changes were initiated. I quote —

- progress with amalgamating systems of the various constituent entities is slow, with most departments continuing to operate on several financial, human resource and administrative systems. This is impacting the realisation of cost savings that can be achieved by rationalising systems.

Since that report, and even before it, in budget estimates and annual reports hearings at which Treasury has been a witness, I have asked whether the value-capture of the MOG changes were in any way quantified. Guess what? There is no answer, because it is well understood that this has caused so much internal chaos and discord that these things cannot happen on a cost-neutral basis. I believe the government does know how much it cost and does not want to admit it or is too petrified to seek clarification, because it has got absolutely no service uplift out of these MOG changes and has not reduced public sector expenditure as a result of them. In fact, the government encountered an uplift in payouts as it used this as cover in 2017 to undertake a political purge of senior bureaucrats who just suffered the historical misfortune of being senior public servants during the time of the Barnett government. All it

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was was a political purge, and it is disgraceful. The government has left this sector in terrible shape. This will be the government's legacy, and the government does not even have enough faith in itself to continue with the legislation it brings into this place. I commend this motion in the strongest possible terms, and I encourage every other member in the chamber to do so accordingly.

HON COLIN de GRUSSA (Agricultural) [2.01 pm]: I thank the honourable member for moving this motion before us today. I will not speak for too long, because I know other members in the chamber and, indeed, members of the public out there, would like us to get on with the job of scrutinising and attending to the Voluntary Assisted Dying Bill 2019, and I certainly want to do that. Unfortunately, the debate earlier went straight down the path of a legislation-measuring exercise—"My bill is bigger than your bill", and all that sort of thing. I do not particularly want to stray down that path. I do not think it is helpful, but I will say this: with the numbers in the other place, there is certainly a great propensity to drive legislation through there somewhat like a truck through a chook house, with little regard to what the legislation looks like. It arrives here only for us to find that significant work needs to be done by committees such as the Standing Committee on Legislation, which has done a great job of fixing many, many problems with many, many bills, not the least of which recently was the Ticket Scalping Bill, which did not even have a definition of "ticket scalping".

But I do not want to talk about that for too long. What I want to talk about in particular is promises made by the Attorney General and others about attending to issues around animal activism and rural crime, which I have been talking about for some time in this place. Indeed, in February I read in a petition about these issues, and then we had a debate in late February about rural crime and some of the attacks on lawful businesses that were occurring that needed to be drawn to the attention of the Parliament and needed action from the government in order to stem them. Not long after that, on 23 May, the Attorney General was quoted in *The West Australian* as saying, "I'll roast 'em". The article states —

Vegan activists who are convicted of trespass would be slapped with "farm restraining orders" that ban them from setting foot on WA agricultural properties under new laws being considered by the State Government.

The beefed-up legislation will be discussed at a Cabinet meeting next week and is expected to be introduced ... within months.

In June, I asked a question of the Attorney General through the Leader of the House to which the response was, "Cabinet has approved the drafting of a bill." In August, I followed up on that question and the answer said, "Legislation is currently being drafted." That was from February through to August. In correspondence written in response to the petition, the Attorney General noted —

... I am developing amendments to section 70A of the *Criminal Code* ... that will define circumstances of aggravation for the offence of trespass.

He said that he was doing something there. Further he said —

The amending legislation will be introduced at the earliest opportunity in accordance with standard drafting processes and the Government's legislative priorities.

Promises, promises about dealing with this issue and bringing forward this legislation, but this issue was first flagged in this place back in February and responses were pretty swift from the government, with it saying that it would do something and the legislation would be before the house very quickly, yet here we are almost in November and still we have seen nothing. All the while, there is a vigil today at Linley Valley Pork where activists are again disrupting the operation of a lawful business. That is happening despite the government's promises of bringing forward this legislation.

This motion refers to the priorities given by this government to its legislative and other agendas. Clearly, when there is an issue happening in the state and nothing has been done, the government's priorities are not to look after those in Western Australia who need its support to continue with their lawful businesses. I find it quite extraordinary that we have ended up not far off a year later—a few months short of a year—from when these things were to be coming in, yet we have seen nothing from government on this issue.

We continually see legislation added to our agenda needing further scrutiny because it has been rushed through the other place. When it gets here, we get complaints about holding things up, yet if the job had been done properly in the first place, maybe that would not be the case. Again, this goes back to the legislative priorities that Hon Michael Mischin and others were talking about, as well as the machinery-of-government changes that Hon Tjorn Sibma talked about. We have had a debate in this place about the impact those changes had, in particular on the Department of Primary Industries and Regional Development and the numerous surveys that were done by experts of those changes over the course of time and the effects they had on staff morale and mental health.

The government clearly has not got its priorities right about all these things in that respect. It needs to do some work on ensuring that the legislative agenda can be met and that we have legislation in this place that can be dealt

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with in an expedient fashion. That means the government needs to get the legislation right before bringing it to this place. It also needs to respond to the issues that the community raises as important and to get on with the job. I will leave my remarks there, because, as I said earlier, I want to get on with the orders of the day and get back to debating the very important piece of legislation we have before us in the Voluntary Assisted Dying Bill 2019. Again, I thank Hon Michael Mischin for moving this motion.

HON ALISON XAMON (North Metropolitan) [2.08 pm]: I rise because I want to say a few things on this motion as well. I say that as someone who engages very heavily in the legislative agenda in this chamber and applies great scrutiny to the bills of which I have carriage, which are the majority. I am very happy with the fact that I move a series of amendments. I think that is part of my job. I also say that knowing full well that I have never filibustered on a bill. I often have a lot to say, and I make no apologies for that—that is why I was elected—but no-one could accuse me of holding up legislation. Having said that, I recognise that the government has introduced sound legislation in this term of government. The legislation I am thinking of has received support right across the chamber, in most cases from almost everybody in this place. There was the Historical Homosexual Convictions Expungement Bill 2017, which, it has to be acknowledged, was initiated by the previous government. It received support right across the chamber. There have been bills related to domestic violence orders and medical retirements. There is a lot of legislation that I recognise has been good, but, as I say, legislation that has been good has received support from across the chamber and has been passed.

I also recognise that a lot of garbage legislation has been put forward, and the Greens have opposed it, spoken against it and often attempted to amend it. I do not want to pretend by any stretch of the imagination that meeting the election commitments has necessarily been a good thing, because there has been plenty of stuff that this government went to the election on, particularly a lot of its tough-on-crime nonsense that came to this chamber, which I think is actually terrible legislation and on which I do not think any pride can be taken in the fact that it has gone through.

However, I did want to comment on a couple of bills, which have already been mentioned, that have effectively ground to a halt—and I say that that is great. One, of course, is the infamous Public and Health Sector Legislation Amendment (Right of Return) Bill, which has now been referred to several times and which I have certainly sought to amend—the priority bill that had to be passed before the end of last year but we have never seen again. Can I please ask members of the opposition—I understand that they are here to help, but I am really quite happy that that legislation has not seen the light of day again; it was a terrible piece of legislation that was going to destroy contracts that people had entered into in good faith—that if the government is quietly trying to make that go away, please let it.

Likewise, I want to point out the messy bill to amend the Corruption, Crime and Misconduct Act, which seeks to enable the Corruption and Crime Commission to basically run roughshod over parliamentary privilege. Can I say, members: thank goodness that bill never went through. For those members who may not have had the opportunity, I refer them to the publicly available submission I made to the Standing Committee on Procedure and Privileges at the time, which, I flag with members, pretty much predicted everything that has emerged. I would really like members to take a look at that and to think about the mess that we are in—I will come back to that in a moment—and to thank our lucky stars that that piece of legislation has not made its way through the chamber, because we have still got a lot that we need to do in that space.

However, I do want to pick up on the fact that government has not delivered, and we are still yet to see progress, on a lot of key issues which I think are really important and which I am desperately concerned that we are not going to see any sort of progress on before the end of this term of government. I will point out, for example, that the Attorney General came in very early on in the term and took the very low-hanging fruit around the amended changes to the Coroners Act, yet we have not seen the broadscale changes that have been flagged as necessary. Where are they? They are nowhere to be seen. I also want to talk about the Animal Welfare Amendment Bill. I would like to flag to those people who are so concerned about so-called vegan activists that if we get the second tranche of animal welfare reform, which will enable unannounced inspections of farms, I suggest that that will take a lot of the heat out of the issue and they might find that they do not have to worry about this sort of legislation. Anyway, that is a moot point because we have not seen the second tranche of animal welfare laws come through, yet I think that that is absolutely necessary.

A lot of promises were made at the last election about how we were going to see massive reform in occupational health and safety. I know the responsible minister has undertaken extensive consultation with the sector, but—tick, tick, tick—the clock is ticking down and we are yet to see the large-scale reforms that people were saying were a priority in this term of government. We are going into the final year of this term of government and I am really concerned that these reforms are not being given the priority that they deserve. Likewise, we are still waiting for retirement village reform, which I know a lot of stakeholders are desperate to see, but we have not seen progress

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on that. We have received concerns from park home owners, for example, who are desperate for legislation to be passed in this place, but it has not been prioritised.

Last week, I asked questions of the Attorney General about what was happening with overall equal opportunity legislation reform. I was very disappointed to hear that we are not going to get any sort of report until June 2021—after this government has been completed. Who knows? By that time, the Labor Party may not even be in government anymore—elections are like that these days. There is going to be no reform—no bill will be seen. Likewise, even the prioritised bills that have been introduced, such as fine default legislation, have been de-prioritised for the purpose of being considered within this house.

Of course, I could not stand here without talking about legislation that I most desperately want to see reform on—that is, the Criminal Law (Mentally Impaired Accused) Act. When I came back into this place after my four-year sabbatical, I got up and spoke at length about how we needed to see reform of the Criminal Law (Mentally Impaired Accused) Act—an act that has been deemed by the UN to be in violation of human rights. I was assured that we would see that within the first year. I was then assured that we would see that within the second year. We still have not seen it. I am by no means having a go at the good people who are trying to draft that piece of legislation; I feel very confident that there are some very, very good minds being turned to how to enact that legislation as effectively as possible. But I am very concerned that right now in this state, there are people living on custody orders, whose human rights are being violated, and who right now are not getting any sort of justice because this legislation has not been prioritised.

It is at this point that I now want to make some comments about the Attorney General. The Attorney General started off with a great flurry of activity. A lot of bills were certainly introduced—as I said, some of them rubbish and some of them good—and the good ones received support across the chamber. But now, it would appear, the Attorney General has other things on his mind. I am very concerned that while he indulges in this taxpayer-funded folly of trying to destroy parliamentary privilege, while he and his best friend forever, the State Solicitor, are trying to cobble together this absolutely nonsense legal action against the Parliament, he has his eye off the ball. He is effectively not focusing on the key things that he is meant to be doing as the first law officer of this state. CLMIAA reform should be the absolute number one thing we should be seeing in this place. I was very, very forgiving of how long that was taking because I wanted it to be done right and I recognised that lots of other things were happening. But I am not forgiving anymore about this, because, to be honest, I have lost faith in our Attorney General to focus on the things that are really important and to not just indulge in some pretty nasty personal exercises for no other sake than for cheap political mileage—and, really, just for no purpose at all other than perhaps to try to exercise some muscle over his contempt for this Parliament. I am really at the end of my tether. I think it shows an extraordinary lack of judgement by the Attorney General of what the priorities of his office are, and also what the resources of his office and the resources of the State Solicitor's Office should be. I think all of us should be very concerned about that.

There are so many other priorities that I could talk about on which we have not seen good progress. In youth justice, about which I will probably have more to say later today, we knew we needed major reforms; not only have we not seen major reforms, but also we have gone backwards in some respects. That is absolutely appalling. We have seen nothing about addressing climate change. The Greens are going to keep getting up and speaking about that. Of course, we have to because it is a crisis and because we need to be doing something as a state, but we are not seeing anything happen there. The machinery-of-government changes, which a previous speaker mentioned, have not been anything as promised and are not being delivered how they were meant to be delivered. Even the Auditor General reports that have come out most recently refer to how critical components of our state government functioning, such as the issuing of working with children checks, have been compromised as a result of the poor way in which the machinery-of-government changes have been rolled out.

We know that there was a great flurry of activity when this government first started. A lot of it was just general peripheral legislation that needed to be addressed and churned through. That was a lot of the large chunk of the bills that have been referred to, which were agreed to by everyone and were not controversial, and that happened. Then there was the low-hanging fruit, which was really easy, like the Coroners Amendment Bill. But when it comes down to the really hard stuff, either the government has just decided to completely delay it or it has gone nowhere.

I am also concerned that we are running out of time. I am concerned that a lot of the reforms that matter to me—fine default, the Criminal Law (Mentally Impaired Accused) Act and worker safety—are not going to receive the attention they deserve. The government has given massive priority to the Voluntary Assisted Dying Bill 2019. I did not know that it would be a massive priority at the beginning of this term. I was told what other matters were an absolute priority, so my questions are: What has happened? Why has the Attorney General, in particular, got his eye off the ball? I think I have pretty much answered that for this chamber. I really hope that some of the more important reforms that were flagged and promised finally see the light of day, but in a time frame that means that we can properly assess and evaluate them and, if the bills are up to scratch, pass them.

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HON NICK GOIRAN (South Metropolitan) [2.20 pm]: I rise to support the motion moved by the shadow Attorney General, Hon Michael Mischin, who has asked the house to express its concerns about the government's legislative and other priorities, given the time available to the fortieth Parliament. I propose to outline three examples to the government to show it exactly why Hon Michael Mischin was left with no option but to move the motion before us.

I will start with an issue that is in the province of the portfolio of the Attorney General—that is, criminal injuries compensation, which is a matter that I have been pursuing for some time and raised in my maiden speech. On 7 February last year, the Standing Committee on Estimates and Financial Operations publicly released an answer from the Attorney General to a question I asked about the annual report of 2016–17. I asked a series of questions, particularly with regard to the increasing number of outstanding applications, a lack of increase in staff numbers and so on and so forth. I asked whether, given that it had been 14 years since the maximum award had been increased to \$75 000, there was any intention to increase the maximum award in 2018. His global response to my six-part question was —

1(a)–(f): I have asked the Department of Justice to review the current Criminal Injuries Compensation scheme that operates within Western Australia, taking into account the schemes that operate in other jurisdictions.

I will not be making any decisions until I have considered the outcome of that review.

The document contains his signature and is dated 17 January 2018. I followed that up through the committee process and the annual report hearings process by asking a question, to which he responded on 9 March 2018, which is just under two months later. I asked —

- 1) I refer to the answer to questions prior to hearing regarding the Chief Assessor Criminal Injuries Compensation and I ask:
 - a) When was a decision made to conduct a review?
...
 - b) When was that communicated to the Department of Justice?
...
 - c) Further to b) was it communicated in documentary form; and
...
 - d) If yes to c), will you table the documents?

The Attorney General provided some information, but with regard to (d), straightaway, within less than two months, the government moved into ultra-secrecy mode. Remember, this is the government that is completely obsessed with secrecy. His response was —

No, the departmental briefing note requesting my approval to conduct the review contains additional information in relation to other matters for consideration by Cabinet.

Why would he not redact that information and make it available? That is yet another matter that probably needs investigation by the Auditor General. Later that month, I followed up with a question in this house when I asked the Leader of the House representing the Attorney General—I referred to the earlier questions—when the review would be done, who was going to do it and so on and so forth. The answer was —

The department has indicated that the review will be provided to the Attorney General by October 2018.

To be clear about the sequence of events, in January —

Point of Order

Hon MICHAEL MISCHIN: I am sorry to interrupt, Hon Nick Goiran. There does not seem to be any ministers in the house.

The PRESIDENT: You might be correct about that, but I note that we have two parliamentary secretaries here, and I would assume that the ministers may have left the chamber on urgent parliamentary business. I anticipate their return very soon.

Debate Resumed

Hon NICK GOIRAN: Perhaps it is because the ministers are out trying to obtain the report on criminal injuries compensation and provide it to the house as a matter of urgency. They should do that because in January last year, the Attorney General said that he had ordered a review. He then told us in March last year that the review would be done by October 2018. I note the arrival of a minister and, hopefully, the arrival of the criminal injuries compensation report to which I have referred.

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What happened is that the Attorney General was asked to disclose the discussion paper, but, of course, the government once again moved into top-secret mode and obsession-with-secrecy mode. It said, “No, we’re not going to provide that information.” But in response to a question that I asked in June this year—I asked whether the Attorney General would table the documents—he said that the final report would be tabled after the winter recess. The review of the scheme for compensation for victims of crime was supposed to be completed in October last year. In June this year, the Attorney General told us that it would be tabled after the winter recess. Only last month, I asked the Leader of the House representing the Attorney General —

I refer to the case load within the office of the Criminal Injuries Compensation Tribunal.

...

- (5) Will the Attorney General now table the Department of Justice’s review of the criminal injuries compensation scheme that he had previously indicated was scheduled to be completed by October 2018?

His response was —

- (5) The draft report is under review at the State Solicitor’s Office and will be tabled in due course.

This is example one, exhibit A, of this government’s lack of priority when it comes to victims of crime. The Attorney General told us that he would undertake a review and report on the review in October last year. It is now October 2019, a full 12 months later, and the latest response, only a month ago, was that it is under review at the State Solicitor’s Office. The State Solicitor’s Office does not have time to do the review for the Attorney General because it is too busy spying on MPs’ emails, hiring law students and the like. It is off on a frolic trying to sue the Legislative Council, the President and the Clerk. That is the priority of the State Solicitor’s Office, so it is no wonder that the report on compensation for victims of crime in Western Australia has been buried by the Attorney General and the State Solicitor’s Office for more than a year. I call on the government to have one of its ministers forthwith table the report. We have been waiting for it for a year. There is no point in going to the State Solicitor’s Office because it is too busy with frivolous applications in court. If the government needs somebody else to do its work on behalf of the people of Western Australia, it would be a good investment of taxpayers’ funds to hire a private firm to do the work that the State Solicitor’s Office is clearly not able to do. It is overwhelmed by frivolous applications and the like. That is exhibit A—victims of crime in Western Australia being let down by this government. This government said that it would table a review 12 months ago and here we are, nothing has happened.

Exhibit B is the work done by the Joint Standing Committee on the Corruption and Crime Commission and the thirty-third report tabled in November 2016, which had to do with the ability of the Corruption and Crime Commission to charge and prosecute. I will quote briefly from the foreword —

The Joint Standing Committee originally commenced an Inquiry into the Corruption and Crime Commission ... being able to prosecute its own charges on 26 June 2014 and was due to report to Parliament on the matter by 30 December 2015. In July 2015, however, an appeal was made to the Supreme Court by a former police officer which challenged the power of the CCC to charge and prosecute for an alleged assault while he was on duty. When the Committee became aware of this appeal, it resolved to put its initial Inquiry on hold pending the outcome of the appeal.

The Court of Appeal handed down its decision in *A -v- Maughan* 2016 [WASCA] 128 ... on 15 July 2016.

As part of its judgment, the Court of Appeal held that “the Commission’s powers and functions do not extend to the prosecution of persons in respect of matters investigated by the Commission which are otherwise unrelated to the administration and enforcement of the legislation establishing the Commission.”

Following the judgment, the Joint Standing Committee resolved to continue its Inquiry, but with amended Terms of Reference.

Later in the foreword, it states —

The evidence obtained by the Committee overwhelmingly supports the maintenance of a separation between the investigation of serious misconduct and the prosecution of criminal offences. It has considered the approach taken by interstate and international anti-corruption agencies. At the present time, the Committee is not persuaded that it is either necessary or desirable for the CCC to be empowered to commence or conduct prosecutions for offences unrelated to the administration and enforcement of the *Corruption, Crime and Misconduct Act 2003*.

The Committee has recommended in part —

... the Attorney General undertake a review into the efficiency and effectiveness of the commencement and conduct of prosecutions arising from CCC investigations and table a report on that review within 12 months of the tabling of the Commission’s Annual Report for 2016–17.

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That was the recommendation of the Joint Standing Committee on the Corruption and Crime Commission.

I again asked the Attorney General about this through his representative in this house, the Leader of the House, on 5 September, just last month —

I refer to the report of the Joint Standing Committee on the Corruption and Crime Commission, tabled on 17 November 2016, which recommended that the Attorney General undertake a review into the efficiency and effectiveness of the commencement and conduct of prosecutions arising from Corruption and Crime Commission investigations and to table a report on that review within 12 months of the tabling of the Corruption and Crime Commission's annual report for 2016–17.

- (1) On what date did that review commence?
- (2) Who conducted the review?
- (3) On what date was the report on that review tabled?

The Attorney General, through the Leader of the House, said —

- (1) Due to the prorogation of the thirty-ninth Parliament in January 2017, the previous Joint Standing Committee on the Corruption and Crime Commission did not have the opportunity to receive a response to this recommendation. Accordingly, an identical recommendation was included in the second report of the Joint Standing Committee on the Corruption and Crime Commission, tabled on 14 September 2017. Subsequent to the tabling of that report, the Attorney General, with the agreement of the joint standing committee, committed to tabling the review within 12 months of the tabling of the CCC's annual report for 2017–18. The CCC's annual report for 2017–18 was tabled on 20 September 2018. The review commenced in December 2018.

That was 14 months ago. This Attorney General of Western Australia has entered into an agreement with the current Joint Standing Committee on the Corruption and Crime Commission—not the one I was involved with; the one that Hon Alison Xamon and Hon Jim Chown are on—and said that he would table the report by no later than 20 September 2019. Where is that report? Again, it is no small matter. This is to do with whether the Corruption and Crime Commission of Western Australia should have the capacity to charge and prosecute but, once again, this Attorney General says one thing but is utterly untrustworthy. Twice now, the Attorney General has said that he would provide a report on victims of crime in Western Australia seeking criminal injuries compensation. It was supposed to be finished in October last year. We know it is finished but now it is buried in the State Solicitor's Office—more than 12 months later.

The second example is the Corruption and Crime Commission's capacity to charge and prosecute. The Leader of the House should be responsible for this answer because she said that this would all be done when she said —

The CCC's annual report for 2017–18 was tabled on 20 September 2018.

Where is the report that was supposed to be tabled 12 months later, and here we are 13 and a half months later and it is nowhere to be seen?

Hon Michael Mischin interjected.

Hon NICK GOIRAN: I am concerned, as per the motion, about the priorities of government. Instead of hiring law students to spy on emails and work out whether parliamentary privilege is attached and getting the State Solicitor to run off and sue the Legislative Council, the President and the Clerk of the Legislative Council, I think a better priority for the Attorney General would be to sort out victims of crime compensation in Western Australia, which he said he would do more than 12 months ago, and sort out this issue with the Corruption and Crime Commission and whether it should charge and prosecute. It is something he delayed by an extra 12 months with the agreement of the Joint Standing Committee on the Corruption and Crime Commission. However, he has failed to adhere to that undertaking. Every time something is said by this Attorney General and the government, it proves to be false. They say that they are going to do things by a deadline and they do not do it. No wonder the people of Western Australia have no confidence in this government's ability to not only speak the truth, but also act on what it says it will do.

I have a third example—exhibit C. I turn now to the work of the Select Committee into Elder Abuse and ask members to make themselves familiar with page 87 of the work of the committee under the heading “Better protection for older people who have an Enduring Power of Attorney”. The committee looked into the statutory review of the Guardianship and Administration Act and noted at paragraph 7.63 —

Given the length of time since the review was completed and the relevance of some recommendations to elder abuse, the Committee wrote to the Attorney General in April 2018 to query the status of the recommendations. The Attorney General advised that the Government supports 77 of the 86 recommendations contained in the statutory review, with nine recommendations not supported.

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The Attorney General also advised that a bill to amend the GAA was approved by Cabinet in December 2017 and that ‘it is anticipated that the Amendment Bill will be introduced in the Spring session [of Parliament]’.

That was a letter dated 26 April 2018. The spring session of the 2018 year was 12 months ago. The Attorney General said that he would introduce the bill in the spring session of 2018. The committee goes on to say —

The Committee notes that, at the adoption of this report, no bill to amend the GAA has been introduced into the Parliament.

The committee then made this recommendation —

The Government introduce a bill to amend the *Guardianship and Administration Act 1990* to implement the recommendations contained in the 2015 statutory review of the act as a matter of urgency.

That was September 2018. The government eventually decided to respond to that report by the Select Committee into Elder Abuse and the following is what it says in the government’s response dated 13 November 2018. Remember that a moment ago, the Attorney General said that he would introduce it in the spring session. The government in its response said that it accepted that, and —

As per the McGowan Government election commitment, the Government has committed to expedite the enactment of amendments set out in the recommendations of the Statutory Review. It is anticipated the Amendment Bill will be introduced in the first half of 2019.

The government keeps moving the deadlines and saying that it will do it, but then it is exposed and embarrassed that it has not met its own deadlines—it is the creator of the deadlines—and as an opposition, we are holding it to account for the deadlines it has created, but it keeps pushing out the deadlines. This is no small matter. This is for better protection of older people who have enduring power of attorney. These are serious matters for Western Australians—victims of crime, the Corruption and Crime Commission’s work and whether it should be able to charge and prosecute, and better protection of older people who have enduring power of attorney. These are three weighty matters. In each instance, the government has said that it would do something but it has not.

Hon Diane Evers was disturbed earlier about the way our system works and made some criticism about the opposition and how we hold things up and all the rest of it. With all due respect to the member, the job of the opposition is to hold the government to account. When in October 2018 the Attorney General says that he will do something for victims of crime, we would expect the opposition to ask in October 2019: where is it? When the Attorney General says, ‘I’m going to do something with regard to the Corruption and Crime Commission but I’m a bit under pressure so I’ve organised an agreement with Hon Alison Xamon, Hon Jim Chown and the people on the committee and I have extended it by 12 months’, we can expect the opposition 12 months later to ask: where is it? When the government tells the Select Committee on Elder Abuse, which I chaired, that it will introduce a bill in the spring session of 2018 and we are now in the spring session of 2019, Hon Diane Evers should expect the opposition to say something.

That is not us holding it up. That is us holding the government to account. Is that not our job? If it is not our job to do that, there is no point in having the Legislative Council. Let us all pack up and go home. I will go back to practise law, earn more money and see my kids more, and the government can do whatever it likes. It can continue to tell lies, and tell people that it is going to do things and not do them. That seems to be the approach of this government.

When Hon Michael Mischin moves a motion expressing concern about the government’s legislative and other priorities, I provide my wholehearted support to him. We have given three weighty examples of how the government has said it will do something, and it has not done it. The government has misled the people of Western Australia, and it has misled members of Parliament, because it has said that it will do certain things and it has not done them.

That is why I support the motion. I very much regret that we do not have more time to debate this important motion. There is a plethora of examples of how this government’s priorities are all wrong. That is why the people of Western Australia are fed up. They have worked out that this is a do-nothing government—so much so that the government has had to cancel one week of sittings in the other place. That is because the government has nothing to do. The government will go and play games, but it has nothing to do for the people of Western Australia

HON DR STEVE THOMAS (South West) [2.40 pm]: I am very pleased to address the motion moved by Hon Michael Mischin. I intend to concentrate on the area of “other priorities”. I am happy for other members to discuss the legislative agenda of the Legislative Council, but I think the government’s other priorities are worth a conversation. I note that yesterday the Legislative Council staff passed out some cloth wipes. I think that is a very good idea. I intend to donate my cloth wipes to Hon Tjorn Sibma. I think I heard him say today that he has faith in the Premier and the government of the state, and they should have more faith in themselves. I suspect that Hon Tjorn Sibma is looking through fogged-up glasses. He may need to take one of these cloth wipes and apply it liberally to his glasses. There must be a smear of something on his glasses that is causing him to view things in an unusual manner. Therefore, I will be donating my glasses cleaning cloth to Hon Tjorn Sibma so that he

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might take a more pertinent and forensic view of the performance of the Premier and the government of Western Australia, because his view to date might have been a little unclear.

Several members interjected.

Hon Dr STEVE THOMAS: He obviously cannot see all that clearly at the moment, but I am sure that with a good cleaning of his glasses, he will improve.

I would like to briefly discuss a couple of issues to do with the economic state of Western Australia. That is something on which the government has displayed an unusual set of priorities. I would like to identify some of those, and point out to the Legislative Council how this might be done better. Madam President, in order to make sure that members understand what I am going to do, I seek your forbearance to table a chart that I have put together for the education of members. It is a comparison of housing prices in Western Australia and annual earnings in Western Australia.

Point of Order

Hon MICHAEL MISCHIN: Madam President, we seem to have lost our ministers.

The PRESIDENT: Member, I was aware that the Leader of the House had just stepped away, and was not out of the chamber.

Debate Resumed

Hon Dr STEVE THOMAS: I am sure I will speak loudly enough to enable the Leader of the House to hear me.

Madam President, I seek leave to table that document.

Leave granted. [See paper 3349.]

Hon Dr STEVE THOMAS: I thank members. I know that Hon Alison Xamon is incredibly keen to see economic data presented in chart form, so I thank members for their enthusiasm.

I am sure members will be intrigued to explore housing prices versus annualised wages. It is particularly interesting. That is because, like many other bits of the economic database, from 2000 onwards there has been a massive increase in housing prices compared with the wage increases of Western Australians. To make the chart easier for people to interpret, I have put in a third measure. I have taken the annual price of housing and increased it at the same compound rate that wages have increased. That is quite a useful measure for members as we embark again on our journey of economic literacy. We have not had an economic debate for some time. I think the last time we had an opportunity to do this was in the debate on the budget bills, and I was forced to take recourse to members' statements to try to add a bit extra.

The issue is that in 2002 and 2003, housing prices increased significantly faster than wages, to the point that in many cases it was deemed to be difficult to attain housing, particularly for people who were trying to enter the housing market for the first time. I will give members some figures. In 1970, housing prices were 4.2 times average earnings. By 2006, they were 7.5 times average earnings. In 2010, housing prices went to 7.7 times average earnings. Housing prices have dropped since 2010, particularly in the last two or three years, and are now 5.6 times average earnings. The average house price is \$480 000, and average earnings—this is normal earnings, not with additions—are \$84 958.

This brings up an interesting concept. This is a debate that we should have. Recently, the government released a policy on this issue. The policy was to reduce the stamp duty on off-the-plan purchases of multi-tiered apartments. That scheme will run for two years. As we all know, that is probably the period of time in which the 2019 mini boom of iron ore prices will free up money to enable this to happen. Although the Premier might suggest that the purpose of this initiative is to support the Western Australian property sector, what will the Premier do about the roughly 2 500 apartments that have already been built and are in the marketplace waiting to be sold? If we add a stamp duty rebate of up to \$50 000 for apartments that are yet to be built and will be purchased off the plan, what will be the impact on those apartments that have already been built? How does the Premier propose to manage the potential drop in prices and the inability to sell those apartments over the two-year period during which a financial benefit of between \$5 000 and \$50 000 will be provided to people who are prepared to wait and put their money into an off-the-plan apartment? Before the Premier and the Treasurer went down the path of spending some of the money from the mini iron ore boom on this particular initiative, whom did they talk to? Did they talk about the current level of housing availability? I do not think the government has thought through the impact on existing housing stock. How will the government manage that? I urge members to have a serious look at the chart that I tabled today. It shows not only that housing prices have been stagnant, but also that they have been dropping. From 2016 to 2017, housing prices in Western Australia dropped Australia. Housing prices are still significantly higher than they would have been had housing growth been equal to the compound effect of wages growth. If we were to apply housing growth at the same level as wages growth, the average—or mean—house price today would be \$356 824. That is \$123 000 less than the actual average price. The government proposes to manage that by

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putting more apartments into the marketplace. We understand that is probably about trying to make sure that there are jobs in the construction industry. I am sure the Construction, Forestry, Maritime, Mining and Energy Union, if the maritime union is still part of it—I have lost track of that at the moment —

Hon Alison Xamon: It's in.

Hon Dr STEVE THOMAS: We have a bid! Is it in or is it out? I am not certain. I am sure the CFMMEU is in favour of that policy. There might be a couple of good economic outcomes from that policy. The government has not thought through what it will do to existing housing stock. It has not thought through what that will do to house prices. We are at a bit of a crisis point, honourable members. The economy will have to work out whether the housing price stabilises with slow declines or neutrality over the longer term until wages catch up to a point that it is affordable. That might be somewhere between 2025 and 2030, with zero growth in housing.

If someone bought a house aiming to rapidly increase their wealth, the unsustainable wealth growth that occurred early on means that will not happen for the next decade or so. The other end of it is that policies like the one the government is putting forward—that is, we are going to ignore the existing housing stock and allow the interest in that to be transferred to new housing stock—might drive down the price of houses even faster. Instead of a gradual decline, we might find ourselves in a rapid decline and drop another \$123 000 off house prices.

I would like to know how much interest the government has in the research to find out whether this will occur. This government has a proven habit of jumping in with policies that it has not thought through. What was the first thing the current Premier said—who I am not certain I have faith in—on his first day in office? He wrote to the federal government and said, “Take us out of the regional centres list; we should be a capital city.” What did he do two and a half years later? He wrote to the federal government and said, “Take us out of the capital cities list and put us back on the regional centres list.” I listened to the Leader of the House answer a question on this yesterday. I thought that absolutely she was defending the backflip. I said at the time that it was a very good backflip. I am very pleased that the Premier backflipped on this one. We need to call it a backflip. That is exactly what it was—it was a good backflip. I encourage it. It is like lobsters. If members have ever seen a marron backflip, it is a lobster flip!

Point of Order

Hon PIERRE YANG: Madam President, I seek your guidance on the relevance of the honourable member's contribution. We are considering a motion from Hon Michael Mischin about the legislative and other priorities of the government. Given the time available to the fortieth Parliament, what is its relevance in relation to that part?

The PRESIDENT: Hon Pierre Yang, these debates tend to be very broad. I think you will note, whether you agree with it or not, that the motion before the house is indeed very broad. Members who have spoken have chosen a range of elements to focus on. I think that is what the member on his feet is doing. There is no point of order on this occasion.

Debate Resumed

Hon Dr STEVE THOMAS: I did begin my address today by saying that I would be addressing the “other priorities” part of Hon Michael Mischin's motion. I am not quite sure what “and other priorities” is meant to mean apart from other government priorities. But anyway, we live in a funny world!

I want to leave a little bit of time for Hon Michael Mischin to sum up, but I will make a couple of comments about some comments the government made today related to the energy sector in the south west, particularly in the town of Collie. Members are probably aware that the coalmines in Collie have been in a difficult situation since former Premier Alan Carpenter dropped the price of coal from about \$67 a tonne to \$33 a tonne. Alan Carpenter was a Labor Premier, was he not? Sorry, I just have to remember that!

Hon Alannah MacTiernan: It was not a Labor Premier who spent \$350 million trying to rebuild a coal-fired power station and did not get it to work!

Hon Dr STEVE THOMAS: No; that is all right, you will have your own section of wastage here, minister, do not worry! We will get to this government, honourable minister.

Let me say this: when Alan Carpenter dropped the price, it made that coalfield's economics very, very difficult, to the point that one of those companies is now in very dire financial straits, with debts, by my estimate, of about \$1.2 billion and issues about that. I am interested in the government's comments. I have made some comments that the government needs to be in a position to ensure supply, particularly to the other power stations, as it starts to close Muja. There has to be a future for the community of Collie. I made those comments today. I am particularly interested in the comments of the Minister for Mines and Petroleum; Energy. Hon Pierre Yang will be happy to know that I will not use his epithet! I said that the community of Collie has some severe difficulties. What was the response from the Minister for Mines and Petroleum; Energy? He said, “People can be assured that we've got the situation under control.” I do not think the people of Collie are assured that the government has it under control.

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The minister went on to qualify that by saying that the state government has plans in place to ensure there were no disruptions to electricity supply in the event one of the coalmines failed. So, everything is under control but we are planning for the failure of a coalmine! That might be good news for the people of Perth. The lights will not go out in Parliament House. Parliament House will be okay; the air conditioning will continue to run—perhaps not run that well, but it will run! The reality is that the poor old people in Collie have to accept that the government is planning for this major downsizing.

I would be interested to see what those plans are. This is about the priorities of the government. The priority of the minister is to talk about the power supply everywhere else. I think the priority should be, if this occurs, what is going to happen to the community of Collie if this particular coalmine has to shut—a coalmine that employs 250-plus people, plus on-jobs. Maybe that should be a higher priority for this government than whether the lights are kept on!

The PRESIDENT: The question is that the motion be agreed. We have a bit more time, so in accordance with the standing orders, I will give Hon Michael Mischin five minutes to reply.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [2.56 pm] — in reply: Thank you, Madam President. I thank honourable members for their contribution to the debate on this motion. I thank Hon Sue Ellery as Leader of the House for her contribution because it has given me and other members of this Parliament further insight into what is wrong with this government and the people who are running it. The motion was simply —

That this house expresses its concern about the government's legislative and other priorities, given the time available to the fortieth Parliament.

The Leader of the House could not help herself—she would rather have a fight than a feed any day and has to convert that into an excuse to attack and to deal with what could have been a respectful debate by using sarcasm, insult and derision.

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: Just like Hon Alannah MacTiernan is demonstrating now. As a substitute, I should add, for reason and a worthwhile response. There is an old barrister's saying that if the law is against you, argue the facts; if the facts are against you, argue the law; and if the law and the facts are against you, just stand up and call the other side names. That appears to have been the response from the Leader of the House in trying to defend the government's legislative agenda and priorities in the time available for it to reverse some of the ridiculous decisions that Hon Dr Steve Thomas pointed out, or to meet the commitments that certain of its members have made, as Hon Nick Goiran pointed out, or the expectations that were raised, as Hon Alison Xamon pointed out, or to deal with issues of concern to members of the public, as Hon Colin de Grussa and Hon Tjorn Sibma pointed out, but, rather, to go back and start criticising members of the previous government. They cannot stand on their own merit; they have to try to undermine those who preceded them. I point out that each of the matters the Leader of the House raised have a lot more complexities as to the history of what happened under the last government than she would like to let on. It really is desperate if she has to justify that not only by reference to partial accounts of particular pieces of legislation, but also references to newspaper opinion pieces as a substitute for fact and argument. The reality is that we have seen a mismanagement of government priorities. We have seen a rushing in to do things in order to show that it is doing something and then having to reverse it two years later to the great expense of the Western Australian public. We have had that with the regional scheme mentioned by Hon Dr Steve Thomas. We have seen that with a number of other strategies that seemed like a good idea at the time, such as the foreign tax business, which the government is now trying to unravel. Promises have been made about timetables set by ministers—we will focus particularly on the Attorney General for obvious reasons—that have not been met. It is not a question of one bill being introduced just before the closing time for Parliament and not getting passed. We are talking about a raft of things. As pointed out and recognised by Hon Alison Xamon, much of what has been dealt with is legacy legislation. That is fine—that happens—but let us see some actual work done on matters that are of concern to Western Australians.

It is also ironic to complain that this house is somehow holding up the government's legislative agenda when the Leader of the House has just told us how wonderfully efficient the government has been and how much legislation it has managed to get through. Which way is it? Is this place holding up legislation or is it trying to improve it? That is another feature of the management, policies and priorities which we need to look at and which I have addressed. We can get through the legislative agenda of the government with some cooperation, open-mindedness and respectful dealing, rather than it simply hiding information and dissembling and dodging accountability, or we can continue down this path with that same attitude, which is perhaps a symptom of the leader having spent 18 years in this place and forgetting that this is more than simply a political gain.

Division

Extract from *Hansard*
[COUNCIL — Wednesday, 30 October 2019]
p8524d-8542a

Hon Michael Mischin; Hon Diane Evers; Hon Sue Ellery; Hon Tjorn Sibma; Hon Colin De Grussa; Hon Alison Xamon; Hon Nick Goiran; President; Hon Dr Steve Thomas; Hon Pierre Yang

Question put and a division taken with the following result —

Ayes (18)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Jim Chown
Hon Peter Collier
Hon Colin de Grussa

Hon Donna Faragher
Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza
Hon Michael Mischin

Hon Simon O'Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Dr Steve Thomas

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

Noes (13)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Adele Farina

Hon Laurie Graham
Hon Alannah MacTiernan
Hon Kyle McGinn
Hon Martin Pritchard

Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West

Hon Pierre Yang (*Teller*)

Question thus passed.