

LEGISLATIVE COUNCIL — RETIRING MEMBERS

Valedictory Remarks — Motion

Resumed from 20 May on the following motion moved by Hon Norman Moore (Leader of the House) —

That this house expresses its appreciation to retiring members for their significant contribution to the Legislative Council and the state of Western Australia.

HON ANTHONY FELS (Agricultural) [11.15 am]: I wish to conclude my remarks of last night about the recent debate on genetically modified crops. I want to make one more mention about my role in Parliament. I do not believe that I have ever abused or breached the privileges as far as naming people unnecessarily or unfairly. I have spoken at length about Noel Crichton-Browne in particular, but I have never said anything in this place that I would not say out of it—certainly I have never intended to say such things. My phone is always on if he or anyone else wants to ring to complain about anything that I might have said. I would be happy to correct the situation.

Some interjections were made in this place recently about the matter of GM crops, and Bill Crabtree rang me and complained that I had lied and that I had said all sorts of things that were wrong, but I do not believe that I did. However, I reckon more lies have been told on both sides of the GM crops argument than has been the case in argument I have heard on most other issues. However, I have offered to clarify any issue for Bill Crabtree that he says that I have lied about. He has been helpful in the last few weeks in our discussions, and I am going to his farm next week to share a bottle of scotch with him when he has finished seeding.

Hon Bruce Donaldson: Is he still your farm consultant?

Hon ANTHONY FELS: No; he will not be this year—we are still talking!

I want to clarify the situation about the employment of parliamentary candidates in the government sector. I have mentioned to Hon Ken Travers that he may like to introduce a private members' bill on this matter. One issue that came out of that matter is that an elected person can be employed in a ministerial office earning more than \$100 000 a year. The only penalty for a breach of that provision is a \$1 000 fine, yet such a person cannot be a candidate in an election. This arose as a result of the lengthy delay between the election of upper house members and the arrival of the new members in this place. That issue still needs to be addressed. I do not think a \$1 000 fine is sufficient penalty for a person employed on a very high salary; therefore, it is worthwhile for a person to pay that fine in that situation. I urge the house to revisit the joint parliamentary inquiry conducted in 1982-83 in the years prior to the amendment of our Constitution, and the recommendations the committee made for that requirement to be incorporated into the Constitution.

Another very serious issue related to my petition and what occurred in the last state election. A dozen ballot boxes sent back from the central wheatbelt area of the agricultural region arrived at the official counting centre in Fremantle unsealed. That is a very serious breach of the Electoral Act and the requirements in a modern western democracy that our election processes are both democratic and beyond reproach. A number of comments were made about how the last election was run, and I think some unfair criticism was made of Warwick Gately, the boss of the Western Australian Electoral Commission. All my dealings with Mr Gately have been first-class. He is very fair and reasonable, and I believe he handled the election very well given the circumstance of the calling of the election short of the expected time. As far as I am aware, the election result was actually declared more quickly than was the case in previous elections.

I brought a couple of issues to Parliament—issues that were raised with me by Noel Crichton-Browne. I copped a lot of bad publicity in relation to those issues. I brought both those issues to Parliament because they were very worthwhile. I am very proud that I was able to achieve a \$30 million settlement on behalf of the victims of the finance brokers scandal some six years after the issue broke. During that period, a change of government had occurred, yet the government had done nothing.

The other issue was the iron ore policy. I think Parliament really needs to revisit the state's iron ore policy, and that debate will continue after I leave here today.

I thank the President, the Clerk and the assistant clerks. I also thank the executive assistant to the Clerk, Janeen Robertson, and more recently Corrine Bryant, as well as the executive assistant to the President, Lorraine Coogan. They are very professional staff and are very helpful to members of Parliament. I would also like to thank the dining room staff, in particular Mark Gabrielli, as well as Oswaldo Lopez and Debbie Kapoor. I also thank the Usher of the Black Rod and the chamber staff in this place for all their assistance. I thank the committee staff of the committees I served on, in particular Lisa Peterson who is the assistant to the Estimates and Financial Operations Committee, the committee I had most of my involvement with.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

I also acknowledge Hon Helen Morton's work as chair of the Select Committee into Public Obstetric Services that I was a member of. I believe the report produced by that committee was very worthwhile, and I acknowledge the federal government's recent announcement about the incorporation of midwives into the category of obstetric services throughout Australia, to complement the work of professional obstetricians I acknowledge Hon Louise Pratt, who was on that committee and is now a federal senator. I believe she probably had some contribution in getting the federal Labor government to take notice of that recommendation.

I acknowledge the Hansard reporters, who do an excellent job—I do not know how they do it! I could never type as fast as some members speak! I acknowledge the work of all other staff around Parliament, including the gardeners; security; and the library staff, who have always been most helpful. I am running out of time to fit in some of the other things I wish to say.

One other issue I wanted to talk about was the proposed change to retail trading hours. I am disappointed that the government is considering introducing the change, after the referendum result was overwhelmingly against it—returning a stronger vote against it than the more recent daylight saving referendum.

HON BATONG PHAM (East Metropolitan) [11.21 am]: As this is the last time I will have the opportunity to speak in this place, it is appropriate that I acknowledge the support I have received from my wonderful family and many, many great friends. But first I wish to speak about the greatness of both this nation and the state of Western Australia.

As someone who came to this country in the most difficult of circumstances, I can assure members that we live in one of the great modern societies. There are few countries that live up to expectations, but Australia is one of the few countries in the world where people have a genuine opportunity to fulfil their ambitions and do whatever it is that they want to do.

My family came to this country to escape the upheaval in Vietnam. That a man who came here in such circumstances could be a representative of the Western Australian people in Parliament is a testament to the character of Australians. I am proud to say that I have been welcomed in Parliament, just as my family were welcomed when they arrived in Australia in 1979. There are good people on both sides of this house. I have become firm friends with many. I would also like to acknowledge the many wonderful parliamentary staff. These people have made my experiences in this place a pleasure.

But the best experiences I have had as member of the Legislative Council for the East Metropolitan Region have been with the people I have met throughout the community. Thousands of people are working hard to make their communities better places to live, and I am proud to say that I have met many of them and done my best to help when I can. Over the past 18 months I have met teachers, principals, local police officers, community workers, childcare workers, new migrants, parents and citizens organisations, and everyday working people doing everything they can for their families and for their communities.

I have many friends and supporters whom I would like to thank. I have the most caring and supportive family a man could ever want: I thank them for their patience and for their love. I also thank my dear friends Michelle and Greg Roberts for their loyal and undying support, and John and Ailsa D'Orazio for being steadfast friends and for always being there to give me advice when I needed it the most. I would also like to thank Margaret Quirk for all her help and support, and Jaye Radisich for being such a good friend. I also thank the federal member for Perth, Stephen Smith, for his support over the years.

I wish to acknowledge the wonderful friendship I have shared with Marino Salinas, Bobby Tanasoski, Nathan Hondros, Jonathan Melanie and Bobby Ye. I look forward to spending much more time with them after I retire from this place.

I would also like to acknowledge the support, friendship and guidance of the President throughout my time in this place, and wish him well in his retirement from this place and know that he will be off to do big things. There are also hundreds of other members of the Labor Party that I thank for never wavering in their support for me. There are too many people to name, but I thank each and every one of them.

I wish to acknowledge the hard work and dedication of my electoral staff. Genevieve Melanie is a professional, tireless and dependable member of the team. The proper functioning of my office is all down to her. Not only does she keep me organised, but she keeps me on track; I thank her for that. I also acknowledge the other members of staff who have all worked so hard to make my time in Parliament a success. These include Marino Salinas, Xuan Le, Jonathan Melanie and others who have supported me over the past 18 months.

Many people have asked me what the future holds for me and my family. First, I will complete my recovery from an aneurism I suffered in July 2007; I am already well ahead of schedule. My specialists told me it would

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

be five years before I would walk again, but I proved them wrong by walking less than a year after the injury. For that, I wish to thank the professional and hardworking medical nursing and physical therapy staff of Royal Perth Hospital. I am proud to say that our first-class health system is one of Western Australia's great achievements.

Beyond looking after my health, I have made no hard decisions. I am only looking forward to spending time with my family and friends. One thing I can guarantee, Mr President, is that my commitment to my community will not waiver. However I spend my time from here on, I will always be looking for ways to support the friends who have been so supportive of me.

HON KIM CHANCE (Agricultural) [11.28 am]: I am not entirely sure how it is we should go about this job of summing up our own parliamentary career. I think everyone who has had a crack at it so far has done a pretty fair job, but they all did it in very different ways. There seems to be general agreement that it is a good time to reflect on why we came here in the first place, and then to comment on which of those objectives we articulated in our first speech in this place that we think we have achieved. It is also a time to pass on a few comments to people—particularly to those who are fairly new in their own careers—that we think might be helpful. Most importantly, I think it is a time to thank those who have been our supporters, our friends, our colleagues, our adversaries, our advisers and our shoulders to lean on.

My family, of course, has to come first in that list. My family were there when we ran all of those tough campaigns out in what was pretty much tiger country for a Labor candidate—electorates like O'Connor, where I ran for election five times, Central Province, and eventually the Agricultural Region. My family would stand all day on their own at isolated country polling booths—some of which were pretty remote—knowing that I had no chance at all of winning. They did that because they thought that one day I might get here. My daughter, when she was five years old, fronted and stared down the local Liberal Party branch president because she thought a comment that he had made about me in my absence was inappropriate. She was five years old, and she has just got tougher.

Hon Ken Travers: Was she working at a polling booth on her own?

Hon KIM CHANCE: No, we waited until she turned nine before she did that.

My wife, Sue, who is here with us today, ran a local branch. She ran as a candidate herself and she ran my campaigns and somehow she kept the team together through the good times and the bad times, but always with a great spirit of teamwork and enthusiasm. My family were there when I ran six or seven unsuccessful campaigns. They were there when I finally stood in this place as a member of Parliament in 1992 and made my first speech. The one time I sort of choked up in this place was when I looked up to the gallery on that day and saw the expression on their faces because their bloke had finally got here after all that work. Both my kids were at school then. Now, one of them, Ceridwen, is a mother herself. Sue, Ceridwen and Tom were always there for me in exactly the same way. Without them I would not have had a reason to do what I did and I certainly could not have done what I did without them.

There are also those wonderful people who work with me in my office. John D'Agostino was my right hand for 13 years, both in opposition and government. I once tried in Algeria to explain to government officials what John's role was.

Hon Sue Ellery: We never understood it.

Hon KIM CHANCE: Given that they do not speak a lot of English in Algiers, and my French is even worse than my Arabic, the best I could come up with was that he was my commissar. That drew understanding looks from the Algerian officers and "Daggers" assured me that he was given a great deal more respect than he previously had from those same officials.

I have had only two electorate officers in my whole 17 years in Parliament. Dianne Spowart, who sadly died a few years ago, was a dear friend to me as well as one of the most amazing community workers I have come across. I did the eulogy for Dianne at her funeral and my research for it was the first time that anybody had ever gone through the community organisations that Dianne worked on. We tallied up the non-government organisation community work plus the community-type work she did as a member of the Geraldton City Council and we got to 32 organisations, most of which she had either initiated or chaired at some time in her life. For 18 of those 32 organisations she was, at the time of her death, the current chair. It was an amazing contribution to the people of Geraldton.

My present electorate officer, Judy Riggs, also came out of the community sector rather than from the political structure. Judy has been an incredible support to me. Judy, along with Christa and Tom, shouldered the whole

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

burden of running the electorate office for the entire time that I was a minister. They never once complained and they never once let me down and, believe me, I gave them a lot to complain about.

I was unreasonably fortunate in the ministerial staff that joined me when I became a minister. My core staff stayed with me from the beginning of my term as minister to the end of my term—seven and a half years of working with the same minister on essentially the same portfolios. Those three people deserve a medal. In that time, Mike, Wendy, “Daggers” and the rest of the team, some of whom were also very long-serving, worked through the ups and downs that occur in a ministerial office and the tensions that exist in a ministerial office with a real sense of teamwork. We were able to do that because as a team we never lost our sense of humour. There was always something to laugh about at the end of the day.

I also want to thank the Australian Labor Party. I have been a continuous member of the Australian Labor Party since 1971, some 38 years. In that time I never lost faith in Labor’s ability to somehow find the right answer, be that to a local, state or national issue and particularly so in our global region. It does not mean that I do not think that Labor never made mistakes. It has made some spectacular mistakes, as everybody and every group of people do. In the end it has been my view that Labor has been able to overcome those errors and to move on to try to find the right answers because it has a system that enables it to do that.

Somehow Labor never lost faith in me. I guess in many ways I was not regarded as a classical Labor candidate, although I have to say that if that was Labor’s view, it managed to hide it pretty well because I never felt anything but welcome in both the Labor lay party and the parliamentary party. Things were very difficult for me and my family in 1991, the year before I came here to the Legislative Council. The Australian Labor Party picked me up, dusted me down, pointed me in the right direction and enabled me to get on with my life. It is something I will never forget.

It is a funny relationship that exists between an individual and a political party. It is somehow different from the relationship between a person and an organisation almost anywhere else. I can imagine that there would be some military units and possibly even the police service that might have similarities to political parties in the way they build loyalties. The relationship between a person and his political party, particularly for a member of Parliament or a player in the political system, is a two-way loyalty thing that defines this unusual relationship. I can only begin to imagine the pain that is felt when people feel that those bonds of loyalty have been broken and broken unreasonably. I have enormous sympathy for people who find themselves in that position. At one level I have that sympathy; at another level I have nothing but contempt for those people who accept everything a party gives them and then, because they do not get everything they want, set out to destroy the people and the party that put them there in the first place. It is a fine line between that sympathy and contempt. It is a very personal thing. Somebody said the other day that the Labor Party—I imagine the same applies to all political parties—functions as a family. Sometimes in a family the boys might have a punch-up when they are playing cricket in the backyard at mum’s house. Perhaps it is not a family one would want as neighbours; it is dysfunctional as a family, but it is a family nonetheless. That is the kind of relationship I am referring to and that is why I feel that sympathy and, indeed, that is why I feel in some cases that degree of contempt.

It is impossible for an ALP member to recognise the role that Labor has played in his life without also recognising the role that the union movement has played. The union movement has been the reason for the Labor Party’s existence for over 110 years. It is the reason for our beginning and it is the reason for our future. Every affiliated union warrants my thanks and my ongoing support, but in particular I thank the left unions—the Australian Manufacturing Workers Union and the Liquor, Hospitality and Miscellaneous Union WA and their left affiliates—for the uncompromising support they have given me through my entire political life and long before I became a member of Parliament.

People inside and outside this place have made some pretty harsh judgements about unions from time to time. I can say that my own experience with unions as a person who did not come from a union background—indeed, I came essentially out of an employer organisation—is that unions are made up of people who genuinely care about their fellow human beings. Their collective contribution to our society and to the Australian way of life is underestimated massively. It is important to the continuation of the things that we hold so very dear about the Australian way of life—the principle of a fair go regardless of who we are and the belief that every Australian is equal—and depends heavily on the ongoing influence of the Australian union movement.

In thanking individuals I will start at the top by thanking the three Labor Premiers and the three Labor Leaders of the Opposition with whom I have had the enormous privilege of working. First, Carmen Lawrence, whose clear intelligence and enormous compassion always left me and still leaves me awestruck. I never knew anybody who could grasp a complex set of facts so quickly. They were sometimes delivered in a way that was a bit garbled because I did not actually have my head around them myself, and I would get three-quarters of the way through explaining it to her and she would say, “Oh, you mean” and—bang!—she would just hit the nail on the head. It

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

is that kind of intelligence that I had never come across before nor have I come across it since. Secondly, Geoff Gallop, who was good enough to call me yesterday, after having suffered such a cruel loss. Geoff did so much for our state. He became a beacon for WA and for Western Australians' ambitions. Thirdly, Alan Carpenter, who wanted so much to return to people what they had given to him, such as opportunity and ambition, and who went so very far in achieving that aim in his short time as Premier, will always be a hero to me. I thank Ian Taylor and Jim McGinty, who were Leaders of the Opposition at the most difficult time imaginable. Both did that sometimes grim task with dignity and distinction, and both made a real contribution to Labor, eventually winning back government. Eric Ripper has the same task to keep unity and focus while in opposition but, unlike Ian and Jim, Eric will himself become Premier.

I also thank Richard Court, whose term as Premier was marked by his commitment to the state and its future. Richard was never too busy to sit down and talk to an opposition member about whatever he or she wanted to talk about, to share his experience, or in my case just to have a chat about old Ford Mustangs. Convention forbids me, of course, from thanking Colin Barnett, but I do wish Colin well in the heavy burden of responsibility that he carries for all of us as the state's Premier.

Mr President, I also thank you for our long association as colleagues. Like the Leader of the Opposition, I must say that I was most inspired by your performance as a legislator. We all learnt massively from what you showed us—not only as a minister, but also as a leading member of the opposition frontbench prior to that—on how to perform as a legislator. Before I embarrass you, Mr President, by saying that everything I know I learnt from you, I assure you that I would have been a lot worse and a lot clumsier as a legislator if it were not for the example that you set us. Thank you very much.

To my colleagues on this side of the house I must say that I have one enormous regret; that is, I was never able to get closer to them personally. It is one of the perverse outcomes of leadership, and one that I discussed with the Leader of the Opposition as she took up the role, that it is a lonely job. It is a job that prevents the leader from forming close friendships because they get in the way of doing the job; I am sorry for that. I am sorry because I have enjoyed every minute of the time that I have spent with each of my colleagues. None of them ever let me down, and when I let them down, they just got on with the job. I thank them for that.

Hon Ken Travers: You never let us down.

Hon KIM CHANCE: I did it a lot.

Hon Ken Travers: No, you didn't.

Hon KIM CHANCE: Ljiljanna, Jon and Sue were my ministerial colleagues in the last government. We worked in cramped quarters, particularly when we were sitting. Ljil, in particular, had enormous pressure as a result of her ministerial duties, and in all that time there was never a harsh word between us; not once. There was always support, goodwill and friendship in our public and private lives. Thank you.

Ed has been to me what every leader dreams of: the most reliable, trustworthy person imaginable. He and his opposite number, Hon Bruce Donaldson—again, an old friend—have been shining examples of what a quality Whip means to a well-regulated house. I think we all owe Ed and Bruce a huge debt of gratitude for their unflinching work, even when sometimes I have made their lives difficult.

Hon Norman Moore and I sat opposite each other as the leaders of our respective parties for the better part of eight years; that, in itself, is pretty unusual. However, to be able to do that without any lasting malice at all is pretty special, and I wish Norman well in his next 28 years in this place! I have to add, however, that I expect by then Norman will have got our standing orders sorted out properly!

Hon Norman Moore: That's next week's job!

Hon KIM CHANCE: Norman did something for me that I will never forget. He might not think it was a big thing and he may not even recall it. There was a time early on in my term as Leader of the House when ABC television decided that my taking a week's leave from Parliament and going to race in the Targa Tasmania rally was a newsworthy event. We had some great footage of the car, actually, which I was very pleased with; however, it was thought to be the wrong thing to do. Norman was buttonholed as he walked out of the south entrance and the question was put to him: "Do you think it is appropriate that the government leader in the Legislative Council should be racing cars in Tasmania at a time when the house is sitting?" Norman's answer, which I will always remember and respect him for, was: "Kim's on leave. What he does when he's on leave is no business of mine nor is it any business of yours"; and then he walked away. I will never forget that, Norman.

I also thank all honourable members and—if I can through you, Malcolm—all the members of staff who work in this chamber and inside and outside Parliament. I will not list them; however, there is an incredible group of people who work here, both inside and outside the chamber, and who make what we do a liveable thing to do.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

This is our workplace, and at the end of the day the way in which a workplace operates depends on every link in the chain actually doing its job. All members and staff do their job in a superb way. Thank you very much.

It is also important that we get to enjoy a little humour, and that brings me quite naturally to the subject of a former member, Hon Bob Thomas. Bob, members will recall, had that dreadful story that he used to tell regarding a goat. Somehow, with the passage of time, the goat joke inexplicably became as much mine as Hon Bob Thomas's. More in the interests of protecting my own reputation than Hon Bob Thomas's copyright, I want to make it quite clear the goat joke still belongs to Hon Bob Thomas and not to me. None of that assurance, Mr President, ever dissuaded some of my colleagues from challenging me to repeat the immortal punchline of that story right here in this chamber. All I can say to them is that a good goat would definitely not do that!

When I first came here I got some very good advice from a number of members, not just from my own side. Indeed, I can still recall and value the advice I received from Hon George Cash—he may not but I do. I guess neither of us expected then that we would be retiring on the same day.

Hon Philip Lockyer also gave me advice that I thought was particularly useful for a new member; so useful that I thought I would pass it on as well. He said, “Always be yourself. We work very close together here and we get to know more about each other than our own families do. If you pretend to be somebody you are not, you will be found out.” I thought that was great advice. Philip was right of course but he might also have added that because of that close working relationship in what is essentially an adversarial environment—however we dress it up, it is still an adversarial environment—we need to take particular care that we do not lose either our sense of humour or our sense of courtesy. To do so not only makes our own life miserable, but also impacts on all those around us.

I have been enormously fortunate and privileged, as we all are, to have been able to serve the people of Western Australia as a member of the Legislative Council. We have had good times and we have had bad times here. I add that today it was such a good thing to see Hon Batong Pham make his speech while standing in this place. That was really uplifting. It is a particular privilege to have had a hand in the governing of the state, and, in doing so, influencing the lives of so many people. It was my privilege also to serve as a minister. That is something that I feel I have been enormously fortunate to have had the opportunity to do. In that role, as I said, I was supported by a wonderful group of people. I thank them for believing in what it was we were trying to do. It is a sad fact that in the earlier years in my office, our attention was dominated by the issues caused by ongoing years of drought. Although we were able to deal with those issues—and I think in the end come out okay, with a better structure for handling those awful issues—sometimes the personal tragedy of individuals caught in successive droughts caused a huge strain on members of my office who took those calls on a daily basis from men and women at the very limits of their desperation. Although it was enormously distressing to me to walk into an office and find a staff member sitting in her office in tears as a result of one of those conversations, it was also inspiring to me that somebody in my office cared so much that she was affected personally to that extent. It is things like that little story that are going to stay with me even longer than the bigger things that I was able to be involved in. As much as I enjoyed those bigger things, nothing can match the feeling that people genuinely do care about others.

I go back to the beginning of my reflections; that is, why I came here in the first place. I wanted people to feel that their government cared about them—whoever they are, wherever they are and whomever they voted for. In the end, it is that trust and confidence that forms the very basis of our principles of democracy. When people feel that their government is dishonest, that is bad; but it is even worse when people feel that their government is disinterested in them, because if we get to that point then our whole system is challenged.

My first speech here was made at a time when our rural areas were in deep recession. We had run-down infrastructure, we had a severely declining population, and nobody could see that we had much of a future. But it was also a speech that was full of my optimism that we could make fundamental changes to turn all of that around. I take great satisfaction that we achieved even some of those aims. By way of example, I was in the little eastern wheatbelt town of Dalwallinu not long ago. What I saw was a community, which, despite being thumped by the droughts over recent years, now has a thriving secondary industry structure; it has confidence and it has hope about the future. In 1992 Dalwallinu had dust and tumbleweeds blowing down the main street. It was a place going nowhere. The future of that town could be reflected in the future of towns like Mollerin, Wialki and Ballidu—towns that no longer exist; there is not even a sign to say where they were. It is enormously satisfying to me that, with good local leadership, the town of Dalwallinu picked itself up and took advantage of the things it was offered and moved on. To have been able to play some small role in that change is something that I am always going to be grateful for. It remains my ambition to continue to chase those dreams, albeit in different ways.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

Finally, Mr President, can I say through you: thank you to the people of Western Australia for giving me this opportunity to serve them. I have done the job as well as I could, and I hope the people of Western Australia have been satisfied. Thank you.

Several members: Hear, hear!

HON GEORGE CASH (North Metropolitan) [11.56 am]: Firstly, as this is going to be my final speech to the Legislative Council, I say to members that it has been my honour to have been a member of both the Legislative Assembly and the Legislative Council for the past 24 and a half years. The good news is that I have enjoyed every minute of my membership of both houses of this Parliament.

The other point that I should make is I would do it all again, starting tomorrow. That is how much I have enjoyed it, and I think that if anyone can leave a job with those sentiments, he or she has had a reasonable spin during that time, so to speak. The problem is of course that life is finite. The time has come for me to now move on to the next, I hope, exciting and productive phase of my life. I also hasten to add that during the period that I have been in Parliament—as I say, it has been a fantastic honour and opportunity—I have also made a lot of friends on both sides of the house. That in itself has been one of the additional privileges of being a member of this place. I trust that my final speech to this house will not be a speech about what I did or did not achieve in the past 24 and a half years but more some observations on the workings and some of the aspects of our Parliament and government; and, finally, an issue of governance in Western Australia.

Some members may be aware that a few years ago I made a number of speeches in this place dealing with confidentiality attached to government information and the power of the Parliament to require the tabling of certain documents that members were seeking information on. It is fair to say that there has been a blurring of the respective roles of the Parliament and the executive over a long period. Claims that commercial-in-confidence clauses in government contracts or documents prevented ministers from answering questions asked of them in the Parliament have been a matter of some concern to me and, I am sure, of some concern to current and former members. Some of the points I raise today are not directed to current members; they are in fact directed to future members who are going to face certain challenges as we move through the next decades of the Parliament. My comments today will represent an amalgam of those issues, which, in my view, continue to threaten the effective discharge by the house and its members of their fundamental constitutional role. I intend my final comments to be, as I say, more directed to the newly elected members who will be sworn in tomorrow, so that they can recognise their fundamental rights as members of Parliament and to also encourage them to ensure that the Legislative Council, as one of the two Houses of Parliament in Western Australia, is not in any way diminished by a failure of its members to recognise, maintain and support the Constitution's authority and the continued existence and the proper functioning of the house as a critical part of the system of democratic government in Western Australia.

I think a convenient starting point for any discussion on the Legislative Council is the Constitution of Western Australia because that document describes the three arms of government—namely, the legislature, the executive and the judiciary. Members will be aware of the doctrine of the separation of powers, which clearly indicates that it is intended that there be independence between those three arms of government. However, I regret to say that over the years that I have been a member of Parliament, there has been and continues to be a distinct blurring of the respective roles and functions of the legislature and the executive. This blurring of functions is often reinforced and complicated by the development of the party political system that exists in Australia and has now become a dominant feature of Australian politics, which in some cases requires that members toe the party line and adopt an almost unquestioning and submissive stance to legislation that is proposed by the government of the day. I stress at this early stage of my remarks that I am not directing these comments to any particular party or government; these issues have transcended all parties and all governments over the past 100 years in Australian politics. I also indicate that the problem is not unique to Australia; it is clearly evident in the political systems of many countries around the world.

Although the Parliament or the legislative arm is elected by the people, and one of its roles is to consider the legislation that is brought forward by the executive, what tends to happen because of the dominance of the party system is that the members of the respective political parties that are supportive of the government often forget their true legislative role and can become apologists for the government. Time after time, no matter what the issue, the government backbenchers will stand and defend the government and say that the opposition or any other political party is wrong because it opposes or questions a particular government line, notwithstanding that there may be considerable substance and merit in what the opposition member suggests. The point I make is that this has been going on for 100 years but I think the problem is getting worse. Government members often automatically take the view that the opposition is wrong to criticise the government, notwithstanding the merit or otherwise of the matters raised, and opposition members often automatically take the view that unless they are seen to criticise the government, they are not doing their job, again, notwithstanding the merit or otherwise of the

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

legislation being debated. It seems to me the real question that we should consider is not who is raising the issue within the Parliament, but whether it is in the broader interests of the people of our state. I think it is fair to say that one reason for the success of our Premier Colin Barnett is that he clearly puts the long-term interests of the state to the forefront, irrespective of short-term political advantage or disadvantage.

I think members will also be aware that during my time as a member of the Legislative Council, I have been supportive of the role of minor parties and Independents. I say that because those minor parties and Independents have been able to raise and bring forward a different perspective on issues raised in the Parliament that might otherwise have been muted by the discipline of the rigid party line. Sometimes the minority party view is more moderate than the view of the government; sometimes it is more extreme. However, the fact that members can raise contrary views often allows for a diversity of views that one would hope, of course, strengthens our overall approach to the democratic system of government in Western Australia and across Australia generally.

On the question of accessibility to government information that should be made public, my comments in the past in this place have been to try to raise the awareness of the inherent rights of members of Parliament to seek information that might assist them in discharging their parliamentary duties. I have raised on a number of occasions the issue of commercial-in-confidence clauses being included in contracts and agreements to which the government or an agency of the government was a party and, indeed, which the government of the day has sought to rely on to prevent certain information becoming public. In discussing this issue I have said that I believe some commercial-in-confidence clauses were being used inappropriately to the extent that the Parliament was being unduly restricted in accessing information to which it was lawfully entitled. I have also said that I believe the Auditor General should maintain a register of all commercial-in-confidence agreements between the government and other parties and that commercial-in-confidence clauses should be reviewed on an annual basis. I argue that if that proposition were accepted, there would, firstly, be a very significant reduction in the use of commercial-in-confidence clauses. I hasten to add that it is often bureaucrats who raise the need for commercial-in-confidence clauses and then advise a government minister on the supposed need for such clauses within a contract. Government ministers are busy people and sometimes they are required to accept the word of their bureaucrats without perhaps sufficient investigation or research, hence some of these commercial-in-confidence clauses are put in for bureaucratic reasons rather than good government administrative reasons. Secondly, if the Auditor General maintained a record of the commercial-in-confidence clauses, the community would have a better understanding of a thing that the government allegedly did not want to make public and hopefully the reasons for that matter being on the Auditor General's register. Having had the opportunity of being a minister, a long-term member of this house and a short-term member of the other house, I have noticed over time that sometimes government agencies see the Parliament as an inconvenient body that they have to work with. Certainly, I have in the past come across instances whereby some public servants tend to think that it is quite acceptable to attempt to prevent the Parliament from accessing information. I would argue that accountability and openness in government requires that those who exercise power whilst performing the functions of government or the functions of public servants are required to demonstrate in an open and practical sense that they are doing so with honesty, integrity and appropriate skill and judgement, and that they are discharging their duties in a proper manner for the common good and in the public interest. It can also be said that the use of commercial-in-confidence clauses as a shield to avoid proper scrutiny of contracts, to which the government or one of its agencies is a party, has the potential to seriously threaten accountability and openness in government and is indeed a threat to the democratic process.

It is regrettable in my view that some people who are entrusted with public power as a consequence of their position, on occasions, seem to believe that they are under no obligation to justify the use of that power when called upon by the Parliament. I refer members of the house to the 1980 case *The Commonwealth of Australia v John Fairfax & Sons Ltd* [1980] HCA 44; (1980) 147 CLR 39 when the then commonwealth government tried to prevent the publication of certain information. During that particular case Mason, J, who certainly was not accepting of the case the government was putting up, said at page 493 —

It is unacceptable in our democratic society that there should be a restraint on the publication of information relating to government when the only vice of that information is that it enables the public to discuss, review and criticise government action.

He went on to say —

Accordingly, the court will determine the government's claim to confidentiality by reference to the public interest. Unless disclosure is likely to injure the public interest, it will not be protected.

Given the judge's comments in the Fairfax case, I think it is pertinent to consider the question of just what information our Parliament has the right to call for. When people become members of this Legislative Council they are provided with the Constitution of Western Australia, the Parliamentary Privileges Act 1891 and various

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

other acts of Parliament. Section 1 of the Parliamentary Privileges Act sets out the privileges and powers of the Legislative Council and, indeed, the Legislative Assembly. Section 4 of that act sets out the power to order attendance of persons before the Parliament or its committees and, indeed, section 8 sets out the power for the house to punish summarily for certain contempts.

Some members may recall the 1992 case that involved the Legislative Council. It was a case that involved a resolution of the Legislative Council that required the Aboriginal Legal Service to deposit certain documents with the Clerk of the Legislative Council within a specified time frame. One of the questions that immediately came to mind for the Aboriginal Legal Service of Western Australia was to determine whether the Parliament actually had the authority to require the production of certain documents. In the case of *Aboriginal Legal Service of Western Australia (Inc) v the State of Western Australia* (1992) 297, the Aboriginal Legal Service made application to the Supreme Court on the question of whether the nature of the inquiry was within the scope of Parliament's investigative powers. The Full Court of the Supreme Court held in part, at page 298 —

The power of the Parliament to make laws for the peace, order and good government required only some connection of fact, circumstance or occurrence or thing in or connected to the state to be within the legislative scope of an inquiry and, therefore, an inquiry into services to be provided to citizens of the state would undoubtedly fall within this class.

I think that is an important matter that future members of this house should be aware of because at times they will be fobbed off by being told that it is not within the power of the Parliament to call for certain documents. Having regard to the breadth of authority that this house has, the answer to the question of just what information does the Parliament have the lawful right to call for is: any information required to discharge its constitutional duty in legislating for the peace, order and good government of Western Australia. That is a very, very wide power. In fact, the decision in that particular case that I referred to confirmed that this Parliament has the widest power necessary to call for any documents to which the government is a direct or indirect party. The only limiting factor is when the information sought is in excess of the state government's constitutional duties that arise when it is legislating for the peace, order and good government of Western Australia.

I make these points in the hope that when questions are raised in this place by members, they understand that the Parliament has the absolute authority to call for papers, notwithstanding any claim by a minister, parliamentary secretary, bureaucrat or other person that the documents contain confidential information. I say that because it is clearly the case that it has been conveniently forgotten that the house has available to it certain procedures that have been used in the past that will give protection to confidential information but still satisfy the right of the Parliament to have documents tabled. Some members will recall, because they were members at the time and others because it has been raised in recent years, that some years ago a minister of the day indicated that some specific information could not be provided to the Parliament because it contained commercially sensitive information and that the government did not want the public to be aware of the price that the government was paying for a particular commodity. Members may recall it involved the purchase by a former Labor government of coal from the Collie area. It involved forward contracts but no-one seemed to be able to establish just how much was being paid. Some members of the Legislative Council recognised that they had a right to seek that information. Equally, the members recognised that they had a responsibility to protect the commercial sensitivity of that information given that, in Western Australia with respect to the large coalminers—there are really only two major coalminers, and there is very significant competition between those two miners—the price that one company was charging for coal would be clearly commercially advantageous information to the other company. It was agreed by the house that the order could be discharged by the information being lodged with the Clerk of the Legislative Council in a sealed envelope with the house authorising any member of the house to read that document but the document was to always remain in the custody of the Clerk. That occurred a very long time ago. I hasten to say that the last time I checked, not one member has ever sought —

Hon Ken Travers: I was going to ask whether anyone had actually looked at it.

Hon GEORGE CASH: No; no-one has looked, and the mere fact that Hon Ken Travers was looking at me like he did reminded me that the last time I raised it, I thought that perhaps Hon Ken Travers said, "Well, I better go and have a look at that." Has he not as yet?

Hon Ken Travers: I did start researching the case of Egan in a bit more detail.

Hon GEORGE CASH: Egan is a very important case. The point is I do not think the information is of much value today. Given that it is 15 or so years later, it would not really matter what the price was then. But it really demonstrates that we have the capacity to receive commercially sensitive information or allegedly confidential information in a particular manner. Because of the glint I see in Hon Ken Travers' eye, I should hasten to say —

Hon Ken Travers: I will not interject to prolong your speech, Hon George Cash, I promise.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

Hon GEORGE CASH: I do not expect it to go more than two hours! My comments do not relate to this government, the former government or the government before that; they relate to the authority of this house no matter who is the government.

Hon Ken Travers: I share your view on that.

Hon GEORGE CASH: I agree. I am not having a shot at any government; I am talking about the authority of the Parliament that can be exercised against the executive or government of the day. Although the doctrine of the separation of powers refers to independence between those three arms—the legislature, the executive and the judiciary—in reality, the executive comes from the Parliament, so there is a conflict in that situation. It is not a conflict that we are going to resolve, unless we decide that we want to go to the American model, but it is something that must be understood. As much as what I say may be for the benefit of future members, I say it also for the benefit of ministers, because I recall a situation some years ago when the house was demanding certain information—when I say “the house”, it was a member; I was the member who was demanding the information—of a government agency, and the minister’s reply was, “That is commercially sensitive; and, if it’s not commercially sensitive, it’s confidential. In other words, you’re not going to get it.”

I was spoken to by a very senior bureaucrat in Perth who said, firstly, that it was his view that it was not sensitive; and, secondly, that if it was not sensitive, it was not necessarily confidential. However, this bureaucrat said to me, “The reason you’re not going to get the information is that you do not have the right to that information.” I said, “Well, that’s interesting.”

Hon Ken Travers: That’s throwing down the challenge to the wrong person.

Hon GEORGE CASH: No. What I said was, “Where did you get that information?” He said that it was from one of the leading law firms in Perth that represented that particular agency. I had reason to speak to one of the people in the law firm, just to say, “Where are you getting this information from?” The person said, “Oh, no, the law is the law. We can make sure you don’t get it.” I said, “Perhaps you might like to read a little bit about the parliamentary law and have a look at the Constitution and have a look at the Parliamentary Privileges Act. Let me just give you one tip: whatever you do, don’t provide additional advice that suggests that agency does not give the information, because the heads of that agency will end up being called before the Parliament, and if they fail to give the information, they will be in contempt of the Parliament. I have no doubt that they will rely on your good advice and take whatever action they need to after that to satisfy their own position.” Within a matter of days I received a phone call from the agency in which the person said, “We will give you the information, but we would like to come up and hand you the document, because we don’t want it tabled in Parliament.” I said, “Well, you’re more than welcome to come up and give me the document, but there’s just one problem. The first thing I’m going to do is walk into the Parliament and table it, because the Parliament is looking for the information.” Anyway, the agency sorted that out, and it was well and truly fixed. However, it shows that there was unquestionably an attempt by some ill-informed people within the legal profession in Perth to try to withhold information from the Parliament.

I should qualify what I have said by saying that members have a right to receive information, but the first thing that members must do is convince the house that it should resolve to issue an order for that information to come forward. It is not for a member to convince a minister that he or she should get that information; it is the member’s duty to convince the house of the merit or otherwise of that information being the subject of an order of the Legislative Council. I make those comments based on the fact that members of Parliament have the fundamental right to require the government or a government agency to table information or a document that falls within the scope of section 2 of the Constitution Act, and that is all about legislating for the peace, order and good government of Western Australia. I might say that very few caveats apply to that.

In respect to other parts of our state, during my time as a member of Parliament I have been privileged to travel extensively throughout Western Australia. As the Minister for Mines and Minister for Lands, I frequently travelled to the north west of our state. I have to say that the phenomenal potential that exists in that massive area of Western Australia never ceased nor ceases to amaze me. There is no doubt that Western Australia is a resource-rich state. I would argue that we should not avoid the responsibility that we have to ensure that our resources are responsibly developed in a way that benefits all Australians and, indeed, benefits the wider global community. There is no doubt that Western Australia and, indeed, Australia have already benefited in a very significant way from the magnificent resource-rich north west area of our state, given its massive mineral deposits that now are clearly eagerly sought by the rest of the world.

We also have in the north west access to massive quantities of water. I believe that these should be utilised to create a food bowl capable of providing food for export to Asia and other nearby countries. I am referring in particular to the Ord River and the Fitzroy River basin in the Kimberley area. I am delighted that our royalties for regions funding is now being applied in the Ord River and that we are moving forward on that project. It is

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

absolutely critical, because we in Australia, and in particular in Western Australia, are going to be in a position to service the rest of the world when it comes to food if we use our water properly.

To make the north west work properly, we need two elements. The first is competitively priced energy, and the second is a viable population. However, there are some other constituent factors that are essential if Australia is to reap the optimum benefits from our north west, and they include the motivation to do it, the determination to carry through, and the willpower to actually make it happen. A lack of motivation and willpower has in the past, along with distance, slowed us down with the north west opportunities. The other reason, in my view, is the fact that we have been doing so well in economic terms over a very long time that we have not been forced to pay more attention to optimising the development of our opportunities in the north west.

I can say, from speaking to people in the north, that there is unquestionably a real enthusiasm for north-westerners to make things happen. They have a burning desire to progress the north, and they argue to me that they are being held back by government—or I should say they include in “government” the bureaucracies in both Perth and Canberra. It seems to me that if we were to divide the state at, say, the twenty-sixth parallel and create two separate states—that is, one in the south and one in the north—we would immediately see a major shift in the progress of development in the north west.

When I talk about some of the criticism that I have heard over a long time, and I expect other members who represent the north west have heard—people criticising Perth for not being fully up to speed on what is going on, or not spending enough time on making things happen in the north—it brings me back to our criticism, as Western Australians, but particularly as city-centric Perth Western Australians, of Canberra. Over the past few decades we have made an absolute art form of criticising Canberra, because it is a long way from Perth. We say that Canberra people do not recognise or understand the magnificent opportunities that exist in Western Australia. Given that Canberra is about 3 900 kilometres from Perth and that Kununurra is more than 3 200 kilometres from Perth, it seems to me that it is not unreasonable for those who live in the north to have reservations about the capacity of southerners to have, firstly, the requisite local knowledge and, secondly, the motivation to give priority to the interests of the north.

Members will be aware of the many different types of minerals we have in the north of our state. Apart from the iron ore industry centred in the Pilbara only 1 500 kilometres from Perth, from which the country as a whole has enjoyed significant benefits, there are many other opportunities that would benefit both this state and the country if we had the motivation and willpower to develop them. For instance, we have talked in the past about the downstream processing of iron ore into steel, but we have never got past first base. One reason we may not have passed first base is that in the past we have always asked the mining companies that are out there mining the ore to in fact finance, build and operate the steel mills. Now it seems to me that mining is mining and steelmaking is steelmaking, and companies around the world specialise in their respective enterprises.

I recently had the opportunity to travel to China with Mr President as part of a delegation to visit our sister state, Zhejiang province. We had the opportunity to visit modern steel mills in China, which, I may say, were processing Western Australian iron ore. I have to say that the steel mills of today in China are capital-intensive, highly computerised operations that do not need the number of employees that they may have required in the past; and, I might add, they are very, very clean operations. I should add that as one of our major trading partners, China would be an ideal joint-venture partner for the development and operation of a steel mill in the state’s northwest.

In dealing with joint ventures with foreign companies, I should indicate that on the broader question of foreign investment in Australia, I am a strong believer in allowing China and our other trading partners to invest in Western Australia and its industry because they would be able to inject into industry significant amounts of capital. I hasten to add that I do not believe that any foreign partner should have the capacity to undermine the pricing arrangements of our industrial companies to the long-term disadvantage of our country. In that regard, I remind members that if the price of iron ore were to significantly decrease, it would have a significant impact on long-term contracts and therefore on the financial streams that flow to this state in the form of royalties. Who should control the pricing arrangements for Australian commodities is very much a state and national issue.

Obviously the missing ingredient in the viability of producing steel in the north west is, in the first instance, competitively priced energy, as energy is the umbilical cord that gives life to industry both here and around the world. The Mitchell Plateau in the Kimberley contains massive bauxite deposits that can be converted to alumina and then aluminium, and the only ingredient missing is competitive energy. I am a strong advocate of the development of tidal power in the north west. Some members could be excused from remembering that the Parliament—not the Legislative Council but the Legislative Assembly—established a select committee more than 20 years ago to look at the option of tidal power. In more recent times, the former federal Liberal-National government was prepared to put up tens of millions of dollars to advance tidal power operations in the north of

the state. Regrettably, those options have faded because it seems that Perth and Canberra were not as eager about the possibilities as were the locals in the north.

On the question of increasing the population in the north, I am absolutely convinced that people would take advantage of the northern lifestyle if employment opportunities existed there. When we think about the mining companies that fly personnel in from all the states of Australia to service their industry and about the cost of doing that, it seems to indicate that we might have our priorities out of balance. I know that some of the north-westerners will say we have to provide schools and facilities in the area. I agree. We cannot expect people to live in the north west unless they have facilities. However, the bottom line is that sometimes we have to subsidise these facilities to get them going. We do not wait for agriculture in a particular area to develop and become ready for export before we build the port. Often a port is built to service agriculture, and as it grows the port is expanded. I argue that we should spend a lot more money providing facilities in the north west because the people will follow. By providing greater opportunities in the north west, we would also provide greater opportunities for the Indigenous population who, in my view, in the main have no prospects of employment and are condemned to live on government handouts.

I appreciate that my comments about creating another state by cutting Western Australia into two will probably not be embraced by New South Wales and Victoria because, obviously, under the Constitution a new state would require 12 new senators. If we think about 12 new senators from the north of Western Australia joining with the southern senators and the senators from Queensland and perhaps Tasmania—who might foresee an interest in this somewhere along the line—we can understand that the alignment of the political structure in Australia would change. That is one reason the Northern Territory is not a state today, albeit I will not argue the same about the Australian Capital Territory. If we look to the system of government in the United States, we see that two senators come from each state, no matter what their size. There is no doubt that if the 24 southern and northern senators from Western Australia joined those from Queensland and the ACT in a bloc, it would frighten the living daylights out of the eastern states-based powerbrokers. However, I also recognise the constitutional arguments that would no doubt be advanced as a convenient excuse to shelve any such proposition in the future. Recognising the vast size of our state and the distances between the more populated south west region and the resource-rich north, with its undoubted potential, the very least I can urge is that the government hold regular cabinet meetings in the far north so that ministers can better understand the needs and aspirations of the far north and real action can be taken to solve the issues that currently beset the north. I know that a convenient response from any government would be to say that we have community cabinet meetings around the town and generally around Western Australia. I am talking about being fair dinkum and spending a lot of time in Kununurra, Halls Creek, Fitzroy Crossing and all those areas in the far north, because unless we spend time there, we cannot truly understand what the problems are all about.

I was in the north west a couple of weeks ago, including Broome, Fitzroy Crossing, Halls Creek, the Warmun community and Kununurra. I recall being in Halls Creek some years ago and seeing the state of that place. I remember that questions were raised in this house and that Hon Ljiljanna Ravlich, then Minister for Local Government, went there and made various commitments. I have to say that those commitments have come to fruition and that Fitzroy Crossing and Halls Creek have never looked better in the times that I have visited over the past 20 years or so. We have made some progress on improving the living conditions in those areas, but we sure have not made any progress when it comes to employment opportunities. When I was in Kununurra the other day, I had the opportunity of speaking to a female Aboriginal elder. I asked her what advice she could offer about the difficulties that the Indigenous communities face in that area, and she said, “Whilst there are no real employment opportunities, our problems will continue.” She said to me, “Stand in the middle of the town and have a look and just tell me where you think the employment opportunities are.” I asked the same question in Halls Creek, where the biggest business happens to be the hotel, but only so many people can work at the hotel before the employment opportunities run out. I am talking about real opportunities for the people in the north, because let us face it: no job, plenty of time on their hands. Members can extrapolate what happens after that, and it has been happening for years.

During my general discussions with Aboriginal elders in the north west, I also focused on the young people; the seven-year-old and eight-year-old children that were running around that day. I said to one person, “What is the future of that young person there? Where is he going to be in 10 years’ time?” The person said to me, “Probably in jail.” There is not much of a future for the young children up there. We have to continue to concentrate on that, and it must be done better. We are very good at talking; I am not sure that we are as good at the practical side. One of the elders also said to me, “You know that Mabo decision? We all thought it was good. In fact we had it sold to us that that would be the salvation of the Aboriginal people. There might have been some compensation paid, but it has never flowed down to the real people at the grassroots level.” The proposition that the compensation is being used towards job creation opportunities does not seem to be flowing through at the

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

moment. I accept that the 1992 Mabo No 2 decision of the High Court basically stated that the doctrine of terra nullius did not apply and that common law recognises a form of native title that is a permissive occupancy at the will of the Crown, able to be extinguished by the Crown, provided any exercise of those powers is not inconsistent with the laws of the commonwealth. The shorthand for that is that compensation is payable where native title is diminished or extinguished. Mr President, I have just heard a bell.

The PRESIDENT: I have not heard it, Hon George Cash.

Hon GEORGE CASH: As long as the President has not heard it, I am safe!

Hon Ken Travers: Did you get a ringing in the ears, George?

Hon GEORGE CASH: After a while it happens to you!

The fact is that on the question of compensation, apart from it not flowing through to the real people on the ground, it seems to me that there are circumstances around Western Australia whereby the question of compensation is being used as a foil to frustrate or prevent the timely deposit of various resources in Western Australia. That means that the benefits that should flow from those projects are not flowing through to the wider community. I would argue that the compensation issue relevant to Mabo is being misunderstood and misinterpreted by some parties, and that in so doing, they are delaying the commencement of some of our resource projects, with the aim—I use this term advisedly, because it has a different connotation in Australia than, say, the United States of America—of extorting compensation at a level far in excess of the just terms obligation that was intended when the decision of Mabo was handed down.

To get back to the just terms obligation, or formula, in addressing compensation for native title, it seems to me that there is a need for the government to establish an inquiry to review the quantum of compensation that is being paid both by the Crown and by mining companies for what is claimed to be native title in Western Australia. That is to ensure that the potential revenue streams that would, in the ordinary course of business, form an integral part of the state royalties stream, or a potential profit stream to the company that would be subject to commonwealth taxes, is not being syphoned off on the pretext of compensation payments allegedly for native title. The point I am making is that both the state and commonwealth governments, and therefore the wider community, may be denied their lawful entitlement to current and future revenue streams that are being derived from mining operations in Western Australia because of the unrealistic amounts of compensation being demanded—indeed in many cases being paid—in the name of native title compensation from mining companies, in particular, to gain access to crown land in Western Australia. I see that this issue is compounded by the fact that the compensation allegedly paid to date for native title is not getting through to the intended beneficiaries. I think that is a very serious issue that needs to be addressed, given the potential impact on government revenue streams. By raising the issue of government revenue streams, I am raising the issue of wider community entitlement. Failure by the government and mining companies to recognise this area of concern will only exacerbate the problem and will develop into calls for a judicial inquiry into the problem in the future.

Mr President, I have not mentioned members by name in this my final speech, because to do so would require me to express a view on all those members whom I have served with over the past twenty four and a half years. I do, however, want to recognise three Presidents whom I have served under during my time as a member, and also three Leaders of the Government under whom I have served. I am delighted to note that Hon John Cowdell, a former President of the Legislative Counsel, has joined us today.

But before I do that, I also want to say that I am delighted that the Liberal-National team is again in government. I acknowledge and pay my respects to our Premier, Hon Colin Barnett, who last year, in a relatively short period of time, almost single-handedly turned the fortunes of the Liberal Party around from a flagging opposition to win the recent state election and form government in Western Australia. I have to say that in the first three weeks of the Liberal-National alliance after the election, I thought that the government was pretty fragile—indeed, I believed that it could have collapsed. But since those early days, I am proud to say that I think the government has grown stronger by the day, and that Colin Barnett, as our Premier, has distinguished himself as the twenty-ninth Premier of Western Australia and the leader of the Liberal team in Western Australia. I say to Colin and his ministers and parliamentary secretaries, “Keep up the good work, and make your decisions for the people of Western Australia because they are right, not because they are easy.”

I conclude by thanking the Liberal Party in Western Australia for providing me with the opportunity of being a parliamentary representative of the people of Western Australia for the past twenty-four and a half years. I thank the many thousands of political friends who have offered me strong support and encouragement over the years that I have been a member, and worked exceedingly hard for both me and other Liberal members of Parliament. I cannot do justice to them today by naming and discussing the traits of all the members with whom I have served,

as I indicated, but I will mention the three Leaders of the Government whom I have served under in the Legislative Council.

The first was Hon Joseph Berinson. Mr Berinson was a person who had—indeed has—a brilliant intellect, and was a fiercely combative defender of the Labor Party in this house. He is a person whom I might say I learnt a lot from during our frequent clashes in the Legislative Council.

The second of the Leaders of the Government in the Legislative Council that I served under was Hon Kim Chance. Hon Kim Chance managed to ensure the passage of legislation through the house in a manner that was cooperative. As a minister he was, on a number of occasions, prepared to see the merit of opposition amendments. I say quite frankly to Kim and, indeed, to the house—I am delighted that his wife, Sue, is here today—that he was a minister who kept his word. If we have somebody in the political arena who keeps his word, we cannot ask for much more than that. I pay my regards to Kim in that respect.

The third Leader of the Government in the Legislative Council whom I served under is the current leader, Hon Norman Moore. Norman is a close friend of mine and a person of vast political and parliamentary knowledge, and, apart from being the father of the house, is the most experienced member who has obviously participated in all those things that have occurred in the house in the past 32 years and seen the changes that have occurred over that time. He is a minister of undoubted talent and integrity and, in my view, it is his parliamentary knowledge that is the glue that holds the Legislative Council together. I wish him well in his next 30 years as a member of this house.

I said that I have served under three Presidents. The first was Hon Clive Griffiths, who was a member of this house for 32 years and President for 20 years. Clive succeeded in maintaining the dignity of the house during his 20 years as President. In fact, he was my mentor in all the positions I have held in the past twenty-four and a half years, and that includes in both the Legislative Assembly and the Legislative Council. Members may recall that Clive distinguished himself as the executive chairman of the world Commonwealth Parliamentary Association and was the first Australian to attain that high office.

The second President I served under was Hon John Cowdell. I pay tribute to John for the manner in which he discharged his role and duties as President. John was able to convince the then Labor government to provide significant funding to the Legislative Council for major extensions. His role as chairman of the Parliamentary History Advisory Committee has strengthened the position of the Legislative Council over the years.

Hon Nick Griffiths is the third President I have served under. He is the current President and I have developed a close personal friendship with Nick during his term as President. I have enjoyed my role in supporting him in the position of Deputy President. As a former lawyer, Nick has been very effective as chairman of the Legislative Council's Procedure and Privileges Committee and, like his predecessors, he has worked assiduously to maintain the dignity of the house and promote the Legislative Council committee system.

I thank all my parliamentary colleagues on both sides of the house for their friendship over the years, which I hope will continue into the future. I wish members success in the years ahead as they work for the benefit of our state.

Members may be aware that my daughter Michaelia was elected in the 2007 election to the Australian Senate. She is making her mark in that place, which is pretty good for me and makes me proud. I wanted to conclude my comments today by referring to some of the, what I thought were, perceptive words that she used in her inaugural speech last year in the Senate, and I think that they are relevant to all members of Parliament. As part of her speech Michaelia said —

My challenge, and indeed our challenge as representatives of the people of the states and territories of Australia, is to ensure that we have the courage to make the right decisions and where necessary the tough decisions not only for the short term but also for the long-term social, economic and environmental benefit of all Australians.

I must say that I support those sentiments. She went on to quote two notable persons. The first was Reverend Theodore Hesburgh, President Emeritus of the University of Notre Dame in the United States. He said —

The very essence of leadership is that you have to have vision. You can't blow an uncertain trumpet.

Michaelia concluded her inaugural speech with two quotations that she believed would be relevant to her role as a senator. The first is, again, from Reverend Theodore Hesburgh, and he said —

My basic principle is that you don't make decisions because they are easy; you don't make them because they are cheap; you don't make them because they are popular; you make them because they are right.

The second quote is a very simple one from another reverend, Reverend Jesse Jackson, who said —

Never look down on anybody unless you are helping them up.

Those principles can usefully be adopted by members, both current and future. I say to my parliamentary colleagues that, as members, they are often the people's last avenue of resort. It is a humbling responsibility and it is one that needs to be discharged with both care and compassion. Good luck, take care and enjoy the ride.

The PRESIDENT: The question is that the motion be agreed to. I note the time and I know which members are due to speak. I do not want a member to commence a speech and have it interrupted by an hour. On that note, I will leave the chair until the ringing of the bells.

Sitting suspended from 12.56 to 2.00 pm

HON SHELLEY ARCHER (Mining and Pastoral) [2.00 pm]: I feel a little bit like a tall, strong tree after an incredibly fierce storm. I am a bit battered, and a few twigs and leaves are missing, but I am still standing, still strong and still grounded in what I believe in. I have to say that the past four years have been the wildest ride ever for me. I have to say again that I would not change one minute of it. It was like being on the biggest, scariest and most fun roller-coaster ride ever. It took me to the highest of the highs, and it also took me to the lowest of the lows, but, boy, at such a pace, and I think it is about time I got off!

I want to say right from the start that I was aware of the consequences of my actions in not toeing the party line, and I accept full responsibility for the outcome. One of those consequences is the reason I am here today making my farewell speech only four short years after taking my seat in this place. My ambition was never, ever for longevity as a politician. I only wanted to effect change where possible, especially in the areas of Indigenous and aged care issues, and to support reform where it was needed and hopefully make a difference, particularly for those in the north west who need it most. Fortunately, I have been able to achieve and learn on a personal level, as well as at a political and professional level, while in this place.

On a personal level, I want to say something about the lessons I have learnt from my experience of being elected as a representative of the people in regional areas, who depend more heavily than most on their representatives to articulate their needs to government and to the wider community. That was a very serious responsibility to be entrusted with. It was also a great honour for me, and, despite that honour being cut short, I am very proud of the work that I have done.

One of the hardest lessons that I have learnt is that the key to political success is being a faithful and obedient representative of the party that elected me, not the people who elected me. This was a new insight for me. It was made clear that party policy was far more important than anything that the electors desired, no matter the impact on them or their lives in the regions. I am sure that some members here today will try to convince themselves that they can do both. As I have discovered to my detriment, we cannot.

A further harsh lesson for me was in relation to the Indigenous people of this state and the attitude of the former government. I was told in very clear terms that the Indigenous issue was not a vote winner and I should concentrate on what I was told by the Australian Labor Party hierarchy was important. I could not do this, and I continued to fight for the Indigenous people of this state, although in some respects it was a losing battle for me.

For me personally, when it came to making the choice between remaining true to my personal commitment and to loyalty to my electorate and friendships, or political success, I learnt which one was my true priority—my electorate and my friends. I was very much aware that when I would not bow down to the pressure exerted on me by certain elements within the ALP hierarchy that I would suffer for it politically—and I certainly did. When I was told that my stand would damage any chance of parliamentary promotion or any other privilege that would have been of interest to me—such as membership of committees, or the opportunity to study issues of interest overseas—and when none of those threats caused me to walk away from my beliefs, my friends and my electorate, I knew that it would be the end of my political career. That was not an easy decision for me to make because of my genuine interest in, and my indisputable commitment and obligation to, the people of the Kimberley and the Pilbara; because of my background, which is indelibly cemented in the north; and because of my rusted-on support for, and membership of, the Labor Party for most of my life. I nevertheless made that decision and stood by it. As the English novelist E.M. Forster said, “If asked to betray my country or my friend I hope I would have the guts to betray my country”. The ALP has been my country for most of my life, but, yes, I found that I did have the guts. This is not to say that I am not still a true believer. I am—more so, I believe, than those who orchestrated my demise. I still believe in the ALP's ideals, its rank and file branch members and its grassroots supporters. I admire and believe in their commitment, their loyal patience in times of defeat and their hard work to ensure political success, and their aspirations and belief that a Labor Government will live up to its professed ideals. That is something I continue to support. To some extent what made it easier for me to resign

from the ALP was the fact that I had no desire to remain a part of the organisation under the current hierarchy. It was no longer the party my father before me had devoted his life to, nor was it, in my view, the true representative of the people of my constituency.

Few people in this place really know my background, and maybe for most people it is of little interest, but I want to explain to members why friendship and loyalty are far more important to me than any political career I might have gained. I am the ninth child of 16 children. By the age of 10 I was effectively a full-time mum, first to my younger brother, the thirteenth child, who at the age of around six months was moved into my room and became my responsibility. Following this, my mum had three more children. My elder sister and I became the substitute mums for these children, and we provided significant support for my mother back then when she suffered from what we now know as postnatal depression. Because it was a very large family—in the 1960s and 1970s there were quite a lot of large families—life was incredibly difficult. I remember that it was not until I was aged 13 that I got my first new piece of clothing bought from a shop. We were dressed in hand-me-down, home-made or second-hand clothing. Our Christmas presents were primarily things that we needed at school. By the time I was 15, I was a mother myself with the birth of my daughter Melanie. However, it was not a big deal for me at the time—it just meant another kid to carry on my hip, look after, play with and keep entertained. It was very hard at times, and I often rebelled at what I believed were injustices against women. It was this that has made me the person I am today.

My father, Ted Archer, whom a lot of ALP members would remember, would be incredibly proud of me at this moment and for what I have achieved, not only at a political level but also, more importantly, at a personal level. He knew I was a strong, independent woman. He had watched me at the age of 15 fight against the accepted custom of giving up my child for adoption. He had watched me at the age of 20 stand up to government departments on behalf of myself and other single parents. He knew that I would not allow myself to be pushed around or bullied by anyone, especially when it comes to what I believe in. These experiences, at such a tender age, made me the woman I am today. I refuse to be pushed around, bullied and dictated to—just ask Kevin; he knows. If I have a personal disappointment, it is the loss of longstanding and, I thought, loyal friends and potential friends in Parliament and the Australian Labor Party who, perhaps for fear of the impact on their own careers, were unwilling to show the same loyalty and friendship to me that I had shown to them during their time of tribulation, even if they disagreed with me, or vice versa. Maybe, as Paul Keating paraphrased Henry Truman's famous phrase, "If you want a friend in politics, get a dog." I thank those who were not intimidated and who were not afraid to acknowledge me and remain my friend. They know who they are, just as those who saw friendship as no more than a political commodity know who they are. I want to say a special thanks to Vince Catania and his wife, Joanna. Through all the troubles I faced, they both stood by me, Kevin and our family. He was one of the people who enabled me to see the light at the end of the tunnel, and helped to maintain the belief that friendship is a very special thing.

At the political level, it has been a fabulous honour and a privilege to represent the many Indigenous constituents, community groups and local governments in the Mining and Pastoral Region over the past four years, especially the Kimberley. Although I was not able to achieve all that I set out to do, I hope to do so in another forum in which I can put to use my experience working with Indigenous people. The four years I spent as the representative of the Indigenous people has convinced me that if we ignore them, leaving children without protection, parents without support, and communities without the basic necessities for shelter, hygiene, health and safety, we diminish ourselves as human beings. The plight of many Indigenous people trying to gain equal rights to better housing, better jobs, health and education, has been at crisis level for a long time. In the past 30 years the situation has deteriorated, not improved. The Indigenous people I lived with, was connected to and socialised with in Derby in the late 1970s are much worse off in 2009 than they were then. It is heartbreaking and soul destroying for me to see that this has happened. I cannot imagine how they feel in this current environment of despair, desolation, misery, anguish and helplessness. Is it any wonder that suicide, alcoholism, child abuse and domestic violence are problems within these communities? Most of them have given up hope.

We politicians and others have spoken continuously about implementing alcohol bans for the Kimberley. Even though I agree something has to be done, it is not the answer. We first have to look at why they drink, and address those issues. Why they drink is not a simple question, and nor is there a simple answer, but I think I can go some way in explaining why they turn to alcohol to resolve the issues in their lives. It is done through a sense of desperation. They are lost, they feel forgotten and they feel alone. They have very little joy in their lives, and we must ask why that is. We do not need university degrees to go up there and see what is wrong with the Indigenous people. It is about loss of land, respect and culture. The healing of the Indigenous people is not just about ending alcohol abuse; it is about being one with their country, looking after spirit, emotional and spiritual states, and cultural and environmental issues.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

All the Indigenous people ask is that they receive the same basic services that all others receive—decent housing, education, health, employment and further training opportunities. We have in our backyard a catastrophe of dire proportions. I would suggest that we have our own state of emergency that needs an immediate bipartisan program to address all of the problems facing Indigenous people. There are no easy solutions. Simply spending money is not the answer. Funding needs to be carefully targeted, outcomes measured, and meaningful monitoring and follow-up built into programs, and we need to commit for the long term. Importantly, the people who will be affected by government policies need to be consulted; that is, those Indigenous people. It is true that the Indigenous peoples' views are not necessarily all the same, and that is no surprise to anyone. It is like saying that all non-Indigenous people in the metropolitan area are all like-minded. We are not. We manage to make decisions on a whole range of issues in other areas where there is no consensus. Based on the best advice available at the time, the widest consultation and with past experience to guide us, we should do no less for the Indigenous communities. Political will is the first requirement. If the government is not genuine about finding solutions, no amount of goodwill from the wider community or hardline intervention can redress the predictable entrenched disadvantage of the next generation, let alone the current one. The main thing that I have achieved in my short time here is to highlight the plight of the Indigenous people, particularly the women of the Kimberley, who are the mainstay of their families. Often several generations of women in one family suffer the brunt of the violence and the dysfunction. The children will be another lost generation if we cannot galvanise decision makers into acting not just for short-term political advantage but for the lifetime of this government and the next.

A number of Indigenous organisations and individuals are working hard to improve the opportunities for Indigenous Australians. They are the real success stories that are ignored by the media, and I would like to acknowledge some of them today: Marty Sibosado, Bob Mahoney and the staff of the Nirrumbuk Aboriginal Corporation; Ian Trust and the staff of the Wunan Foundation; Kevin Fong, Dot West and their fabulous team from Goolarri Media; Joe Grande and the Watson family from Jarlmadanga; June Oscar, and Emily and Maureen Carter, who work tirelessly for those women and men who live in and around Fitzroy Crossing; Ray Davey and the staff from the Emama Nguda Aboriginal Group in Derby; Jim Gorey and the staff of the Winun Ngari Aboriginal Corporation, also in Derby; Wes Morris and the team from the Kimberley Aboriginal Law and Cultural Centre; Neville Stewart from Geraldton Linehaul Pty Ltd; and Tony Shaw, managing director of Indigenous Enterprises Pty Ltd. There are plenty of others, but it would take all day for me to name all these successful Indigenous organisations and tell the great stories of their accomplishments. It is a real pity that the media continue to ignore the success stories of Indigenous people and want only to write stories that portray them as drunken, lazy, violent people who refuse to work. They are not all like that. That is a stereotype of Indigenous people that the media have sold to the general public, but the stereotype does not fit all. I want the media and everyone else to dig a little deeper, and I know they will find one of the most beautiful, resourceful and caring peoples and cultures in Australia.

The challenge ahead for the Liberal government and its partner, the National Party, will be to deliver the promised royalties for regions. This will not be easy. In saying that, I have faith in the Leader of the National Party, the member for Central Wheatbelt, Hon Brendon Grylls, who I believe will stay true to his word, and do everything within his power to ensure that the government delivers the funding that is needed to give our Indigenous people and those in the regions a better way of life through the royalties for regions program. Promises have been made and I am sure that they will not be broken under the guidance of Brendon Grylls and his team.

I cannot leave this place without giving my perspective on the Corruption and Crime Commission. I do not refer to my own case, but my thoughts on its operations and its shortcomings as an organisation. The CCC has been referred to as a star chamber and an organisation whose investigations resemble the processes of the House Un-American Activities Committee in the 1950s. I agree with this analogy; however, I would not go so far as to say that it should be disbanded. Maybe some of its funding should be provided to the Director of Public Prosecutions so that it can do a more effective job. I was watching a television program the other day about how lives were ruined by American committee's processes, and how long it took for those named in this process to clear their names. The same process has occurred under the current guidelines of the CCC. I support the concept of a standing commission of inquiry to investigate claims of corruption and organised crime; I will say, however, that this should be undertaken in a way that minimises the impact that alleged—I say it again: alleged—claims of corruption have on persons mentioned during investigations. We must remember that the CCC, in common with commissions of inquiry in general, is an organisation that investigates suspected acts of misconduct. Unfortunately, it has exceptionally wide powers to do this. As I have observed, CCC hearings are inquisitorial and the commissioner acts as judge, prosecutor and, finally, jury. There is no provision for defence and therefore no equality in the proceedings. The commission is given the power to set its own practice and procedural guidelines. It is not regulated, unlike other tribunals, commissions and courts, which conduct hearings according

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

to the rules of evidence and procedural fairness. The CCC has ultimate control of the hearings, including who will be called, what documents are to be produced, and the matters and issues to be covered. If any members are unfortunate enough to be called to appear before the CCC, it is not obliged to say why anybody has been called, and people can be compelled to answer questions of which they have not received any notice. Under its secrecy provisions, one can be convicted of breaching the Corruption and Crime Commission Act if one discusses matters before the commission, even with one's partner or spouse.

The CCC is able to tap telephones, tape conversations and set up hidden cameras. It then has control over how much or—more to the point—how little of this information will be released in its hearings and then to the public. When limited or selective information is given to the media in the context of an inquiry, the information can be, and has been, wrongly interpreted as proof of misconduct or criminal behaviour, and the matter becomes a trial by media. In the words of a former parliamentary inspector, mud sticks, regardless of whether one's name is later cleared after hearings in a properly formulated court of law. Personally, I see the behaviour of the CCC as manipulative, prejudicial, scheming, unjust and unwarranted. Lawyers, former members of Parliament, civil libertarians and academics are of a similar view. Power corrupts, but absolute power corrupts absolutely. We have seen the destruction of people's reputations and livelihoods at great financial and emotional cost. Most of them have then gone on to be cleared by courts, in which there are appropriate and correct rules of evidence, and in which a proper defence can be conducted. If the CCC is allowed to continue in its current form, any member in this chamber could be caught up in the scope of such an investigation.

When the scandal surrounding me and others broke in 2007, other members of Parliament said to me that a lot of people would be thinking that it could easily have been them. Why? Because what I was doing was exactly the same as what other members have been doing for years and continue to do, which is to access information—not confidential information or cabinet documents; none of the information I received was confidential, or a cabinet document—and informing constituents and lobbyists about how the government views certain issues in the electorate. Is this a crime? In my reading of this matter, I made two mistakes: the first was to call the CCC a circus; the second was to maintain a professional association with a prominent and highly effective Perth lobbyist, who also happened to be a personal friend. I make no apology for that. Whether or not it was politically wise is not a question for the CCC; it is a question for me.

Had my friend not had such a high profile, and had he not provided such fodder for sensational media appetites, would I and others have been put through this humiliation? The answer is no. By virtue of its name, the Corruption and Crime Commission implies that all people associated with an investigation must have committed a crime or are corrupt. In fact, the commission is an investigative organisation set up to investigate. It does not make determinations as to the guilt or innocence of particular persons. If members think that only the guilty or those with something to hide have anything to fear, they should contemplate the fact that if members or any of their family or friends should fall within the scope of a CCC investigation and their telephones are tapped, their homes are entered covertly and listening devices are installed throughout the house, including bedrooms and bathrooms, when the investigation is complete, regardless of whether they have been cleared, the CCC is not obliged to remove the taps or even provide their location or, in fact, reveal anything at all. Such an invasion of privacy, long after an inquiry is finished, is unacceptable in a democracy. The CCC's record to date does not inspire confidence. It claims that it is the fault of the legislative framework. The government is now the legislator, and the solution is in its hands.

There are many people I would like to acknowledge and thank, and I will start with my immediate family, who are here in the gallery.

I thank my husband, Kevin, his sons, Clint and Rod, and Rod's partner, Justin; my very precious daughter, Melanie, and the light of my life, Bella. Everyone knows her as Taylah, but she is known to me as Bella. She keeps me sane and grounded and she is the one who fills my life with love and laughter. Their unconditional support over the tumultuous months that are now behind me has been outstanding, and I want to thank them for this.

I give thanks to my brothers and sisters and their families—as I mentioned, there are lots of them, and we are all from down Collie way—who live throughout this vast state; friends, colleagues and comrades from the Construction, Forestry, Mining and Energy Union; Eileen and Kevin McParland; Jill and Ian Hawkins; and Joe McDonald. Thanks so much for your support, and thanks to a few of the other unions that have stood by me.

I thank my current and former staff: Frances Wilkinson, Diane Smith, Pauline O'Connor, Shelley Eaton, Tony Miln, Diana Forster and Jenny French. Thank you; without your continuing friendship and support, I think sometimes I would have ended up in a heap on the floor.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

I thank my lifelong friend Brian Burke, his wife, Sue, their family and—dare I say—their very extended family. I thank them for always being there when I needed them. They have had more than their fair share of issues to deal with over the years, yet they have battled on regardless and stood by me.

Contrary to the views of the CCC and Mr Urquhart, it is the women in my life who have been my influence and who are my mentors. There have been many of those women in my life, and I would like to acknowledge some of them. I cannot name them all, but there are a few that I will: Barbara McDonald—thanks Barb; this speech would not be anything like it is without your advice and work on it during the past weeks. Others include Cheryl Davenport, Kaye Setches, Joan Kirner, Honey Bacon, Diane Cummins, Elaine Marriner, Maxine McIntyre, Lesley Grill, Sue, Sarah and Mary Burke, Karoline Forster, Elsie Archer, Michelle Pucci, Liz Waldron, Roz Marlborough, the whole Shay family, and, of course, my mum, who passed away a year ago. They all have at some time in the past four years and over my lifetime been an absolute inspiration to me.

To Sue Ellery: I agree, Sue, there are a lot of things that you and I will never get on about, nor agree on, but there is one issue that you and I both worked very hard on and that is women's issues both in the Australian Labor Party, in EMILY's List and in this house.

To those others to whom I am close in Perth and in the Kimberley, without your continued support I do not think I could have come out of this as strong and determined as I am today. I want to thank you all for that.

I also want to pay tribute to the late Senator Peter Cook, another inspirational man in my life, who fell not only foul of Labor Party pre-selection machinations, but also to cancer, which took his life in December 2005. Peter was a "true believer". He spent his life dedicated to the union movement and to the ALP. He was a senator for 22 years in federal Parliament. Peter always made time for his friends, of whom I was one. Peter, I want to thank you for being a true and loyal friend, right up to the end. The flame has not died; your spirit carries on.

The other men who have inspired and mentored me over the years include my father, Ted Archer; Kim Beazley Sr; Jim Bacon; John Cummins, who is a former BLF president in Victoria; Kim Beazley Jr; Geoff Gallop; Norm Marlborough, Julian Grill; Terry McIntyre; Gary Waldron; and Peter Stubbs, just to name a few.

I have always believed that events and situations occur for a reason; that is, they occur so that one can gain some significant insight into those situations and learn from them. This rather wild, madcap ride has taught me many lessons and I would like to take this opportunity to thank some of those people who provided me with those lessons, which have allowed me to learn and grow through the whole process.

To Hon George Cash, Hon Norman Moore and Hon Ray Halligan: thank you for your wise counsel when I needed it. Your years of experience in this place were a very valuable asset to me in my last two years here in relation to the working of Parliament and the tools that were needed for me to learn from others.

To Hon Adele Farina, Hon Ken Travers and Hon Giz Watson: thank you for sharing with me your understanding and perception of honesty and integrity. It was a valuable lesson that I hope I have learnt from and that I anticipate will grow with me as I grow.

To Hon Anthony Fels: my advice to you, Anthony, is, like me, to accept responsibility for your actions, learn from them, and move on. In the matter of the iron ore inquiry, Brian suggested that I take the matter to the committee. I declined. When you came to the committee with the proposal, I rang Brian to say that you had brought the matter to the committee. Subsequent to that, Hon Giz Watson indicated that it may have been a breach—not that it was. From that time on, I made no further contact with Brian on that matter. You, unfortunately, on the other hand, continued to make many calls with those involved. Do I believe that you or I did anything wrong or that we breached parliamentary privilege? No, I do not.

Hon Anthony Fels: No, but I did not make any calls either.

Hon SHELLEY ARCHER: But do not blame others, and just accept and learn from the mistake.

As to that report, I believe that the writers should give up law and politics and start a new career in fiction writing as they would be more successful at that than their current careers, because it was a great novel.

To the President, Hon Nick Griffiths: I wish you a happy and healthy retirement, and I want to say a very special thanks to you for your advice, support, humour, inspiration and wise guidance. The few times that I sat in your office, you calmed me down and made me see reason; thank you. You will be sadly missed in this place.

To the whole team in this house: a very special thanks. It was always great to walk in here and see some really friendly faces.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

I also wish to extend my sincere thanks to the dedicated and marvellous staff of Parliament House, those who work in the kitchen, dining room, library, Marilyn, Cathy and others at the switchboard, Hansard, security, and the many others who work in various capacities to keep this place running. The humour, wit, support, friendship and encouragement you have provided to me over the past four years have been outstanding and I will take with me many fond memories of the staff of this place. I expect to come back and make even more memories.

To the new members who will take up their seats when this house next sits: your journey into the political arena has just begun. You will not find it easy coming into this place, and I urge you to take advice from experienced members who remain in this place and, please, do not be afraid to ask questions or listen to members who belong to all different political parties.

To Hon Wendy Duncan: it has been a privilege and an honour to work with you in the short time that you have been in this place. Your honesty and integrity are an inspiration, and you have gained the respect of many in the regions. I know that you will do a fantastic job looking after those who live in the Mining and Pastoral Region—I will not be too far away if you need any advice! The Kimberley especially needs a strong, determined and independent voice in this place and I am more than happy to hand this exceptional jewel into your very capable hands.

I also want to extend my thanks to the Minister for Health and for Indigenous Affairs, Kim Hames, who it seems has a clear understanding of all the issues facing Indigenous communities. I am reasonably confident these issues will not be swept under the carpet, as they were with the previous government, which in my view found every excuse not to tackle these ongoing problems.

I also want to say something about *The 7.30 Report* the other night when I was interviewed about Kalumburu. The Catholic Church owns the land in Kalumburu, which is the only land that is available for the Kalumburu Indigenous community to grow. I told the Archbishop—he professes to be a Christian and a Catholic—if he truly was, he would hand that land back to the Indigenous people in Kalumburu. It is of absolutely no use to the Catholic Church. It is out in the middle of nowhere. As a Catholic and as a Christian, I think the Catholic Church should hand back that land.

My final words are dedicated to my husband, Kevin Reynolds. Kevin, you gave me the strength not only to achieve my ambition to be here in Parliament representing—you big sook, Shelley!—the Mining and Pastoral Region, but also to carry on.

I would like to thank everybody in this house.

Several members: Hear, hear!

HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [2.38 pm]: I would also like to add a few comments in support of this motion to acknowledge the contribution of those members departing from this chamber. I will start with Hon Shelley Archer. I have known Hon Shelley Archer for many, many years and, in fact, worked with her father. I am aware of her story. I have always been very proud of her and the way she has raised her daughter, and her family and has worked so diligently for her constituency in the north west. I wish her well in her future.

I would like to make a few comments about some of my colleagues across the way whom I have been fortunate enough to work with over the past eight years. I will start with Hon Barbara Scott. It is probably appropriate today, with the pro-life rally that was held on the steps of Parliament House, to say that Barbara has been a staunch supporter of the pro-life movement and has always taken to her feet and put her case in support of life and life matters. I thank Hon Barbara Scott for the support that she has shown me and other members over the past eight years both in this place and in the chamber when we have had to come together as a group. We have left at the door our diverse political views and some of our attitudes towards each other that we might normally engage in in the chamber and have been able to work together very well. I think we have achieved a modicum of success in this place by amending some legislation and achieving the very important defeat of the cloning bill last year. Hon Barbara Scott should be very proud of her efforts and her continued advocacy for children in this state. I hope that we are able to maintain a relationship long after she leaves this place. Hon Barbara Scott and I go back a long way. Her sister gave me my very first paid employment. It was a pleasure to meet up with Hon Barbara Scott when I came to this place.

My good friend Hon Bruce Donaldson is right when he says that we do not always agree on things. We have been able to work together very well on the Standing Committee on Environment and Public Affairs and the Parliamentary Superannuation Board. We have discovered that a trade unionist and a farmer can sometimes share common ground and common views on a range of matters. As the former Clerk Laurie Marquet said to me,

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

when we walk into a committee room, at the end of the day, we all want the best for the state. On a number of occasions we have been able to achieve that with our recommendations in various reports. I know that the past few years have not been the easiest for Hon Bruce Donaldson on a private level but he has always worked through things. I know that he is not looking forward to a quiet retirement. I imagine that he will be a very busy man, not just planning his travel itinerary. I look forward to seeing him again in the future. I am sure that Jim Brown will be very, very nervous about Hon Bruce Donaldson knocking on his door to assume his role of looking after former members. If we were able to accommodate former members on the Parliamentary Superannuation Board, he would be a very strong voice for those people.

I have had the good fortune to share many occasions with Hon Ray Halligan at a lot of multicultural functions. He is highly regarded amongst a number of groups in this state. When I have been to functions of late, people have expressed great regret that he is leaving us. On the odd occasion we have even held hands at functions. I can admit that now because he is going. I wish him well. I know that people are very pleased with the effort that he made because it is not always an area where people want to engage or have the time to engage. Hon Ray Halligan has given very generously of his time. Michael Sutherland, the member for Mount Lawley, and I hope to continue the work done by Hon Ray Halligan and Bob Kucera when they set up the Parliamentary Friends of Israel.

I now refer to my colleagues on this side of the chamber. Hon Carolyn Burton should be very proud of her contribution to this place. She has come a long way from the first time she rose in bare feet to give her speech. I look forward to seeing her outside this place.

I have had the good fortune to share an office with and get to know Hon Shelley Eaton over the past few months. She has had a very strong presence in this place for virtually the whole of her working life. I wish Shelley the best and hope that she achieves her goals with her employment opportunities elsewhere.

I have worked with Hon Sheila Mills and Hon Paul Llewellyn on the environment and public affairs committee. We have had some very difficult times. It is probably difficult for Hon Paul Llewellyn to leave us when he is so engaged with his electorate. Once he gets that surfing bug out of his system, he will get himself involved again. He is extremely passionate on matters relating to energy and renewable energy. I expect that he will continue to make a contribution there.

Today was a fairly significant milestone for Hon Batong Pham to stand on his feet and speak to us. I have known Batong since he was a very young man. He was under the guidance of Ted Cunningham, the former member for Girrawheen. I know that Ted would have been very proud of the fact that Batong made it to Parliament and has overcome the challenges of the past couple of years with his health difficulties. I hope that Batong and Thuy and his family have good fortune in the future. I certainly hope that we see a steady improvement in his health and that at some point soon he is able to return to his former health and have a full and complete life.

Hon Kim Chance is a bit of a surprise package. Whilst we within the party may not have always lined up on the same issues, I have always been in awe of Kim's intellectual capacity. He is a bit of a Renaissance man. He is quite a surprise package with the level of knowledge he has, not just about the industry he came from but about a range of matters. I know that he has an exciting future ahead of him in whatever he chooses to do. I know that he will always be around to offer valued guidance to those of us who remain.

Hon George Cash is a remarkable politician. It has been an education for all of us to sit in this place and watch him very gently manipulate the operations of this chamber and, indeed, the operations of his own party sometimes. It has been an education to watch somebody who is so highly skilled in what he does. He has made an incredible contribution to this place, not just in the portfolios he has held or the roles he has had, but because he is so committed to the continuance of this institution and that he holds this place in high regard. I thought the comments he made today were very appropriate. I wish him well. He is a very young man. I know that he is looking forward to another and, I presume, new career. I am sure that we will still be hearing from him in 20 or 30 years as he moves on into yet another career. I wish him well. I thank him for his very good advice over the past eight years on a range of matters, both political and also how we organise ourselves in this chamber.

Mr President, my last words are left for you. It is with great sadness that we see you leave today. You and I have been friends for about 25 years. In the early years you taught me about campaigning. I always say to new party members who engage in campaigning that they will learn to doorknock Nick Griffiths-style. They always ask why but they pick it up quickly. The skills that you have passed on to a number of us are well and truly appreciated. You have been a consistent and strong advocate for the pro-life movement and have never been shy about putting your views on that matter or stepping up to the mark when needed. You have given strong and clear advice to those of us who share the same convictions. I hope that when you leave this place, we are still able to call upon you for continued advice. We still have many challenges ahead of us. Your support will be required into the future. You were always very interesting to watch when you handled your tasks as a minister.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

You had enormous portfolio areas to manage and you managed them with grace. You were a great role model for those of us who had to sit at the table at later stages and learn. I am very pleased that you will now be residing in the South Metropolitan Region. I hope that from time to time you will drop in and see me as your local member and either give me advice and encouragement or raise matters. I hope that we do not lose that very long and well regarded relationship when you leave this place. As President you have certainly left your mark on this place and you will be missed.

THE PRESIDENT (Hon Nick Griffiths): Before I embark on thanking a very long list of people who have provided me with a great degree of sustenance, which has enabled me to attempt to serve the people of the East Metropolitan Region and the state of Western Australia in this house for 16 years, there is a matter that needs to be addressed. To my left are two blue chairs. Those two blue chairs are representative of a dysfunction in this Parliament. They exist because some members of the other place, which has been referred to from time to time with some authority as an elected dictatorship, do not like having a check on their power. They do not like a system of proportional representation that enables a number of points of view to be expressed in Parliament. They think that all wisdom resides in single-member constituencies where only one point of view ends up being represented in Parliament because such systems are based on “winner takes all”. Perhaps that is the root cause of the culture of which I complain. They do not like the fact that there is a house of Parliament that reviews legislation, reflects on what is often very imperfect legislation that comes before it, and gives proper consideration to improving such legislation for the benefit of the people of Western Australia. They do not like the fact that this house provides, because of the fact that there are two houses, an opportunity for community consultation. They do not like the fact that we have an effective committee system that holds governments to account. This house is a brake on putting into effect ill-thought out measures. It is an inculcation against extremism.

Those two blue chairs represent the treatment of this house over a considerable period. My predecessor, Hon John Cowdell, worked assiduously to improve the operational budget of the Legislative Council. He raised with the then Attorney General the fact that our finances were so poor he had to let go staff. When I became the President in 2005, I conferred with the Acting Clerk, Mr Malcolm Peacock, the now Clerk, and we examined the finances of the Legislative Council with the able assistance of the senior financial officer, Mr Michel Crouche. This was shortly after the 2005-06 budget was handed down. It was clear from our examination of the finances that the Legislative Council was either going to be in the red or its staffing requirements were going to be severely diminished. We put a case to the Department of Treasury and Finance seeking urgent supplementary funding. This was done in June 2005. Towards the end of the financial year, we received a facsimile from the then acting Under Treasurer refusing the proposition that we had put and saying how inappropriate it was—he used that stupid argument based on the number of members of the Legislative Assembly vis-à-vis the number of members of the Legislative Council. That proposition had no regard to the obvious argument; namely, operational expenses. We persisted to seek a redress to the budget of the Legislative Council. I think the telling argument was the threat to expose the ludicrous document forwarded to us by facsimile. Eventually, in October 2005, the Legislative Council received an injection of funds sufficient to enable us to carry on, and that injection has been maintained, inadequate though it is. I invite Hon Clive Griffiths to sit down and thank him and Hon John Cowdell for being here.

The issue of the Legislative Council’s finances has also arisen with respect to the capital budget. Some members of Parliament have been here over many terms and are aware that the Legislative Assembly was provided with a very nice suite of committee offices many years ago—many years ago. Recently we got ours—very recently. Again, this was achieved thanks to the very hardworking team of the Legislative Council, on this occasion led by the then Clerk, Mia Betjeman; Malcolm Peacock, of course, made a substantial contribution; and Kelly Alcock in particular played a very significant role. Notwithstanding the fact that the other place got everything it wanted without fuss years ago, we were put through the hoops by Treasury and the then Treasurer. It was almost as if we were not entitled to have proper committee offices. In the end we got them, and for that I am grateful.

The other area of the capital budget, of course, relates to those two blue chairs. Early in my term as President, the then Speaker, Hon Fred Riebeling, and I approached the then government, the Premier of which was Hon Geoff Gallop, and we put forward the proposition that the chambers needed to be air-conditioned and refurbished. The clear unequivocal understanding was that because both chambers could not be out of action at once, the Legislative Council, which is closer to the north, would be air-conditioned and then the air conditioning and refurbishment of the Legislative Assembly would take place. It soon came the time for the Legislative Council to be refurbished. It was the day that Hon Louise Pratt, now Senator Louise Pratt, last spoke in this house. I did not preside over question time that day. Mr Peacock and I attended before the Treasurer and Treasury officials in the parliamentary services room, and we went through the business plan for the Legislative Council refurbishment. The Legislative Assembly did not have to have a business plan. Everything seemed fine. There was enthusiasm; it was proper. The Legislative Council had provided a business plan and everything was going well. Then an

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

event occurred. The then Premier and his colleagues in the other place thought that by motion of the other place they could expel two of our members—Hon Shelley Archer and Hon Anthony Fels. Of course, members will recall those motions that came from the other place were clearly out of order, and I so ruled.

Later that year, in December 2007, I was informed that the expenditure review committee, which was the budget committee of the previous government, had rejected the proposition that this chamber be refurbished. I continued to press the case. The then Treasurer, now Leader of the Opposition, would not even see me. The budget was handed down—no refurbishment. Again, he would not discuss the matter with me. Last year we had an election, and, with the assistance of the now Leader of the Government, Hon Norman Moore, and the Deputy President, Hon George Cash, I was able to confer with the now Treasurer, Hon Troy Buswell. He gave the Legislative Council a very fair hearing. We are now going to have the refurbishment that the Legislative Assembly was given years ago. Unfortunately, it is a year late, so we have to put up with the temporary inconvenience of two blue chairs, but those blue chairs will be here for about 10 months, till probably March next year, and they will be a reminder to the house of the way this house was treated by the previous regime.

I do not want to leave the finances of the Legislative Council just yet. I want to make a further comment. I think members have heard me say this many times: if the other place is being funded appropriately, then we are being underfunded; if we are being funded appropriately, the other place is being overfunded. People cannot have it both ways. I am talking about operational expenditure. It is obvious. I am not going to criticise the current government, because it has been in office for only seven and a half months and it is facing the most difficult economic circumstances that this country has seen since the early 1930s, but I should point out that when I and Mr Peacock appeared before the budget committee, we were treated with great courtesy. We were heard with respect. I am very hopeful on the house's behalf that when circumstances permit the inequity that has been allowed to occur with respect to the Legislative Council will be rectified.

Members would appreciate there are a number of matters that are perhaps more pleasurable for me to mention, and I now move to them. I am very pleased to see my wife in the President's gallery. I thank her very much, first for being here and second for the magnificent support she has provided me during the time we have known each other, and in the latter period of me being a minister and throughout the duration of my term as President. Being a member of Parliament is very difficult on families, and it is a wonderful thing indeed to have such support. I thank my family in general and, may I say, in particular my children, Stephen, Paul, Thomas and James. I am conscious that over the years I have perhaps not done as good a job as I was capable of doing, because of my role as a member of this house.

When I was first elected in 1993, I had the very good fortune of having my friend Lyn Jager as my electoral officer. She worked for the late Hon Fred McKenzie. I had known Lyn before. I considered her to be a friend. She provided me with magnificent service for eight years as my electorate officer. Then I had the very good fortune of her joining me at my ministerial office, where she played a leadership role in ensuring that that office functioned as well as it possibly could. Lyn cannot let go of politics and now works for my friend and colleague Michelle Roberts. I understand it is probably a bit easier than working for me, but some people do have a bit of good fortune in the end. Lyn is in the President's gallery. I again thank her.

I thank Mrs Sonya Rivett, who has been my electorate officer for eight years. I do not get too many complaints in the electorate office because I have had two great electorate officers who have made sure that I do not come into contact with constituents very often. When I first became a member, I remember that Lyn took me to task for telling a constituent precisely what the solution to their problem was. Members will know that sometimes constituents do not want to be told what the truth is; they want members to find an answer for them, impossible though that may be. I thank Lyn and Sonia.

I also want to thank Brian Yakich, who has worked with me for a number of years. My current research officers are Brian and Greg Roberts. Also over the years I have had a number of very talented young people work for me. I will not mention them all because I am conscious that we are approaching our most important ritual, and that the Leader of the House is keen to listen to Hon Ken Travers talk about the budget, as are we all, I am sure.

Hon Ken Travers: I am glad to hear it.

The PRESIDENT: I will be glad to hear it in due course, Hon Ken Travers. Matt and Taryn have gone on to legal careers and they are doing very well.

In the course of my work in the electorate I have been involved in campaigns. Whatever members may think of my role here, in the electorate I have been pretty partisan. I have campaigned hard over many years, both as a member of Parliament and for a long time before I became a member of Parliament. I have enjoyed campaigning. I have been on some losing campaigns, as we all have, but I think my campaigning has contributed to some significant wins. I have had the pleasure of having a very close association with the member for Midland, Michelle Roberts, and I consider her to be a close friend. I had a role in the then member for Swan

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

Hills—Jaye Radisich—winning that seat in 2001, and retaining what is essentially a natural conservative seat in 2005. I enjoyed campaigning with Paul Andrews, among other people. I have had a good time in my electorate in campaigning, and, with the assistance of my staff, in seeking to do my electoral work, which has such importance to the people of the East Metropolitan Region.

Over the past few years, I have had the benefit of working very closely with two people without whom this house cannot function. The first person I will mention is Lorraine Coogan. I do not have to worry about matters. I do not have to know what to do. Lorraine is always correct in her advice. She makes sure that I am on time. She does a tremendous job. I am very thankful to her in particular for the courtesy that she shows members in making sure that when I come into the chamber I am not too crotchety—that can change as this speech develops! Thank you very much, Lorraine. Again, it is a pleasure to see you in the President's gallery.

I do not know where Andrew Gardos is, but how on earth can our most sacred of rituals operate without Andrew! In saying that, I am referring to something that Hon Bruce Donaldson tried to abolish once. I know that he gave an account of that last night, and I am not accusing Hon Bruce Donaldson of misleading the house. Andrew not only provides us with afternoon tea, but also he relates well to all members. As my personal steward, he does a fantastic job. I wish him well for the future. He recently suffered from a bout of ill health, but he has recovered and he continues to recover, and he does a tremendous job.

I have had the good fortune to work, in the course of my term as President of this House, with three Clerks of the Legislative Council. The first was the late Laurie Marquet. I first met Laurie shortly after I was elected in 1993. Laurie Marquet was a magnificent Clerk of the Legislative Council and a great servant of the state of Western Australia. I think we all have a lot to thank him for in terms of the robust nature of this institution that he contributed so much to. The second Clerk was Mia Betjeman. Mia provided great service to the Legislative Council. Unfortunately, for personal reasons Mia ceased to be the Clerk after a relatively short period. I was saddened by that, as I was saddened by the loss of Laurie. But if we wait long enough, good things happen, and we now have an excellent Clerk in Malcolm Peacock—an excellent Clerk following on from two prior excellent Clerks. Malcolm Peacock as Acting Clerk and then as Deputy Clerk, and now as Clerk, has played a very significant role in making this house the cutting edge of accountability. We are miles ahead of—I will not mention the other place—but we produced an annual report well before that house, and we have key performance indicators; we got them up early. That has all happened over the past four years. Today I had the pleasure of tabling a report titled “Work of the Legislative Council in 2008”. We welcome scrutiny. I also tabled a report titled “Overview—Legislative Council Strategic Plan and 2009 Business Plan”. These are innovative matters for which we should thank Malcolm in particular. He has been a very, very good head of the Department of the Legislative Council.

We have in place a very good team, and I want to go on record as thanking them. I thank in particular the Deputy Clerk, Mr Nigel Lake, and the Clerk Assistant, Mr Donald Allison. I have mentioned our Manager Administrative Services, Mrs Kelly Alcock, in another context. Kelly plays a vital role in the team, and I thank her, as I thank Mr Paul Grant and all the committee staff. Again, I am conscious of the time, so I do not want to do what my friend the late Ted Cunningham did when he mentioned everyone in his electorate —

Hon Norman Moore: Take as long as you need, Mr President.

THE PRESIDENT: Thank you, Leader. I also thank the Usher of the Black Rod, Mr Chris Hunt. Chris seems to have disappeared. I do not know what he is up to, but I am sure he is doing a good job, as he has been doing. To our chamber staff—Brian Conn, Peter Gale, Glen Whitting, Lisa Parella, Grant Hitchcock and Alice Muller—thank you very much indeed. I also want to thank our parliamentary officers, Tina Beale and Janice Shaw. They were great to deal with when I was in opposition, and they were great to deal with when I was a minister, and they continue to do a fantastic job for ministers and on behalf of members in making sure that their very essential work is dealt with efficiently. Janeen Robertson has now left us. I understand that Janeen is currently doing some work for Hon Anthony Fels. I was a very pleased to hear of that when I met her at a polling booth last Saturday. Again, I place on the record my thanks to Janeen, and her successor, Corrine Briant. I also thank Hanna Gough, our media, public relations and project officer. Her position is an innovation. Again, that has come about under Malcolm's term. It may have something to do with the fact that from time to time I have been mentioned in dispatches in *The West Australian*! Hannah has been promoting the Legislative Council very well indeed, and I think her efforts will bear greater rewards in the future.

In my role as President I have a very sound parliamentary bureaucracy, headed by Mr Russell Bremner, Executive Manager Parliamentary Services, Mr Rob Hunter, Deputy Manager Parliamentary Services, and Mr Enno Schijf, Manager Catering Services. I thank all of them for their assistance. Parliament House has, I think, one of the best chefs in Western Australia. My wife suspects that I have been putting on a bit of weight. She should not blame my lack of discipline; she should blame Mr George Webb, for providing me with such

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

excellent cuisine. George is a great staff member, and the leadership team of George, Mark and Preston are people we should all be proud of. I thank Mark Gabrielli and the dining room staff, in particular two people who have acted as my steward from time to time—Deborah and Romeo.

I think the proof of the pudding is in the eating when it comes to Ken Craig, because nothing untoward has happened to any of us, so he has clearly done a good job as Security Manager. He is a very cheerful man, and I thank him and all his staff, including Chas, who plays reserves for Swan Districts, and Basil. There are a lot of them and they are great people. Lance Rosich wanders around from time to time and makes sure the mail does not get lost. I thank him, not only for the service he provides, but also for his great support for the best team in the Western Australian Football League—the mighty Cardinals. We are allowed to talk football occasionally in the Legislative Council—just do not mention too much politics! I thank the Reporting Services Manager, Ms Belinda Corey, and her staff, and Judy Ballantyne and the library staff. They do a great job, and I wish they were better resourced. Sometimes I think that governments current and past would have been much better off if we had got rid of research officer positions for members of Parliament, which account for 95 full-time equivalents, and put the expenditure into providing a first-class research unit in the library. It would save a fortune. I am not being disparaging of research officers, but we would probably end up getting a better job done. Anyway, I will leave that for perhaps my successor to pursue, but I do not think that any politician would say goodbye to a full-time equivalent.

I mentioned Michel Crouche. He gave great service, but he has been replaced by a very good lady in Dawn Timmerman. I thank her and the other finance staff, in particular Mr Greg Jackson, who makes sure that we all get paid on time. I am looking forward to 12 June, as is Hon Bruce Donaldson. I thank the parliamentary education officer, Ms Jane Gray, and her staff. Graham McDonald, the Building Services Manager, is very hands-on and very good; he will make sure that the chamber refurbishment is done properly. He was a first-class acquisition for the Parliament. Peter Pascoe has been here for a long time, perhaps as long as the Leader of the House; I do not know.

Hon Norman Moore: Longer.

The PRESIDENT: Longer; and he is still a young man, so he must have been wearing short pants when he first arrived. It is always a pleasure seeing his smiling face and I thank him very much for his services, as is the case with Mr Dan Cochrane, our projects manager. When we arrive at Parliament house first thing in the morning—some of us do anyway—some of the first people we come across are Marilyn, Cathy and Rosalie, from the post-office. They are cheerful, and they make me feel better in the morning whenever I go to post a letter before Andrew provides me with the most important ritual of the day—my green tea served in a particular teapot.

The Legislative Council has a committee system that is the engine room of the chamber. It is a committee system that actually does something, rather than keeping backbenchers occupied so that they are not plotting against frontbenchers in both government and opposition. I have had the good fortune of serving on a number of committees with some very capable people. In fact, the first committee I was on was the Select Committee on the Limitation of Professional and Other Occupational Liability. It was a unique committee, because most of its work was done in the Parliament between 1989 and 1993, but the committee was re-established in late 1993. Committee members included Hon Peter Foss and Hon Max Evans, both of them ministers at the time, and Hon Mark Nevill. Hon Fred McKenzie was recalled as a consultant. I mention a precedent that Hon Bruce Donaldson and I have discussed! The committee did some excellent work and provided an example of how committees should operate. It led to legislation in New South Wales and Western Australia. I refer to the Professional Standards Act 1997 in Western Australia. For my part, I learnt a lot from dealing with people with the intellects of the four gentlemen I mentioned. It was an example of how, irrespective of party lines, we can get together and deliver good results for the people of Western Australia.

Another committee I reflect on, which produced very good reports and assisted governments in making decisions that enhanced the workings of the police force, is the Select Committee into the Western Australian Police Service. I served on that committee with one of the great speakers of this house in recent times—I am not talking about presiding officers—Hon Derrick Tomlinson, who was a great chairman; Hon Reg Davies; Hon Matt Benson-Lidholm's fellow vigneron, Hon Murray Montgomery; and, to balance matters out, Hon Phil Lockyer. Phil is a great bloke, and it is a pity he left the Parliament in 1997, but he had a pretty good innings. I learnt a lot from dealing with those four gentlemen. Members will note that all of them were from different sides of politics, but we got on well and produced unanimous reports. The sixth interim report of the committee is worth reading by anyone who wants to understand the history of what has taken place with accountability bodies that have evolved into the Corruption and Crime Commission, and what has taken place in the Western Australia Police. I think its recommendations still stand. I note what Hon Shelley Archer has said, and I think there is a lot of merit in it. We have drifted down that path because what was contained in that particular committee report was not

adhered to by either side of politics, to the great cost to the Western Australian community, not only financially, but also, I would argue, to civil liberties.

I do not want to go through all the committees and all the members I have interacted with over the years, because that would probably take as many years to do; suffice to say that the house has afforded me the experience of working on committees with many members, and I know first-hand the value of the efforts of members and the worth of our committees. Hon George Cash has said on many occasions, to many people, that our committee reports are first class and worth reading and, more to the point, are worth acting on. Recently, as Chairman of the Procedure and Privileges Committee, it has felt a bit like being on the Committee of Public Safety during the French Revolution and that we have been sitting for an eternity! However, that has been an interesting experience. I trust that when the Procedure and Privileges Committee reconvenes, it will look at some of the issues that we tried to look at, but were distracted by Corruption and Crime Commission issues, which occupied a lot of our time. I trust that the new Procedure and Privileges Committee will once again look at the standing orders. Although they are a pretty workable set of standing orders—I find them so; I suppose one gets used to them after a while—there is a need for reform in a number of areas. I trust that that will come to pass. Noting what was said during a debate on a motion moved by Hon George Cash with respect to the recent report of the Select Committee of Privilege, there is, I think, a reasonable expectation that the report will be acted on for the benefit of Parliament as a whole, and, therefore, for the people of Western Australia.

During my time as a member of Parliament I have had the good fortune of having had the opportunity to serve the state as a minister, and I held a number of portfolios. Whatever I was able to accomplish, I was able to accomplish because I had a first-class staff, led by Graham Burkett and Lenka Jaeger. I particularly thank them, but I also thank Damon, Christine, Madeleine, the two Johns, Jill, Ashley, Neville, Paul, Jan, Yoss; and I suppose I should mention Vince Catania by name! I am not quite in the same category as my former legal colleague Hon Chris Ellison. I know that Chris has a former staffer in the chamber—the Minister for Environment, Hon Donna Faragher—and two former staffers who are due to be sworn in tomorrow. Another of his former staffers is also a minister; the Attorney General is a former staffer of Hon Chris Ellison. When I spoke to him recently, he reminded me that another of his former staffers was a member of the Brisbane City Council. That is a pretty hard act to follow, but I have Vince, and I am sure that Vince is working very hard to maintain my reputation.

In common with Hon George Cash, I do not want to talk about what I did; that is a matter for the record. Members will know that I am on record as saying that I had the opportunity to do something for the racing industry, and issues to do with the casino. I enjoyed my relationship with the liquor industry; in fact, I look forward to enjoying my relationship with both the racing industry and the liquor industry in my retirement! In my time as minister, I held a variety of portfolios and I was well served by very good public servants, who enabled the issues of the day to be dealt with. I find the public service of Western Australia to be very professional, and I am very grateful for the opportunity to have worked with so many good men and women. I should note that for a short period, I was Minister Assisting the Treasurer; in the eyes of the government, I was clearly not very good at that, because I reduced two taxes. Minister Assisting the Treasurer is a euphemism for Minister for Revenue, and ministers for revenue are not supposed to reduce taxes, so I did not last in that job for much more than about four and a half months! I will not go through those matters.

I suppose the main thing I did as a minister, over and above administering departments and having the opportunity from time to time to engage in policy initiatives, was the handling of legislation, which I enjoyed very much. Mention has been made of that by other members, but it is a wonderful thing to pick up a piece of legislation and have the opportunity to study it as a representative minister in the Legislative Council and ask, “What on earth is this about?” It is really hard yakka. Day after day, I had the opportunity to pick up a fresh piece of legislation, study it and endeavour to gain some understanding of it. However, that was nothing, because I then had to deal with a battery of opposition speakers of enormous intellectual calibre. I do not want to embarrass anyone, but they included Hon Norman Moore, Hon George Cash, Hon Derrick Tomlinson and Hon Peter Foss. It was hard work dealing with them, and I forgive them for just about breaking my health, but I think, through our collective efforts, we improved legislation. When I reflect upon it, I was more prone than many ministers to go along with sensible amendments. My view was that if the Legislative Assembly did not like the amendments, it could always send the legislation back, and I do not think it ever did—perhaps because it did not understand it; I do not know! The State Administrative Tribunal Bill 2003 was a classic example; some members will recall the enormous volume of amendments made in this chamber. It went back to the Legislative Assembly and no-one spoke to it—it was passed within a couple of minutes; so much for those who are disparaging of a house of review.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

A number of members are retiring, and I will briefly make mention of some members and then conclude my comments, because I know that we are approaching our sacred ritual shortly!

Hon Norman Moore is a great servant of this house and the people of Western Australia, and the future of this house is in very good hands indeed. He is a great champion of the Legislative Council and, I think, a fantastic minister, and I am so grateful that the state of Western Australia has, at this difficult time, Hon Norman Moore as the man in charge of making sure that we have in place an approvals process that will set us up for the next boom because for reasons that were nobody's fault, we were not ready to take full advantage of the last boom.

I am not being disparaging of others when I say that Hon Sue Ellery is developing into the most competent Australian Labor Party Leader of the Opposition that I have seen in my time here.

We have just heard Hon Kate Doust speak extremely eloquently. She is a good friend and I know that she will have a great future in politics.

Hon Simon O'Brien, in common with my friend Graham Burkett, sometimes does not need a microphone! However, he has a good heart, he is a good man and I think he is doing a great job.

Hon Ed Dermer is a very old colleague of mine—old in terms of the duration of our relationship. It is fair to say that we are founding members of the right wing of the Australian Labor Party in Western Australia, along with Kate. From time to time, we have looked at members opposite and they seemed to us to be a bunch of left-wingers in the views they espoused, but not on everything. Ed is a great Whip, as is Bruce. I wish that Ed was not the Whip, because as Whip he does not get to speak as much as I believe he should, because Ed is a very learned, very well read person, and when he speaks, he speaks with great wisdom. If Ed can afford to give up the extra pay, Ed, please do so. Matt, I thank you for your friendship and your wine, but I think it needs a third opinion. Carol and Shelley have only been here for a short period, but they have done a great job. Jon has been here for quite a bit longer and will be here for a lot longer. Jon and Ken, Ljil, Sally and Adele are part of a pretty good team, and I wish them well for the future.

Bruce, I note what you said in your speech last night, and I am not going to be party to abolishing afternoon tea! But I thank you for your friendship and advice on the state of the world; namely, the airline routes and everything else.

Ken and Brian, thank you for your friendship.

Hon Peter Collier, I think, is one of the developing talents in Western Australia. He is a man of great courtesy. He handles himself well in debate. I do not mean to embarrass Hon Peter Collier but I am fairly impressed.

Hon Barry House was a great Chairman of Committees between 1993 and 1997. I am very confident that he will have a very bright future. I wish him all the best.

Hon Robyn McSweeney and Hon Ray Halligan, I consider both of you to be very good friends. Hon Ray Halligan and I had the good fortune to travel together. I wish you all the best for the future.

Hon Sheila Mills is a first-class member and a person of intellect whose time here in my view was cut short unjustly by the processes of a party that I have had the privilege to serve for many years. Similarly, Hon Batong Pham, in my view, was shamefully treated—no other word for it. He is a person of courage, and I trust the future bodes well for him.

Hon Shelley Archer and Hon Anthony Fels have also been subject of very unjust treatment. They are, in my view, good, honest people. I regret very much what has happened to them, but I believe they will have a happy future.

Hon Kim Chance is my former leader and longstanding colleague and the longest-serving Labor member in the Legislative Council currently; I am the second longest. I do not think many members will stay in this place for longer periods as the years progress. Kim and I have had a very close working relationship, both in opposition and in government. I have valued his counsel over the years and his friendship, and I wish him well for the future.

Hon Nigel Hallett and Hon Helen Morton—I mentioned Hon Donna Faragher in dispatches—thank you very much for your courtesies and friendship. Hon Wendy Duncan has only been with us for a short period, but I agree with the observations about her as an efficient, good, friendly member.

Hon Barbara Scott's contribution has been well summed up by Hon Kate Doust, and I endorse every word spoken about her by Hon Kate Doust.

Hon Anthony Fels; Hon Batong Pham; Hon Kim Chance; Hon George Cash; President; Hon Shelley Archer;
Hon Kate Doust

To my Greens (WA) colleagues, I regret that Hon Paul Llewellyn is going because he has a first-class mind, although I do not agree with him very often. I was encouraged when one day he said he was a climate sceptic, and I thought that at least he is right about half the time! Hon Giz Watson, I wish you well for the future. You and I have worked on committees together from time to time and it has been a most enjoyable experience. It has also been enjoyable debating with you in the chamber and having your friendly company.

Members, I will not fall into that offence that I thought I might fall into.

Hon Clive Griffiths was the first President I served under. He was a great teacher for everyone who served under him—a fantastic President, as is evidenced by the fact that he was our President for 20 years. I then served under Hon George Cash. I consider Hon George Cash to be a good friend. He and I have seen a lot together. We have experienced a lot in terms of committee work. He has been a superb support as Chairman of Committees. He was a first-class Leader of the Opposition, although I did not see him operate as Leader of the Opposition, and a first-class Leader of the House. He did great service as a minister and has been a mentor for many members in the house today. I have learnt a lot from him. I thank him very much for his contribution over a very long period.

The third President I had the privilege of serving under was Hon John Cowdell. John, as we know, is very learned, and was a very good President—very sound. Members, I have had the good fortune to have served under three very good Presidents, Hon Clive Griffiths, Hon George Cash, and Hon John Cowdell, and insofar as I have in some way followed in their footsteps, I am content.

Question put and passed.

Sitting suspended from 3.48 to 4.00 pm