

ATTORNEY GENERAL — PERFORMANCE

Matter of Public Interest

THE SPEAKER (Mrs M.H. Roberts) informed the Assembly that she was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [3.00 pm]: I move —

That this house calls on the Premier to dismiss the Attorney General from cabinet after his continued failure to deliver in the critical role as the highest law officer of WA.

I want to start by responding to the way that the Attorney General answered in question time today the question about the evidence he was providing in the Federal Court and the reflection of the judge of how effective he was as the state's chief law officer. I am not one bit worried about the incident in this Parliament that the Attorney General raised to defend himself, his indiscretions and inability to deliver what was at the time on the taxpayers' dime pretty important evidence, given the Premier's intention to try to tackle Mr Clive Palmer. I am not worried about what happened in this chamber. I did a mea culpa on the spot. For the record, this Attorney General, in this place on *Hansard*, has been avoiding answering questions on this since the moment that judgement was passed. This has been the first opportunity since the Parliament has returned, but I can tell members he has been absolutely nowhere in responding to questions from the media who are asking on behalf of Western Australian taxpayers, as we do today.

Hansard does not reveal sarcasm when we go back through it, but I can assure anybody who is following up on this debate that it is well and truly a part of what I am about to say. A barrister and a solicitor, who was admitted back in 1975, as the chief law officer of the state and is the Attorney General having to ask for a do-over and then still not getting it right, and being assessed by Justice Lee as "confused and confusing" and all over the place can be compared with me, as the Leader of the Opposition, juggling multiple portfolios, responding to a piece of legislation that was not within one of my portfolios and admitting that I got it wrong on the spot. How on earth is that comparative? It is not and it just proves how arrogant and dismissive the Attorney General is, and how members opposite behave as a cabinet and a government, and how they treat this Parliament. It was an appalling response from the Attorney General to a question that I know many people want the answer to. He has refused to provide any comment.

Let me take a little bit of a back step to just before we broke for the winter recess. Everyone headed back to their electorates. What transpired over the following six weeks—really there is no other way to describe it—was remarkable. Stuff-up after stuff-up came to light, minister after minister. We will go into other ministers and their portfolio management, but today we are focusing on the Attorney General and one of the more remarkable events that transpired over the parliamentary recess. It could not be believed unless you read it in black and white. How many column inches are there? It has definitely been written in black and white, again and again. Unfortunately for the Premier, he has been forced to respond and defend this hapless minister again and again. After swinging into action to dream up ways to extend the political spat between the Premier and Mr Palmer—for the record, those texts were deeply disturbing and I do not need to repeat them on record in this chamber—the Attorney General did the opposite. He is a liability to the Premier and the people of Western Australia and he needs to go. Instead of stepping back, the Attorney General is holding on for grim death. Instead of showing leadership, the Premier is defending the indefensible. Historical loyalty does not cut it when there are so many other competent people on the Premier's backbench.

I want to quote directly from the judgement from Justice Lee. There is a section especially for the Attorney General —

... Mr Quigley is the Attorney-General of Western Australia. Prior to his election in 2001, he was a barrister and solicitor having been admitted in 1975.

... Regrettably, his evidence was both confused and confusing.

I will skip to paragraph 149 —

During cross-examination, however, Mr Quigley gave contradictory evidence.

It is quite lengthy, so I am not going to read the entirety of it. Paragraph 152 reads —

With respect, Mr Quigley's second appearance in the witness box just added to the brume of his testimony. Even though his return was at his request, —

That is, the do-over that he requested on the taxpayer dime —

for the purpose of correcting "mistakes" ... Mr Quigley misstated his previous evidence he said he wanted to change.

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Paragraph 154 reads, in part —

... Indeed, Mr Quigley was placed in the uncomfortable position of having to concede that part of the account he gave in the radio interview was not “completely and utterly false”—as he had asserted on 9 March—but was, in fact, “completely and utterly true” ...

It is diametrically opposite! That is not confusion; it is a complete contradiction. Paragraph 157 reads —

Counsel for Mr McGowan —

That is, their own counsel —

conceded that “[i]f one were to try logically to reconcile [Mr Quigley’s evidence], you would be utterly defeated”, labelling it as “outright silly” ...

It continues that he —

... considered Mr Quigley’s evidence was not dishonest, but was “all over the shop” ... It suffices to note that Mr Quigley was not a reliable historian of events.

... It follows that I do not consider it is safe to place any reliance upon Mr Quigley’s evidence.

Members of this house, this is our chief law officer and the Attorney General of the state of Western Australia. I repeat —

It follows that I do not consider it is safe to place any reliance upon Mr Quigley’s evidence.

Mr Quigley, the Attorney General, is not a novice when it comes to legal matters. He is not a novice when it comes to legal strategy. He is not a novice when it comes to understanding the issues that we deal with in this house. We have just heard the Premier defending him and other ministers again, but the Premier will not step in —

Mr M. McGowan: No, you just made a mistake. The question was about Alannah.

Ms M.J. DAVIES: I have heard the Premier defend —

Mr M. McGowan: You said I just did; that is wrong. You made a mistake.

Mr P. Papalia interjected.

Ms M.J. DAVIES: This is how the Premier and his cabinet choose to treat this. They are arrogant and dismissive. I would love the people of Western Australia to see the silliness and ridiculousness of how the Premier and his cabinet behave in this chamber on a daily basis. It is childish and it is a serious issue. We have nothing left to say about what the Minister for Police put on record today. The Premier should be embarrassed to have him in his cabinet.

I count 10 Labor members of Parliament with law degrees in the Premier’s expansive backbench. A number of them have had experience practising in a court of law. I ask the Premier whether the reflection of him defending the Attorney General, who has been dismissed as an unreliable witness in a case in the Federal Court, instead of giving someone else opportunity to step into a role, puts him in a very awkward position to batten down the hatches and ignore those blunders. It is not the first time the Attorney General has made a mistake. My colleagues will go through some of the others that the Premier has had to defend since Mr Quigley has been the Attorney General. If the Premier is going to continue to defend the indefensible, I hope he has a good line for all those potential replacements who sit behind him, who will inevitably see this Attorney General make another mistake, because that is what we know will happen and they will not progress through the ranks. There are plenty of them. I think that not being dishonest, which I am sure the Premier will come back to, is not a huge bar when someone walks into a court of law. I would hope that the chief law officer of the state would be honest at the very least. That is the only good thing that Justice Lee could find in his judgement to describe what the Attorney General did in that sad, sorry state of affairs.

I have no doubt the Premier will shift into full flight about Mr Palmer. I just make the point that we are not here to talk about Mr Palmer. We are here to talk about the Attorney General and his failure to live up to what is required to be the chief law officer of the state. The argument today is not about Mr Palmer. We have said again and again—I see that he is back in the courts—that he needs to go and find something else to do with his money. He is a pest and everyone in this chamber and Western Australia agrees—everyone agrees. But we need a competent Attorney General to do his job and make sure we are not wasting Western Australian taxpayers’ money. That is why we bring this motion to the chamber today.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [3.10 pm]: I rise to support the Leader of the Opposition in this excellent motion. Coming back into Parliament today, it is interesting to observe a government that has ascendant numbers and is in control of the state. We think it would be buoyed, but I have never seen a flatter group of people in my life than the government members sitting on the other side of the chamber. I have never seen a flatter group in my life sitting than those on the other side of the chamber. Why would government members not

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be flat? Why would they not be flat when the Premier is being put in the position of defending this Attorney General, amongst the many incompetent ministers he has to carry in his cabinet? The position of Attorney General is not just another ministerial position. I mean, of the many things we do in this chamber, one of the most important and lasting is make laws. The chief law officer in this place is the Attorney General. That has to be a person with impeccable credentials who conducts him or herself in an impeccable manner. What we see from this Attorney General is anything but that, and no more so than demonstrated in the evidence that he gave in that defamation trial. We need an Attorney General who is above and beyond reproach, but we have an Attorney General who treated that court glibly. He did what he does in this place; that is, he gave glib answers that did not necessarily reflect the truth or, in fact, what happened. He gives glib answers in this place because he can get away with it, and he tried exactly that in a court of law.

If we look back, we see this Attorney General thinks he is above and beyond the law. We only need to look back to February this year when the Attorney General attended a funeral in the north of the state. There was an enormous effort, an enormous focus, across the whole state to make sure that people wore masks, that people obeyed the mandates. The Premier was again and again on television telling the people of Western Australia that they had to do the right thing. And what did we see? We saw an Attorney General roll up to a funeral in a vulnerable community that was at high risk of serious consequences of a COVID infection, participate in that funeral and not even bother to wear a mask. We heard a subsequent mea culpa later, with it said that the Attorney General was obviously distracted or whatever, but this is —

Mrs J.M.C. Stojkovski interjected.

Dr D.J. HONEY: I will read the whole lot for the member, if she wants.

This Attorney General is the person with the primary responsibility for making laws in this state, a senior member in the cabinet, and he says, “Everyone else has to wear masks, but I’ll do what I like when I go along to those things. I won’t obey those laws. I won’t obey that rule.” Subsequently the Attorney General was fined \$1 000. That was an absolute insult to the community because there were all sorts of threats to people in the community to make them follow those rules, but the Attorney General said that he did not have to follow them.

Earlier, we also saw the Attorney General not declare a gift that he had received from a person who had gone before a royal commission in relation to the Crown Casino in Victoria. There was a high probability that that person would be a witness and a participant in a similar action in Western Australia, and that we would see a royal commission in Western Australia, and yet this Attorney General accepted a flight from that individual that was valued considerably above the declaration limit for a minister. The minister failed to declare that in his return, even when he was reminded about it. He failed to declare it in his return on gifts. That was all he had to do. Then, the Premier again had to defend and cover up for this Attorney General by refusing to answer whether the minister had declared gifts under his requirements to cabinet to do so, or declare that he had any potential conflict of interest in relation to this matter. Again, the Premier had to defend this Attorney General, and it is an untenable situation. This, as I have said, is the highest law officer in the state, someone who has to be above and beyond reproach.

Then we come to the issue that the Leader of the Opposition has already discussed, which is his performance in giving evidence on the matter before the Federal Court. Let us go into a little bit of detail, because I want to cover the decision in that matter and the evidence that the Attorney General gave. This was not some idle slip of the tongue. I mean, in the heat of the moment under interjections in this place, some of us may misspeak, some of us may say things, but this is an Attorney General giving evidence in the Federal Court of Australia, considered evidence, and he does not just make a slight slip of the tongue. This Attorney General is quoted in paragraph 149 of the judgement. It says —

During cross-examination, however, Mr Quigley gave contradictory evidence ... He accepted that what he had said in the interview was indeed to claim that he and Mr McGowan had engaged in a plan, but that the explanation he had given to the public on the radio about those tactics was “completely false” ...

He did not say, “I’m not quite sure. I can’t recall”; he gave an unequivocal statement that was completely false. So this is not some idle slip of the tongue; this is not someone giving an intemperate response in the heat of the moment in debate in the chamber. This is the Attorney General giving considered evidence in a court of law. To conflate that in some way to a member commencing discussion on the wrong bill is disgraceful.

That is a segment of the judgement. Let us go to the evidence that the Attorney General gave in his second hearing. This, I think, is even more disturbing. This was after the Attorney General had gone to the first hearing. He had given evidence in relation to the matter I have just discussed that was completely wrong, even though it was a considered matter. The judgement states —

152 With respect, Mr Quigley’s second appearance in the witness box just added to the brume of his testimony. Even though his return was at his request, for the purpose of correcting “mistakes” ... Mr Quigley misstated his previous evidence he said he wanted to change. When he was first called, he did not give

evidence that he first became aware of the risk of registration on the morning of 12 August. Rather, his evidence had been that he became aware “earlier than the evening—like, 3 in the afternoon, after Question Time or something like that” ... on “[e]ither the 12th or 13th” ...

153 Mr Quigley was pressed in cross-examination as to just how long before 11 August he had become aware of the risk of Mr Palmer registering the awards. Mr Quigley repeatedly said he was unable to recall ...

I will not read the whole lot, but let us be very clear. This is the Attorney General going back into court to correct his previous misstatement, but in fact the evidence he then gives contains misstatements. Does the government wonder why we on this side question the suitability of the Attorney General remaining in his position? This is a law officer who has to be above and beyond reproach. Not only did he give incorrect evidence the first time he appeared in court; he also gave incorrect evidence the second time he attended court. This Attorney General does not deserve to stay in his position, and it is time for the Premier to move on and give someone else a chance so that he will not have to be in the position of having to defend the indefensible.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [3.20 pm]: “Confused and confusing” and “all over the shop”—so says *The West Australian* when talking about the Attorney General and his performance in the now-infamous court case where he had to make a do-over, not only because he had given confusing evidence, but also because the evidence was completely contradictory. That was quite clearly in the judgement that was discussed by the Leader of the Liberal Party. We know that the Attorney General is part of a cabinet that has actually got quite a few tired members who are coming to the end of their political career. We know the Minister for Education and Training has signalled that she will not be coming back, and we understand that the Minister for Regional Development; Agriculture and Food is in the same boat. We also know that the communities and industries that the Minister for Regional Development represents have lost confidence in her and are calling for her to be removed in any case. We know that the Premier is sitting on a cabinet that is now full of people who have had their day in the sun. They have actually seen their best years of performance in this place, and they are now in the long paddock, waiting to go out to pasture in a couple of years. That is where they are at the moment.

The Attorney General, the most senior legal officer in this place, cannot give straight evidence in court. The judge in that case, Justice Lee, spoke about the way the Attorney General flip-flopped around in his evidence, and that in the end he could not say that the Attorney General was a reliable historian. We know that he has not performed well in that circumstance. He is also very confused about some of the priorities he stated in his role as Attorney General; one of those is to be debated very shortly, the Bail Amendment Bill, which was apparently of the utmost priority prior to the election. That was confused, because as soon as the Premier and the Attorney General got together after the election, it became a secondary consideration while we embarked upon the so-called electoral reform that takes away regional voices and representation in this place. There was no confusion there from the Attorney General; he got straight onto that job, after the Premier had said that it was not on the agenda.

We come now to the situation that the Leader of the Liberal Party spoke about—when the Attorney General failed to declare that infamous chopper flight. We on this side ran an argument on the need for sanctions in that regard. The Premier, however, steadfastly stood by the Attorney General and would not listen to our very reasoned arguments as to why someone who does not declare gifts of that nature should be subject to sanction. I think that displays the degree of the Premier’s loyalty to the Attorney General, and perhaps, as has been pointed out by some, that has something to do with when the Premier was himself under threat from an external source—a person called Stephen Smith, who was going to be brought in to take over as the then Leader of the Opposition. I understand, from all reports, that the Attorney General was one of the people who helped the Premier out of that circumstance, and perhaps that loyalty is being rewarded in buckets at the moment. Certainly, the Attorney General’s bumbling of his own records and declarations and his recent inability to provide straight evidence to a court shows that his best days as an Attorney General are perhaps now coming to an end, and that it is now time to move on and select another person for the position.

We know that there are a great many potential candidates; I think the Leader of the Opposition said that there are about 10 suitably qualified members of government who could take on that role. They no doubt feel frustrated about sitting there, wanting to show their talents and to expend their energies. I am certain that they probably would not be confused if they were put on the spot and asked to recall conversations they may have had or incidents that may have happened in the not-too-distant past. Given that, I wonder why people like the member for Mount Lawley—who is unfortunately not here; he is often in this chamber when we are having these sorts of discussions—has not been considered. He could easily be slotted in to take the place of the Attorney General. I am pretty sure I read an article by Joe Spagnolo in *The Sunday Times* about the member for Armadale being an excellent replacement. The member for Armadale is very highly qualified in the law, and I am sure he would be championing at the bit to take on the role of Attorney General if it were offered to him.

There are a couple of others in this chamber. The member for Cockburn has some legal credentials as well; he seems fairly clued up on those sorts of things when he is sitting in the chair. I think also the member for Swan Hills has some

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experience. There is another member putting her hand up as well, the member for Landsdale! There are a number of members who would be actually quite capable, yet the Premier refuses to consider that it is time to refresh his cabinet, starting with the most demonstrably confused and underperforming member of his cabinet, to the point where he is, on his own admission, embarrassed by his performance in the court. That is understandable; a person of his experience in court matters should be embarrassed to fail to provide reasonable and believable evidence in court. He should be offering his resignation from cabinet, because he is quite clearly not up to it any longer. Instead, we see the Premier hanging on steadfastly.

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr R.S. LOVE: That is starting to lead to questions about the Premier's own judgement in this regard. Is he really picking the people with the best talent to be in his cabinet, or is he picking those people who have shown loyalty to him and have stood by him in the past so that he now feels obliged to repay the favour? We know the Minister for Police still holds his portfolio, even though we know about the huge problems that exist in areas in the north of our state, with runaway levels of crime that he refuses to acknowledge or address in any sensible way. He is probably not one of the more experienced members, but he is certainly one of the underperforming ones.

The future of the Attorney General is a litmus test for this Premier. Is the Premier going to hang onto him? Is he going to hang onto the tired Minister for Regional Development; Agriculture and Food, who no-one in the industry supports in that role, and who has outraged people in my community? I have never seen such an outpouring of disgust from livestock producers and farmers as I saw to the callous and quite horrendous comment that she made that a disease that will have an \$80 billion impact on agriculture would be okay because it would lead to cheaper milk and meat. That showed a callous disregard for the people she supposedly represents.

It is time for the Premier to shape his cabinet for the future. It is time to discard some of these underperforming and certainly tired ministers, such as the Attorney General, such as the Minister for Education and Training, and such as the Minister for Regional Development; Agriculture and Food.

MR M. MCGOWAN (Rockingham — Premier) [3.29 pm]: Clearly, the government will not be supporting this motion. I will explain a few things to the house and members of the opposition. There was a trial in Sydney back in February and March this year. Both the Attorney General and I were witnesses. The case was brought by Mr Clive Palmer. It is difficult for me to talk about it, because the matters are ongoing, so I will be very judicious in what I have to say. Both the Attorney General and I appeared as witnesses. I did not observe the Attorney General's evidence, and I did not speak to him about it, as is appropriate.

I have never been a witness in a court proceeding before. The process itself was highly stressful, with very practised and very expensive senior counsel asking questions of both the Attorney General and me about events that had occurred 18 months prior. It was a stressful process. I found it a stressful and quite draining process for the two or so days I was in the witness box providing evidence to perhaps hundreds of questions asked by the senior counsel for Mr Clive Palmer about events that had occurred 18 months previously. The Attorney General had to do the same thing.

The Attorney General realised that he had made a mistake in his evidence. He was not subject to charges. It was not a criminal proceeding. No allegations of impropriety were made against the Attorney General. In his recollection of something that had occurred in, I think, August 2020, and about which he had to provide evidence in February 2022, he made a mistake in his evidence. That is what happened. When the Attorney General realised he had made a mistake, our lawyers requested whether the Attorney General could correct the error. That is the extent of it. When the judge handed down his judgement last week, he said that the Attorney General's evidence on that matter was confusing. That is what was said. There was no suggestion that there was dishonesty or anything deliberate on the part of the Attorney General.

It appears that the standard that the opposition is now suggesting is that every time anyone makes a mistake in what they say, they have to resign. If that is the case, opposition members would have to resign every day. Every time they do a media interview, and every time they come into this Parliament, they say something that is inaccurate or incorrect. We identified a couple of examples of that today with both the opposition leader and the shadow Minister for Health. If you had to resign every time you make a mistake in what you say, no-one could be in public life. No-one could have any job. No-one could be in the media. If you had to resign every time you got something wrong, a fact incorrect or a statistic slightly out, no-one would be able to work in any of these fields. None of us is perfect. None of us has a 100 per cent accurate memory or instant recall at every point in time about every single thing that occurs. I have to do talkback radio, media interviews, speeches and parliamentary proceedings, and whatever else it is, every single day. I do not get everything right. I do not get every single sentence or every single fact absolutely 100 per cent perfect. I freely admit that.

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That was a court proceeding. These are parliamentary proceedings. If members opposite want me to fact check everything they say in this Parliament, which is recorded and sits in *Hansard* for posterity, and which the media relies upon in its reporting, we can do that. We can identify scores of errors in things that members opposite have said, and if the standard they wish to set is that they then have to resign, I look forward to the five of them resigning. It is ludicrous. There was no dishonesty. The Attorney General was not subject to any prosecution or any suggestion that there had been any impropriety on his part. Why was he there? He was there to give evidence in a defamation proceeding brought by Clive Palmer, a life member of the National Party. That proceeding was about a \$30 billion claim by Mr Palmer we had defeated by legislation in this house that the Attorney General was instrumental in constructing. That is what the Attorney General was giving evidence about. He should be congratulated for that. That claim that we had been dealing with was a clear and present danger to the state and would still have been ongoing in some circles. The Attorney General went over there to provide evidence on that matter, and he got a fact wrong about something that had occurred 18 months earlier, which he corrected before the court at the first available opportunity. That is what occurred. The judge found that his evidence on the day in question was confusing.

I listen to the speeches of members opposite. I can honestly say that they are regularly very confusing. Some of them really have difficulty with the English language. If that standard was applied to them, none of them would be here. I have multiple examples of that; and, if members opposite interject on me, I will use them. I have multiple examples of silly and inappropriate mistakes that members opposite have made. If members want to continue this in question time, I will use them in coming days.

I want to outline what the motion actually states —

That this house calls on the Premier to dismiss the Attorney General from cabinet after his continued failure to deliver in the critical role as the highest law officer of Western Australia.

It states in his “critical role as the highest law officer of Western Australia”. The highest law officer of Western Australia is the Attorney General. I would have thought his critical role was to pass legislation that will improve Western Australia. Remember the last government with Michael Mischin and Christian Porter. The achievements of Michael Mischin could probably be listed on the back of my thumb. Absolutely bugger-all was produced by the last government in the form of legislative achievements to improve Western Australia. If the criticism of members opposite is about the Attorney General’s role as the highest law officer of Western Australia, I will give members just a snapshot of what he has done. I will start with what this is all about—the Mineralogy bill. It came to our attention that the state was in grave danger of having to make a payment to the former director of the National Party from Queensland, who was suing us, or pursuing us, for \$30 billion. We constructed laws, and we were advised by Mr Goiran, the Liberal shadow Attorney General, that they would fail. Mr Goiran said they would fail. There is a mistake! Mr Goiran was 100 per cent wrong in what he had to say. According to the standard of members opposite, Mr Goiran should now resign. He said in Parliament that those laws would fail. Therefore, he was wrong; and, according to the standard of the opposition, he must now resign.

Several members interjected.

Mr M. McGOWAN: Members opposite did not listen to my argument. I am repeating their argument back to them. Mr Goiran, their man in the upper house, and a member of “The Clan”, who participated in calling women all sorts of names, said that the Mineralogy bill would fail. Wrong. The Mineralogy bill succeeded despite Mr Goiran’s objections and it protected Western Australia from a \$30 000 million claim.

The Attorney General was also an integral part of our defence of the borders, which saved countless Western Australian lives and countless Western Australian jobs. I might add that Mr Porter, the former Liberal Attorney General, said that our laws would fail in the High Court. Mr Porter was wrong, but he has resigned, so I suppose he fell on his sword. The then Prime Minister, Scott Morrison, told me to my face that they would fail. He also was wrong in what he had to say. The Attorney General was integral in the introduction of the Mineralogy bill and in defending the borders in 2020, which was probably the most stressful period in public life in Australia since 1945. Certainly, in Western Australia, I cannot remember a more stressful period than those few weeks in July and August 2020 when we had the issues with the borders, the Mineralogy bill and what we had to do to try to save the state. Then we got sued over it by Clive Palmer and we had to go to court in Sydney. The Attorney General made a mistake in his evidence, and members opposite come in here demanding his resignation—my goodness! They should be passing a motion saying thank you for what was done back then to save the state.

Those are two things that the Attorney General has achieved as the highest law officer. Then there is the voluntary assisted dying laws that the Attorney General, the former Minister for Health, the now Minister for Health and other members of the government had a significant role in producing and getting through this Parliament. I remember the Attorney General sitting at the dispatch table and getting that legislation through Parliament against opposition from many people, particularly in the Liberal and National Parties—particularly in the Liberal Party. We got that through this and the other house. That legislation has dramatically improved the last days of life for many, many Western Australians.

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If members opposite want to talk about a reform, that is a reform. But here are some others. The Attorney General has increased penalties for meth traffickers; brought in the no body, no parole legislation; joined the National Domestic Violence Order Scheme, improving victim safety and perpetrator accountability; strengthened the powers of the Corruption and Crime Commission to investigate unexplained wealth; toughened laws against dangerous sex offenders; and removed the statute of limitation period for child sex abuse actions. I remember being in this house when Graham Jacobs raised that issue. The Liberal Party said no. Back in 2016, when Graham Jacobs was advocating for the removal of the statute of limitation period for child sex abuse actions, the Liberal and National Parties said, “No, that can’t happen.” Within a couple of years of coming into office, there you are. We have lifted the statute of limitation so that people who were abused as children by another person can pursue that person outside the six-year statute of limitation period. The Liberals and Nationals said no to that. Colin Barnett’s government said, “No, we are not doing that.” We did it. This Attorney General brought in those laws. He also passed legislation for the expungement of convictions for historical gay and lesbian sex offences, as they then were, and provided comfort to some people out of that. He introduced the Custody Notification Service for Aboriginal people in custody. He joined the National Redress Scheme. He criminalised revenge porn and passed tougher legislation on persons linked to terrorism. He launched the homicide funeral assistance scheme to support families in that terrible situation. He passed new laws and tougher penalties for family and domestic violence offenders and ended imprisonment for fine default, which particularly impacted Aboriginal people. He increased the capacity of the Magistrates Court in the regions. He reappointed John McKechnie, QC, as the Corruption and Crime Commissioner. Do members opposite remember why we had to do that? The Liberal Party would not allow him to be reappointed because he had investigated the Liberal Party. That is what happened.

Several members interjected.

Mr M. McGOWAN: That is exactly what happened. We all know what happened. The thing about the Liberal Party is that it does not get the attention it deserves because the media all think it is irrelevant. If the situation were fair, it would be held to account for that. John McKechnie, who had been a corruption fighter par excellence, was blocked from reappointment by a committee with someone on it whom he had investigated. That is what happened. We actually had to pass a law to overcome that travesty that had occurred. If members opposite want to talk about someone who should resign, the people in the upper house who did that should resign. The Attorney General commissioned Western Australia’s first strategy to address sexual violence. He passed laws to allow for democracy in the state’s upper house. There we go! For the first time in 122 years, we actually have a democratic Parliament. We actually believe in democracy. Is that not what we stand for? Is Australia not a beacon of democracy? The Western Australian upper house was the worst example of a rorted system in the entire country and the Attorney General; Minister for Electoral Affairs brought in legislation to enable it to become democratic. That was an incredible reform. He passed legislation to make Western Australia’s anti-consorting laws the toughest in the nation to deal with bikies. He established Elder Rights WA, introduced a bill to allow de facto couples to fairly split their superannuation and introduced the most rigorous and comprehensive charitable trust laws, which are before Parliament, if they have not already been passed. He achieved all those things. The Leader of the Opposition stated in her motion —

... continued failure to deliver in the critical role as the highest law officer of WA.

I have given a snapshot of the Attorney General’s achievements, but it is not the entirety of what he has done in the last five and a half years. It is an incredible list of achievements in law reform in Western Australia, which I think is unsurpassed by any Attorney General in the history of the state. Those achievements dealing with longstanding issues are unsurpassed.

People who might know about these things include, for instance, members of the Western Australian Bar Association, which passed a motion about the Attorney General of Western Australia. This is what the members of that association had to say. I will quote a few parts of that motion. They congratulate him on the following things —

... the diligent and careful way in which he has sought to discharge the functions of the office of Attorney General ...

The Western Australian Bar Association referred to the diligent and careful way in which he has sought to discharge the functions of the office of the Attorney General. I will read another quote. The Western Australian Bar Association congratulates him on his —

... prosecution of necessary, effective and practical reform of the law in Western Australia ...

The motion then states that the members want to elect him “for such time as he may serve in that office, as an ex officio member of the Western Australian Bar Association.” That is what the Western Australian Bar Association had to say about this Attorney General. The association states the motion was “Carried, unanimously, and by the full complement of members of Bar Council”. I am confident that that would not happen for Michael Mischin. If Nick Goiran ever gets to be the Attorney General of Western Australia—I sincerely hope that does not occur, because we can imagine what will happen to voluntary assisted dying and abortion laws, the redress scheme and all those things if he gets that role—I am confident that the Bar Association will not pass such a motion about him.

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The Western Australian Bar Association is not known as a hot-bed of Labor supporters, but that is what the Western Australian Bar Association had to say about this Attorney General.

Firstly, the opposition's motion is poorly constructed. The motion and the use of the English language is very poorly constructed. Secondly, its argument appears to be that no-one can ever make a mistake in their language whatsoever, which means that members opposite are in a lot of trouble. Thirdly, this is the minister who was integral in saving the state \$30 billion and defeating the Liberal and National Parties' and Clive Palmer's challenge to the borders in 2020. Fourthly, this Attorney General has a record of achievement unsurpassed by any Attorney General in the history of Western Australia. The motion needs to be rejected.

DR A.D. BUTI (Armada — Minister for Finance) [3.48 pm]: The record and agenda of reform of this Attorney General is probably the greatest in the living memory of people in this Parliament. He has passed over 70 pieces of legislation in his role as Attorney General, Minister for Commerce or Minister for Electoral Affairs. But before I talk a bit more about that—the Premier has already given a bit of that record—I will refer to the case in Sydney that came out of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Act. It has to be remembered that the Solicitor-General of the state of Western Australia advised the Liberal cabinet to appeal the McHugh decision. What did the Liberal cabinet do? It decided not to appeal that decision, which, of course, left Western Australia open to a massive damages claim. That is why this government had to respond very quickly, that is why the Attorney General had to draft legislation to bring into this Parliament very quickly and that is why this Attorney General and this Parliament passed legislation that ensured that we were protected from the actions of a life member of the National Party. The Liberal cabinet was given advice to appeal the decision of McHugh, and it did not take that action. That is an unbelievable mistake. Any member of the Liberal Party who was around at the time should resign because they left Western Australia open to massive damages from a life member of the National Party.

The Premier mentioned the titles of pieces of legislation that passed this Parliament under the leadership of the Attorney General. Some have been incredibly significant. One of the most significant is the removal of the statute of limitations for child sexual abuse. Another was the voluntary assisted dying legislation. Whatever piece of legislation we want to look at, if we look at the entirety of the legislative reform of the Attorney General, they are historic, brave and go beyond what has been enacted in most other Australian jurisdictions. They have changed the law when it comes to equity, justice, commerce, the functioning legal system of Western Australia and protecting Western Australia from massive claims from life members of the National Party who live in Queensland. These are massive reforms. Members opposite are saying that this Attorney General, who has instigated and led those reforms, should be resigning. I have seen a list of proposed legislation in the Attorney General's portfolios going forward, and I stopped reading after three or four pages. He has a long list of reforms that he still wishes to bring to this Parliament.

Only yesterday the Attorney General went to Collie, which is where I was born and lived for nine years. Mick Murray was not born in Collie, so he is not a real Collie person like I am!

Several members interjected.

Dr A.D. BUTI: Anyway, the Attorney General went to Collie to ensure that the Collie courthouse will remain open so people in Collie, with the advocacy of the local member, can continue to enjoy the services provided by the Collie courthouse. That was only yesterday. He has come back and already got on with his legislative reform that is ongoing and will remain until the end of this term and another term beyond that, and hopefully this government will be powerful beyond that.

The Leader of the Opposition talked about the number of lawyers on this side of the house. She did not talk about many on her side of the house. I do not think there are any sitting on that side of the house. There is only one lawyer in the upper house, so the alternative Attorney General is Nick Goiran. That is something that we really should not have to contemplate. Let us look at Nick Goiran, the alternative Attorney General. A Liberal Party review referred to his activity. Nick Goiran is a member of "The Clan". It kind of rhymes. The review said that his behaviour had been unethical and underhand, there was corruption of the essential mechanisms that guide and are intended to preserve the integrity of the party, he had a corrosive impact that plagued the party, a selection of inferior quality candidates was based on loyalty rather than ability, he engaged in anti-democratic practices and he acted purely out of self-interest.

I refer to text messages between members of "The Clan". On 13 March 2017, Nick Goiran texted —

It's official. I have too much time on my hands. I'm watching an episode of "House Husbands".

Tomorrow I'm going to find a branch to stack, this is driving me crazy.

He also made some comments about women. How can the Leader of the Opposition have someone in the opposition who may be her Attorney General make comments like this? In 2018 he sent a text saying —

She —

Referring to Hon Sue Ellery —

sounded like she needed a respirator.

On 28 June 2018, again Nick Goiran texted —

If I provided you a photo of my view right now it would make you all unwell. I sit opposite Clohessy & MacTiernan.

That is the opposition's alternative Attorney General. When is the Leader of the Opposition going to demand that Nick Goiran resigns for making those terrible comments? Of course, he is a member of the Liberal Party. We know that the member for Cottesloe cannot do anything because if he dares criticise Nick Goiran, the person sitting next to him now will be the leader the next day. We know that. He has been absolutely pathetic in his lack of criticism when it comes to "The Clan". When it comes to sexist comments —

Mrs J.M.C. Stojkovski: You've got form.

Dr A.D. BUTI: Exactly. The member for Cottesloe has form. I do not think I have the actual quote in front of me but I think when he referred to the Minister for Health during a debate, he said she was more interested in fashion.

Dr D.J. Honey: I had the good sense to apologise immediately.

Dr A.D. BUTI: He did not do so immediately. He said —

... worries more about fashion than she does about doing her job ...

The member says he apologised, but even for those words to come out of his mouth—it was not about the pressure of the moment, so he should not try to argue that—and to have those thoughts in his mind shows what sort of person he really is. No wonder he does not criticise Nick Goiran.

I want to allow the Minister for Health to contribute to the motion before us and our opposition to it. The Leader of the Opposition talked about the standards of the minister. There was a very good article in *The West Australian* dated 24 November 2016 by Daniel Mercer headed "Minister of strained relations", referring to Hon Mia Davies, stating —

It is an open secret in WA political circles that the 38-year-old has endured strained relations with virtually all of her departmental chiefs.

Such have been the difficulties that one senior mandarin, former Department of Water director-general Maree De Lacey, quit or was moved on from her post, depending on who is asked.

Another case covered in detail in these pages by Paul Murray involved three of the Forest Products Commission's most senior people, including its chief executive and chairman, resigning en masse.

Besides those two publicised examples, there are also said to be testy relations between the minister and the heads of DSR and the Water Corporation, not that either agency would comment to *Inside State*.

When we talk about resigning, the Leader of the Opposition needs to look in her own backyard. Her alternative Attorney General should be the one resigning, not the reformist Attorney General who continues to reform the legal system in Western Australia.

MS A. SANDERSON (Morley — Minister for Health) [3.57 pm]: In the short time that we have left on the matter of public importance, let us talk about standards in this place and whether members are fit for office. I take members back to the former government and some of the standards that were acceptable to the former cabinet minister who is now the Leader of the Opposition. Troy Buswell's standards were acceptable to that former cabinet minister, now Leader of the Opposition. He got in a government car and started drink-driving. He was defended by his colleagues for suffering from mental illness. Hundreds of thousands of people in this state live with mental illness but they do not get in their cars and drink-drive. He was defended over and over by the Leader of the Opposition and members of her government. Talking about standards, a former Minister for Finance, Dean Nalder, took a business partner on a taxpayer-funded trade mission. That was a standard that the former government was prepared to defend and keep in cabinet. Peter Collier made a mistake. He "liked" a particular photograph on Facebook. Would members like me to explain that photograph? That was a standard that the former government defended. I was in the other place when he "liked" that photograph. It was obscene. He was defended to the hilt by members opposite when they were in government and when the Leader of the Opposition was a senior member of that Parliament.

The member for Cottesloe set a standard when he got up in this place and made a deeply sexist comment. He claimed it was made in the heat of debate. Do members know what that is? It is sexist by reflex. That is what that is. That is where it is—right there. Never once have I heard the Leader of the Opposition, who can stand in here and claim standards of integrity and point the finger at one of our most successful Attorney Generals, call out the grubby standards of her colleagues. She looks down. She has never called out those standards. I have never heard her

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condemn the misogynistic, sexist, appalling behaviour. It is absolutely hypocritical for her to stand in this place. I remember what kind of appalling government members opposite were. I remember what kind of standards you had—you had none! You defended your mates. You defended drink-driving. You defended misuse of taxpayers' funding. You defended bad decisions. You constantly defended appalling behaviour on Facebook. You constantly defended it in this place. It is a disgrace.

Division

Question put and a division taken, the Deputy Speaker casting his vote with the noes, with the following result —

Ayes (5)

Ms M.J. Davies
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Noes (44)

Mr S.N. Aubrey
Mr G. Baker
Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Ms C.M. Collins
Mr R.H. Cook
Ms D.G. D'Anna
Mr M.J. Folkard
Ms E.L. Hamilton

Ms M.J. Hammat
Ms J.L. Hanns
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr H.T. Jones
Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne

Mr M. McGowan
Ms S.F. McGurk
Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Ms L.A. Munday
Mrs L.M. O'Malley
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley

Ms M.M. Quirk
Ms A. Sanderson
Mr D.A.E. Scaife
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.