

McGOWAN GOVERNMENT — INFORMATION SUPPLY

Motion

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [10.07 am] —
without notice: I move —

That the house notes and deplores the refusal of McGowan government ministers to supply accurate, clear, precise and comprehensive information to the Legislative Council.

I start by pointing out and reminding members that when this government came into office, the Premier, Mark McGowan, claimed, trumpeted in fact, that it would be a government of high standards—high standards of honesty, high standards of transparency and high standards of accountability. I have to say that having experienced the conduct of certain opposition members during the last Parliament and having seen some of the conduct during the election campaign, and knowing how the Australian Labor Party in this state behaved during the Burke era, the Lawrence era and the Carpenter years, I had my doubts. I fear that my concerns and doubts have been confirmed. The standards that have been presented by this government since coming into office, and from the government benches, have been deplorable.

It is a fundamental facet of democratic government that ministers have an obligation to answer questions in this place and to provide full answers to reveal what government is doing. What seems to have been forgotten in the landslide victory that the McGowan government enjoyed at the last election is that it did not create a single-party state; there are still members of the other place whom people voted for and it did not get a 100 per cent voting hit from every electorate, as occurs in certain dictatorships. What is more, there are other parties represented here. When government ministers evade providing answers to questions, provide half answers, and put members on the opposition and non-government benches through the trial of having to ask six questions to get a simple response, it is a contempt towards those members of the public who did not vote for this government.

There are various means through which ministers can provide information to this place. One is question time. Question time is, of course, a very imperfect means of holding a government to account, and that was studied back in the days of the Commission on Government, which arose after the horrible Burke years—that mentor to the current Premier. Nevertheless, it is an important feature of the parliamentary process and accountability. Another means is through the management of bills in this place. This house is obliged, as the house of review, to look into the manner in which bills are intended to operate and try to improve bills. Another means is through speeches and debates that are supposed to impart information. This government has been found wanting in all three respects.

The examples are legion. We could spend days listing all the instances, let alone going through them in detail, and I have time to list only a few. It must be said that the standard is set from the top. Regardless of whatever complaints might have been made about Hon Colin Barnett as Premier, he upheld high standards. He answered questions and he did not descend into derision, name calling, avoidance or dissembling. One need only look at the circus that is allowed to occur in the other place to know how question time is dealt with in that place. Fortunately, in this place we have better standards. That is with all due credit to your management of this place, Madam President. However, the fact is that in this place there is still too much avoidance by ministers in providing information to this place.

A good example of this government's so-called high standards is the spectacle we have seen in the last few days about the sale of the Totalisator Agency Board. The Premier, when in opposition, made certain criticisms about and opposed the sale of the TAB. The Premier claimed at first that his comments had been taken out of context. It took days for the Premier to admit that he had changed his mind. That is typical of the standards that are exhibited by ministers in this place. That is because no-one is policing them. No-one is saying to ministers, "Lift your game. This is what you should be modelling yourself on." Maybe the Premier is doing that. Maybe that explains the nature of the McGowan government and the people who are inspired by him and who he has chosen to run with him in cabinet. There are certain ministers in this place who exhibit the sort of behaviour that I draw to the attention of the house and condemn. There are some notable exceptions in this place, and I also exclude, of course, the parliamentary secretaries, who are simply the proxies for the ministers in the other place. The Premier is the one who sets the standards, and the McGowan government will be judged by those standards in due course. We may need to have another commission on government to expose that behaviour and remind Labor Party members that what they did back in the 1980s is not acceptable.

I have mentioned three means by which ministers are obliged to provide information to this place. Other members may be able to think of other examples. A good example of providing information by means of a bill is the Occupational Safety and Health Amendment Bill 2017. It was claimed that the penalties currently in place are inadequate and do not act as a deterrent. The minister delivered a very high-minded and high-level second reading speech, which pointed out three examples of penalties that were said to be unacceptably low and outside of

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community expectations—the sorts of penalties that would not deter employers from providing an unsafe workplace and would not encourage employers to provide a safe workplace. However, under examination in Committee of the Whole, it was revealed that all three of those examples were not what they were dressed up to be. They were all examples of employees who had been in breach of their duties. In fact, in one case, the penalty that was said to have been imposed was not correct. That is the standard we have from a minister who floats a bill through the other house and then complains, when the bill comes to this house for scrutiny, that it has been stalled in this place. I accept that the minister was representing the minister in the other place and was not responsible for that second reading speech. However, that is an example, whether by proxy or otherwise, of this government not doing its duty.

Another example is what I will call the Ellery rules of how we deal with legislation. I ask members to reflect on the manner in which bills are dealt with in Committee of the Whole. Hon Sue Ellery, as the Leader of the House, is supposed to set some standards. The first Ellery rule is that all Hon Sue Ellery can tell this house from the committee table about the legislation that she is managing on behalf of this government—bearing in mind that she is the representative of this government—is what the advisers tell her. She does not take responsibility for that information or for finding out more information. The answer is simply, “I’m just being told what the minister has told me and what the advisers tell me.” That is the limit of her responsibility.

The second Ellery rule is that if a member seeks confirmation of a comment in a second reading speech or during debate or otherwise, seeks additional information, or seeks an explanation about how a policy was reached, Hon Sue Ellery simply says, “As I have already said in my second reading speech, this government’s position is—whatever.” That is the level of analysis and explanation we get in this place. That, too, is an abrogation of responsibility to this house of review by a person who has been a member of this place and who demanded more of the last government. These are supposed to be high standards. Members on the government bench should bear these high standards in mind should they happen to be visited with these high standards in due course under a future government.

The third Ellery rule is that if a minister does not want to answer a question, because they know that the answer will be embarrassing, they simply say, “I don’t know. I can’t help you”, and stay silent. It is never clarified whether “I can’t help you” means the minister does not have the information and does not know how to find it, or does not want to tell us. That, too, is an abrogation of responsibility. That is another example of the high standards of the McGowan government in explaining its policies and assisting this house of review.

I have mentioned that another means is question time. We have a history of obfuscation and of refusal to give straight answers, provide information and assist opposition members to understand issues. That is visited on the major issues that are asked about in this house. However, it is curious that it is also being visited on the little issues—issues for which we would expect a straightforward and simple answer, even a yes or no. A good example is the Halidon Primary School administration building upgrade. The issue is not the upgrade itself. It was well done and I am glad it was done. In fact, I think the former member for Kingsley had pressed Hon Peter Collier when he was Minister for Education to do that and it was on the list of priorities. This is another example of a so-called Local Projects, Local Jobs initiative, for which the local member and the government now want to take credit. I asked some questions about that in order to get some simple answers. I see Hon Darren West is inspired by this—he is smirking; he thinks this is great stuff! He is looking forward to the day he can be a minister, jump on the bandwagon and behave in just the same way. Of course, he has some experience; I think something happened recently up in Geraldton with certain commitments regarding Moora, where he exercised his skills. That is a sign of the times.

I asked some questions of the Minister for Education and Training about Halidon Primary School. It started off on 14 August this year. I referred to the opening of the primary school and asked, specifically —

- (1) When was this project first scheduled by the Department of Education?
- (2) When did work commence and when was it completed?
- (3) How much did the upgrade cost and what did it involve?
- (4) How much of the cost of the project was promised under Local Projects, Local Jobs and when was that commitment made and by whom to whom?
- (5) Did the Local Projects, Local Jobs money come from the Department of Education; and, if so, what capital or other expenditure commitments were deferred or reprioritised in order that the department could pay it?

Amongst the information that was disclosed was —

Funding was provided through the Local Projects, Local Jobs election initiative.

- (5) The department was allocated additional appropriation for Local Projects, Local Jobs. No projects were deferred.

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But there was no answer as to who made the commitment and to whom that commitment was made. Since we have had that trumpeted as a great initiative and since Hon Darren West spent ages telling us how wonderful it was and took credit for every cent spent in his area, one would think that a minister would be able to say, “This was a commitment made by the local member at such and such a time and that’s what I instructed my department to do”, but no; we have had avoidance.

We followed that up on 15 August when I asked —

Who made the Local Projects, Local Jobs commitment to undertake the project; when was it made; what precisely was the commitment; —

Because I observe that no government worth its salt would not work on some kind of specific information in allocating \$150 000 of funds, unless of course it is a McGowan government —

to whom was it made; and where can the text or other evidence of the commitment be found?

The response was, amongst other things —

The member for Kingsley has campaigned on this project. As the honourable member would be aware, campaigning and advocating for local projects can be undertaken in a number of different methods by all members of Parliament or political candidates.

No information. What is the minister trying to hide, or is she just being clever or particularly obtuse?

On 16 August I asked —

- (1) Did the member for Kingsley make a Local Projects, Local Jobs commitment regarding Halidon Primary School before or after the 11 March 2017 state general election?
- (2) Will the minister produce and table a copy of the advice she received about that commitment that prompted the undertaking of that project by the Department of Education?
- (3) If not, why not?

This was the third time I tried to get to this and to get a more specific response. The response was, in part —

For the kind of detail the member is asking now, without notice, I could not possibly be in a position to provide an answer. The member might like to think about writing to the Labor Party about what happened prior to 17 March; —

It was 11 March, but anyway —

otherwise, I ask the member to put the rest of his question —

On notice.

Bear in mind that this topic had been raised on several occasions and that the minister had been to the opening of this centre, where she spruiked the wonders of the Local Projects, Local Jobs initiative. One would think that she would know whether the commitment had been made before or after the election. She must have signed off on it. What is she trying to hide? She went on to say —

In respect of what happened before 17 March, I was not the minister and the member might like to ask the Labor Party.

Ask the Labor Party! Of course, the Labor Party is not the government, or it should not be. We have seen enough media releases in the guise of ministerial statements to suggest that the government is just the mouthpiece for the Labor Party, but there we go. Again, no specific information, and it keeps going.

I then asked question on notice 1578 —

I refer to the Minister’s partial answer of 15 August 2018, supplementing the partial answer to my questions without notice of 14 August 2018, regarding the Halidon Primary School, and I ask:

- (a) did the Member for Kingsley make a Local Project, Local Jobs commitment regarding the Halidon Primary School before or after the 11 March 2017 State General Election;
- (b) will the Minister produce and table a copy of the advice she received regarding that commitment that prompted the undertaking of that project by the Department of Education; and
- (c) if not to (b), why not?

Again, it was specific. What was the answer? It was —

The Member has repeatedly asked me questions concerning a local Member’s election campaign —

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No, I have asked about what caused the expenditure on the part of the minister's department, which she signed off on and presumably approved as a capital work. She is either particularly obtuse or particularly devious, for some reason, in this instance. She continued —

I've made every attempt to answer those questions —

Really? The answer continues —

If the Member is so concerned about the delivery of important projects into the electorate of Kingsley, perhaps they should have thought about that in the eight and a half years those opposite were in Government.

She then goes on to spruik the benefits of it. What is being hidden? What is being concealed?

Again, on 20 September I asked —

- (1) Can the minister produce and table a copy of any advice she received in her capacity as minister —
 - (a) regarding that commitment and prompting the project to be undertaken by the Department of Education; and
 - (b) regarding the progress and completion of that project?
- (2) If not, why not?

The response was —

- (1) (a) This project was funded through the Local Projects, Local Jobs program. Again, I refer the member to Legislative Council questions without notice —

She then lists all the questions without notice to which she had not responded or provided answers —

- (b) The work comprised a redevelopment of —

She then tells me when it will be finished.

It may be that this is one of those instances in which everything is on a whiteboard and can be scrubbed off when it gets uncomfortable, or it may be that the shredding machine has already been operating overtime, but I would have thought that under the ordinary processes of a legitimate and honest government, there would be some paperwork to explain what the election commitment was, when it was made, to whom it was made and a note saying, "Can you please find the money within your department to fund this?" Apparently, we are not to be allowed to see it. Instead, we get days of obfuscation. That is a McGowan government minister's standard, and that is another Ellery rule. When members on this side become ministers, I want them to be aware of that, because it is said to be a high standard.

There are other examples. I have asked questions about the opening of Doubleview Primary School—whether there had been discussions and when, and what the results of those discussions had been. All I got in response was that there had been nothing scheduled. That is why this motion has been moved.

HON JACQUI BOYDELL (Mining and Pastoral — Deputy Leader of the Nationals WA) [10.27 am]: This is an exceptionally well-timed debate for the house today and a really important discussion for the Legislative Council to have at any time, given that the role of the Legislative Council is to review what the executive of government is undertaking and to ensure that the people of Western Australia get the gold standard of transparency that was promised to them by Mark McGowan and the Labor government. I say to members of the house and to you, Madam President, that at no stage during Mark McGowan's term as Premier has there been a gold standard of transparency.

Opposition members have raised this issue many, many times, particularly in respect of issues around the Local Projects, Local Jobs initiative. These issues have been raised by all opposition members in this house and we have been met with a continued refusal to provide clear, concise answers to questions on Local Projects, Local Jobs. That has really been detrimental to the government and detrimental to our understanding of who is in government. Who is the executive of government? Is it the Labor Party or is it members who are elected and then appointed as ministers to conduct clear, transparent transactions on behalf of the people of Western Australia?

When a minister's answer is that I should write to the Labor Party, the only conclusion I can draw is that the Labor Party is making decisions about taxpayers' money in Western Australia. It is absolutely unbelievable that members in this house and ministers of this government would consider it okay to give that as an answer. The government is telling the people of Western Australia that it is not in control, and that the Labor Party is in control. Maybe we should be writing to the executive of the Labor Party, because it is ultimately the executive of government. That is what that answer says. What a frightening situation for the people of Western Australia. How do we, as members of this house trying to ensure that we hold this government to account, seek any justifiable

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answers from this executive of government? Ministers appointed under the Westminster system should be accountable for the expenditure of taxpayers' funds and absolutely should ensure that business cases and decisions being made around government expenditure will stand up to the test, and when they are under scrutiny they should be able to say that that was a good decision. I am not sure we are seeing that. Unfortunately, no matter how many times we raise this issue in this house, and we will continue to do it, the McGowan government fails to listen and learn from the undoubtedly negative processes that are occurring within cabinet. That is the only conclusion that I can reasonably infer is happening within this executive of government.

We started a motion in this house yesterday about the Local Projects, Local Jobs program; it is a very good motion indeed. This house is required to ensure that members understand how those decisions are being made under the Local Projects, Local Jobs initiative by this government. We have heard this government say many times that they were election commitments. The Leader of the House gives that answer every time she is asked a question about this: "They were election commitments." I completely understand members and the Labor Party making election commitments; the National Party certainly made election commitments, as did my friends in the Liberal Party and other members of this house. I have absolutely no issue with that. When we ask taxpayers of the state of Western Australia to vote for us, they may want to know about that. It is a tried and tested form of campaigning and will continue to be a part of campaigning to be elected to this Parliament; there is nothing wrong with that. The problem occurs when members come to government, as the McGowan government has done. The Premier and the appointed executive of government have a responsibility to ensure that those election commitments are sustainable and are going to deliver on behalf of the people who elected them. They have to have a business case, some comparison and put some KPIs in place to ensure they deliver on what they said. I am not sure that any of that structure is in place for the Local Projects, Local Jobs initiative. We have certainly asked those questions a number of times in this house; I still do not have any clarity around that. I have asked a number of questions about Local Projects, Local Jobs in the mining and pastoral area and one answer that I continue to be astounded by relates to a question I asked of the Minister for Regional Development in April regarding projects in the mining and pastoral area. The answer still makes no sense to me, despite trying to make some sense of it. I asked for a list and the Minister for Regional Development gave me a list in response to my question as a member for Mining and Pastoral Region in this house. I suggest that the minister has no idea what half of these projects are, but she was happy to sign off on the answer, and on the expenditure of government for these projects. I do not know how the minister could understand these projects from the list she was happy to give me, as the member representing that area, but she was happy to sign off on that answer and provide this list on the public record. It states, "Karratha, \$250 000." What does that actually mean? How is that a Local Projects, Local Jobs initiative? How do we measure the capacity for that \$250 000 to deliver benefits, create jobs and support local projects in Karratha?

Hon Jim Chown: Get Langoulant in there.

Hon JACQUI BOYDELL: As Hon Jim Chown well knows, I have called for that in this house. If this government were really living up to a gold standard of transparency, it would refer the Local Projects, Local Jobs program to the special inquirer to take a good hard look at that project. I can tell members that he would find big gaping holes in it.

Hon Alannah MacTiernan: Which project is that?

Hon JACQUI BOYDELL: You tell me, minister. Which project is it? That is my question. Are you listening to me when I raise issues about the Mining and Pastoral Region?

Hon Alannah MacTiernan: Yes, and I am seeking clarification from you.

Hon JACQUI BOYDELL: So am I.

Several members interjected.

The PRESIDENT: Members, there is very limited time. Hon Jacqui Boyde has the call—please continue.

Hon JACQUI BOYDELL: I refer to another two projects on this list provided to me by the Minister for Regional Development in response to a question. The first line is "Nature playgrounds and library resources at schools, \$50 000." The second line is "Nature playgrounds and library resources at schools, \$30 000." How do we compare those two projects? Where are they? What schools are they? What are the library resources involved? Why does one get \$50 000 and one get \$30 000? What is the justification for that decision? That is what I would like to know. and the people of Western Australia would also like to know the answers to those questions. I do not even know which schools in the mining and pastoral area those two nature playgrounds and library resources relate to. That was the question I asked and those were the answers provided. I am happy to table that again, but it is on the public record.

Hon Alannah MacTiernan: How long ago was that?

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Hon JACQUI BOYDE: In April this year.

Hon Alannah MacTiernan: And you have asked a lot of follow-up questions since then, have you?

Several members interjected.

The PRESIDENT: Order!

Hon JACQUI BOYDE: I would be happy for the Minister for Regional Development to provide further detail. I have brought this up before—if the minister can recall that—and had no response.

The last thing that I will raise is from May last year, an article in *The West Australian* by Gary Adshead and Nick Butterly titled, “State Govt may ask BHP, Rio for lump sum payout.”

The PRESIDENT: The question is the motion be agreed to. I remind members that the timers are not working, so it is a little difficult for members to work out where they are. Perhaps less of the interjections so that they can focus on what they have to say.

HON NICK GOIRAN (South Metropolitan) [10.38 am]: I rise to support the motion that has been moved by my learned friend Hon Michael Mischin. I do so noting that despite standing order 21 allowing a very generous 15 minutes to be provided by the responsible minister or parliamentary secretary, it appears that no-one from the government wants to take responsibility for this motion today—nobody has the energy to stand and contribute to this motion today, so I will do so.

Hon Michael Mischin has been far too generous in his motion. He is a very charitable man and if it were me, I would simply say that the house notes and deplores the refusal of McGowan government ministers to supply information to the Legislative Council. The problem with members opposite is that they often try to be too clever by half by providing information they think is accurate. They are very proud of providing accurate information or something precise, but they certainly do not provide anything comprehensive. What is really at the heart of the motion moved by Hon Michael Mischin is that we are sick and tired of the games being played by government ministers and parliamentary secretaries. It is high time they provided comprehensive information. At the end of the day, if they are true to their word about this gold standard of transparency, they would definitely provide comprehensive information. The gold standard of transparency would not include the nonsense that has been provided regularly and routinely and has now become the custom and practice of this Labor government. In the very short time I have—unlike the responsible minister or parliamentary secretary I do not have 15 minutes; I have only 10 minutes this morning—I will give a few examples —

Hon Alannah MacTiernan: If you spent less time complaining and more getting on with the substance, it wouldn't be such an issue.

Hon Michael Mischin: Why don't you stop talking to yourself and allow —

The PRESIDENT: Order, members! Only one person has the call, and that is not the two interjecting.

Hon NICK GOIRAN: I note that the Minister for Regional Development has had more to say today while sitting in her seat, rather than when standing and seeking the call.

Hon Alannah MacTiernan: Because I am waiting for you to say your bit!

The PRESIDENT: Order! Member, perhaps you might proceed with what you want to say about this motion, but not seek interjections. That would be helpful.

Hon NICK GOIRAN: I draw to the attention of members, and especially that of the Minister for Regional Development, the question without notice I asked yesterday and the answer provided by her colleague during question time. It began —

I refer to the minister's answer to my question without notice on 16 October 2018 in which he informed the house that 42 child victims had been identified during Operation Fledermaus and that a further eight adult victims were children when the offences occurred.

I pause there to explain to members that the only reason we know all that is because, after a year of questioning, I have finally been able to extract from this government that it now says 50 victims were identified as a result of this particular operation. On the day before, the Minister for Child Protection told us there were 42 victims and the Minister for Police said there were 50 victims. It took me to draw to their attention that there was a difference and explain to them that presumably the explanation was that there were 42 child victims and eight adult victims before the government finally came to the table and admitted yesterday that that was the case.

My question of yesterday went on to ask —

- (1) Was that information provided to the minister by Western Australia Police Force?

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The answer was yes. Is that not terrific? Hon Michael Mischin's motion asks for accurate, clear, precise and comprehensive information. Well, that answer was certainly accurate, clear and precise. The government said "yes"—terrific! Gold star for it. My question continued —

(2) Did the then Commissioner of Police tell the media on or before 1 August 2017 —

Which party was in government on 1 August 2017? The McGowan Labor government was the state government at that time. I repeat part (2), which asks —

(2) Did the then Commissioner of Police tell the media on or before 1 August 2017 that —

I even provided a quote from the then Commissioner of Police —

“a staggering 184 child victims of sexual abuse have been identified”?

(3) If yes to (2), how is this difference explained?

Do members know the answer provided by this government, which pretends in some farcical fashion that it adheres to a gold standard of transparency? The government said —

(2)–(3) I am not in a position to advise what figures the previous Commissioner of Police provided to the media.

Last night it took me all of about five seconds—I exaggerate not—to do a Google search. The very top hit I got was an article on PerthNow entitled “Welfare used on sex with kids, WA Police Commissioner Karl O’Callaghan claims”. What was the date of it? It was 1 August 2017. That article quotes Mr O’Callaghan as saying —

“In a town (including surrounding communities) of about 1500 people, a staggering 184 child victims of sexual abuse have been identified,” ...

So how can this government, which pretends in the most farcical of fashion that it adheres to a gold standard of transparency, respond to the Parliament of Western Australia—to the Legislative Council of Western Australia—by saying —

I am not in a position to advise what figures the previous Commissioner of Police provided to the media.

How can that be the case? It is impossible to believe. It is inconceivable that nobody in government yesterday had a computer at their disposal, and that none of them are sufficiently skilled to undertake a Google search. It is inconceivable that that is the case. It is inconceivable that no-one in government knows why the former Commissioner of Police, Karl O’Callaghan, said there were 184 victims, why the current Minister for Police says there were 50, and why the Minister for Child Protection says there were 42. It is inconceivable that nobody in government knows that number. With all due respect, I cannot come to the conclusion that the former police commissioner, Karl O’Callaghan, would make up the figure of 184. The only reasonable interpretation is that someone in WA Police said to Karl O’Callaghan that there were 184 victims, and that is why he told the media that on 1 August 2017. The people of Western Australia are entitled to know why the government now says that there were 50 victims. Where have the other 134 victims disappeared to?

Now, if there is a reasonable and plausible explanation, provide it! Why would the government not provide that information? Why would it not provide comprehensive information? Is it so incompetent that it does not even know and cannot even do a Google search and find that the former Commissioner of Police, on 1 August last year, said that there were 184 victims? Does the government not know why? The response given was —

I am not in a position to advise what figures the previous Commissioner of Police provided to the media.

That is just rubbish. How can the government not be in a position to provide that information? Already I have only two minutes left—time flies.

Another example is a matter that is before the Auditor General that follows on from the remarks made by Hon Michael Mischin about the “Ellery rules”, as he described them. I have written to the Auditor General about that minister, because it strikes me as quite improper that that minister does not understand that she needs to provide information to Parliament, and that when she decides not to do so she has an obligation under the law of Western Australia—section 82—to notify the Auditor General. But that is not what has happened, and I have had to write to the Auditor General on several occasions to follow this up. It ought not be the case that the Auditor General needs to have her time wasted simply because the relevant minister refuses to issue a section 82 notice. By the law of Western Australia, ministers have to do that. It is not a discretionary thing; they actually have to do that. Opposition members then have to then communicate with the Auditor General to get her to follow up with the ministers. It seems that members opposite and the ministers of the Crown repeatedly waste the time of the Auditor General and enter into debate with the Auditor General as to whether section 82 notices are required. Ministers simply have to provide them, and it is unfortunate that they are repeatedly not doing so, including Hon Sue Ellery, who sets the

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standard for the rest of the ministers. The rest of them follow her lead because she is the leader. She consistently fails to provide these things, and so now the Auditor General is on the case.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.48 am]: Look, I understand that this is a time-honoured debate that every opposition puts forward. That will continue to be the case, because oppositions always feel they should have more information.

Hon Michael Mischin interjected.

Hon ALANNAH MacTIERNAN: They always do. Hon Michael Mischin has been here long enough to know that this is an important part of the debate that occurs within a chamber, and there will always be some unhappiness about it. Whether, of course, it is justified is an entirely different thing. I will reference a few issues that have been raised. We started off with a very interesting contribution from Hon Michael Mischin talking about Colin Barnett setting a fabulous tone for his government, which created an enormously sound environment in which ministers were falling over themselves to be open and transparent. I highly recommend to the member the internal Liberal Party report that was prepared about what went wrong at the last election. There were some interesting contributions by Godfrey Lowe, who I believe is a Liberal Party branch president and a research officer for the Leader of the Opposition, Mike Nahan. His characterisation of the fabulous leadership that set this tone was that it was “poor and arrogant”. He went on to comment that it was made worse by the “poor and lazy performance by a number of elected members” and “internal party squabbling and rampant power broking”. He stated that although self-belief in a political leader is important, an excess of self-belief morphed into an extraordinary arrogance, which led to the very spectacular downfall that we saw. As we go around the state, the overwhelming feedback that we are getting about the leadership of Mark McGowan is that he is very open and accessible, and is interested in listening to people from all walks of life, in contrast with the previous government. For most of the leadership—I am not saying all—it was impossible to see them and have any decent dialogue because they knew absolutely everything and were not open to the ideas and views of anyone else. The extraordinary arrogance that had developed in that government set the tone for many—not all—of those ministers and there was a sense that there was no learning, listening or meaningful engagement. I counsel Hon Michael Mischin not to use Colin Barnett and the last government as a gold standard.

Hon Michael Mischin: Are you going to get around to the motion?

Hon ALANNAH MacTIERNAN: This was the motion! The member set it out and I am responding. Members opposite set the debate and I listened to what they said. Hon Michael Mischin said that the role of the leader was very important. The member gave a few examples. He did not like the second reading speech for the Occupational Safety and Health Amendment Bill because he felt that the examples used related to employees and not to employers per se, even though most corporations operate through employees. A corporate entity, in fact, needs to have employees operating it. He took exception to that and we spent time going through those examples with him. No attempt was made during the Committee of the Whole House or behind the Chair to hide the nature of those cases. He was also aggrieved at how the penalties had been cited. There was some inconsistency because in one case the original penalty had been referred to and not the reduced penalty that was finally given when other matters were taken into consideration. In the other two cases, the final penalty had been given. Absolutely nothing turned on it and we were prepared to provide that information.

This is a very interesting example to use because Hon Nick Goiran had great interest in that. I believe that since about 2014, Hon Nick Goiran had been assisting people and I think a freedom of information request had gone in from a law firm that he had previously been part of.

Hon Nick Goiran: Which topic are we talking about?

Hon ALANNAH MacTIERNAN: This is the Occupational Safety and Health Act.

Hon Nick Goiran: Really?

Hon ALANNAH MacTIERNAN: I believed it was the occupational safety and health bill that the member was seeking to get more information on.

Several members interjected.

Hon ALANNAH MacTIERNAN: Hold on. I am sorry; we have just got the information. During the debates on various of our bills, Hon Nick Goiran complained that he had been unable to get various submissions.

Hon Nick Goiran: That was about workers’ compensation.

Hon ALANNAH MacTIERNAN: Workers’ compensation. Forgive me. It is a slight mistake.

Hon Michael Mischin: But nothing turns on it!

Hon ALANNAH MacTIERNAN: No. The bills were debated around the same time. Hon Nick Goiran was very concerned that he had been unable to get copies of submissions that had been made to the inquiry. I went to the minister, who contacted all the relevant government agencies to find out whether they had a problem with that

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information being delivered to Hon Nick Goiran, and we were able to give those documents to Hon Nick Goiran. However, he had never been able to get them from Hon Michael Mischin when he was the relevant minister, even though he was on the same side. We said that we would have given that information much more readily but, when the process was set up, Hon Michael Mischin decided that those submissions were to be confidential.

Hon Nick Goiran: Is that true? Was it he who decided, or was it WorkCover? There is quite a big difference, isn't there, minister?

Hon ALANNAH MacTIERNAN: It was while he was the minister. I am presuming that some level of ministerial responsibility applies.

I think it was an interesting example. Minister Bill Johnston has made it very clear that when we go through the bigger review of the workers' compensation legislation, all the submissions will be open and available for everyone. It is an interesting little example for Hon Nick Goiran.

Hon Nick Goiran was also very unhappy previously and was moved to make a statement in Parliament on 18 February 2014 about the great difficulty he was having in getting an answer to a question he had asked the previous year to a minister about the Insurance Commission of WA. I do not know whether Hon Michael Mischin was the offending minister at that stage.

Hon Nick Goiran: Can I assist the minister by reminding her that the Treasurer of the day has responsibility for the Insurance Commission of WA? I know that is another minor detail.

Hon ALANNAH MacTIERNAN: Another minister. The member had a problem with Hon Michael Mischin because he would not give him information about workers' compensation and he obviously had a problem with the Treasurer of the day because he would not give him information about the Insurance Commission of WA. The member is obviously predisposed to being very, very concerned about this and he even reflected on his own side —

Hon Nick Goiran interjected.

The PRESIDENT: Order! Members, time is limited on this debate. It is really hard for Hansard to hear and do their job if you are constantly raising your voices over the speaker on their feet.

Hon ALANNAH MacTIERNAN: Thank you. Obviously, Hon Nick Goiran was very aware of and very exercised by the previous government's failures to provide information to him in a timely way.

Hon Jacqui Boyde expressed concern about the Local Projects, Local Jobs program. It was hard to follow exactly what the member was saying because she understands and has acknowledged that in the lead-up to an election, a political party and its candidates will make commitments, and when candidates are making commitments from opposition, the government apparatus is not available to them to do —

Hon Jacqui Boyde: You do when you get there.

Hon ALANNAH MacTIERNAN: We do when we get there.

Hon Jacqui Boyde: You've still done it!

Hon ALANNAH MacTIERNAN: That is right. We made election commitments from opposition and we were then given a mandate by the public, because they voted for our members. We very clearly set out the projects that we would deliver and the entire budget for those projects that we were presenting to the people. I think that we can most properly argue that we had a mandate. With projects of this scale—they are small projects—we were very concerned that because the state was in a poor economic situation, with very high levels of unemployment, the Local Projects, Local Jobs program was designed to stimulate the economy across the state to get some of these projects up and operating quickly. We did that. We put acquittal processes in place, we entered into proper formal agreements with each of the recipients of those grants, and we will be administering those grants carefully. That is what we needed to do when we came to government. We had a mandate to deliver those projects, but we had to make sure that the entities were capable of delivering those projects and that the moneys were being properly acquitted. That is the process we have put in place.

The member has been very exercised by this question without notice of which some notice was given about some 60 projects. The answer was put together within a very short time, because these projects are not normally classified according to the upper house regions in which they are located. That is not how we run government. We put an answer together, and the member is quite right that one of the projects is not adequately set out. But this answer was supplied in April; why has a follow-up question not been asked? The member has not done her work. I agree that we produced this list in a very short time and I am happy to acknowledge that inadequate information was supplied on one project.

Several members interjected.

Hon ALANNAH MacTIERNAN: I would have thought that if the member had a concern about the answer —

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The PRESIDENT: Order! Minister, stop. Members, it is really hard to hear the minister because other people are talking in the chamber. If you want to have a discussion, take it outside. The minister has the call, she is on her feet and her time is limited—everyone else remain silent. If you want to seek the call, do so after she sits down.

Hon ALANNAH MacTIERNAN: Thank you very much. This motion gives me the opportunity to return to the poor and lazy performance we are still seeing from a number of elected members.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [11.04 am]: I have a great deal to say in my contribution in support of Hon Michael Mischin's motion. The government's response from the Minister for Regional Development is testament to why we must continue to have these debates. What a deplorable response! Yet again, the minister spent about two-thirds of her time talking about the previous government. As I keep saying, I am flattered that government members are so infatuated with us, but it is time they looked at the motion and understood that this government has real issues with transparency.

Government members have no-one but themselves to blame. The Labor Party made transparency a big issue in the last election campaign. An article in *The West Australian* of 19 May 2016 states —

Opposition Leader Mark McGowan has made transparency an election issue by promising an inquiry into major contracts the State Government has refused to detail citing commercial confidentiality.

An article posted on the PerthNow website on 18 May 2016 reported now Premier Mark McGowan as saying —

“The public interest must come first, transparency must come first, openness must come first.

Mark McGowan went on and on about transparency. The Labor Party went into the election campaign with transparency as one of its most significant issues—we were going to have this open, transparent government. Along comes 11 March and the Labor Party is elected, and we have the “Glad Wrap government”, because it is transparent. But we do not have the “Glad Wrap government”; we have the “Alfoil government”, because we cannot see through it. Madam President, do you know why we cannot see through this government? We cannot see through this government because we cannot get answers. We receive vague and ambiguous responses to our questions or no responses at all and no reports are being tabled. Quite frankly, it is an absolute disgrace.

Over and again, we have had situations in which conflicts of interest are not respected. I have been through the Carnegie Clean Energy issue ad infinitum, and I will continue to do so. The way that contract was signed is an absolute disgrace. If that contract collapses, there is one person on whom the spotlight should go—that is, the Minister for Regional Development. It is an absolute disgrace that the Minister for Regional Development did not exclude herself from the decision-making on Carnegie. It is testament to the lack of transparency and the standards of this government. As I said, if that contract collapses, one person in the government has to lay claim and take responsibility for it.

Yet again, I remind members of the double dipping on cars. Do members know how many questions it took for me to get an answer? It took 12 questions. I ended up having to write to the Presiding Officers because the government would not give me a response. Why was that? It was because nine government ministers received an extra \$5 300. The government had something to hide. If the government does not have anything to hide, why worry about it? What about the Premier's trip to China? I had to ask half a dozen questions before I received an answer on that issue. I then asked about the Premier's trip on the first direct flight to London, which we organised. I was told to look at the parliamentary travel reports. The problem with that was that none of the reports had been tabled—in March this year there were no ministerial travel reports. The government did not table one travel report in 12 months. I remind members that every single travel report has been tabled late. It took 12 months for the opposition to get one report. We finally received the travel reports about two or three months late. The last report we received was from March and we have not had another one since. When government members scoff and say, “It doesn't matter. Don't worry about it; it is just Parliament” and direct me to the travel reports, they should make sure that they have done the right thing by tabling the travel reports.

How many consultants have been engaged in government? Is engaging consultants a big issue? Of course, it is; it shows transparency and openness in government. Have we received that consultants report? Not on your life! Do members know how many consultants reports have been tabled? Two reports were tabled nine months late! Do members know when we received the last consultants report? It was last year. We have not had a consultants report for the entire year. Where is your transparency and openness, “Glad Wrap government”? We should be able to see these things. Government members have the audacity to stand up and carry on about the Barnett government, but this has nothing to do with the Barnett government. This motion is about the Labor government that is not providing open and transparent government; it is not about us. Government members should not carry on with their self-righteous indignation about how bad we were; they should go and look in the mirror. Look in the Alfoil—you can see yourselves. It is the government that has the problem.

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What about annual reports? Let us look at this pearler from 20 September 2018, tabled by the Leader of the House; 29 annual reports are going to be late. Who is at the top of the list? Chief comrade the Premier—his annual report is going to be late as well. We go through it and we see dozens and dozens of late annual reports. What happened to open and transparent government? It does not exist. These guys are an absolute disgrace. They come in here and they are infatuated with us, but they have to worry about themselves and stop worrying about us. We are not wasting the house's time. What we are saying is eminently sensible. The seeds of destruction of a government commence in this place. Let me tell you: you guys have germinated. Look at past Labor administrations and learn from their mistakes. I can tell members right now that the seeds of destruction of this government have been sown.

One issue that really concerns me is respect for this chamber. I mentioned this before. Hon Sue Ellery went on and on for two or three years about terrible cuts in education. I was forthcoming. I told her to bring it on. I asked her to tell us how much we cut. She started carrying on about the 300 education assistants. Do members know the problem with the 300 EAs? It is that she was saying that Labor would replace them. She kept on about the 300 EAs ad infinitum. I watched it, and then she said on 23 August —

When the budget was at its strongest and revenue was at its highest, \$220 million was cut directly from school budgets across Western Australia. Over 600 teaching positions, 110 Aboriginal and Islander education officers and more than 1 000 education assistants were cut.

Garbage! That is absolute rubbish. She has misled this house. I could say one of two things here. First of all, I could say that this is political. I have said this before. Let us not forget what union all EAs belong to. Let me tell members: they belong to United Voice. Every time we get more EAs, they prop up the union representation of United Voice. Who is snapping at the heels of United Voice? It is Progressive Labor. We know what has happened; I can see. I can be a bit flippant about this: let us have a call to comrade Ellery from Carolyn Smith, the secretary of United Voice. Comrade Carolyn Smith has rung comrade Ellery and said, "Look, I tell you what: we have the presidential elections coming up. Progressive Labor might knock me off. Can you get me a few more members?" That is where this has come from, I reckon. "We need another 700 members." "Well, I've already got you 300." Carolyn Smith said, "I need another 700 members." Hon Sue Ellery said, "I'll tell you what: I'll get you another 700". Apparently, we cut 1 000 EA positions. Let me tell members how many EAs there are. I will show members exactly why that is rubbish. In 2008, we had 5 457 EAs.

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order!

Hon PETER COLLIER: In 2017, we had —

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Madam President, I cannot hear myself think.

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order! Minister, when I call order, it does not give you licence to raise your voice even higher, and that goes for the speaker on their feet as well. You do not need to yell. You are very close to me. I can hear what you are saying.

Hon PETER COLLIER: Thank you, Madam President. I could not hear myself, quite frankly.

There were 7 561 EAs. That means a total increase of 2 104 or a 38.5 per cent increase. That was when we had a 15 per cent increase in the number of students. We had more EAs in our classrooms than anyone has ever. A 1 000 reduction in the number of EAs—not on your life! That is absolute garbage. The Leader of the House has said it now and I have mentioned it to her. The Leader of the House should come in and correct the record, because if it was not that flippant political issue, she has misled this house. If she did it as a mistake, she needs to come in and correct the record. If she did it intentionally, it is an issue of contempt. She has to correct the record on that because she knows it is wrong.

Having said that, I will go back to the original motion that the standards of this place are appalling. The government has contempt for us. I will finish on this one. The chief comrade, the head of the "Glad Wrap government", responded to me about a question I had about the Constitutional Centre. I asked whether the Electoral Education Centre was continuing. He gave his response and it said at the bottom —

It should be noted for listeners of the *Rumour File* program on 6PR that the Premier has no intention of moving from Dumas House and enjoys being in the same building as his ministers.

What a contempt for this place. Who does he think he is? He is the Premier of this state, but that does not give him the imprimatur to show contempt for this place. I am sure he has his little minions, his little Young Labor movement guys who do these questions and think, "Let us put in this about the *Rumour File*. Look how smart we

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are.” The Premier of this state signed this letter. If he saw that, he would say, “Don’t be ridiculous. I’m above that. I am the Premier of Western Australia.” The standards of these guys are appalling. That is why we have to continue moving these motions.

HON TJORN SIBMA (North Metropolitan) [11.15 am]: I will be brief to allow my colleague to round this out. I want to bring this house back to the motion, which is —

That the house notes and deplores the refusal of McGowan government ministers to supply accurate, clear, precise and comprehensive information to the Legislative Council.

It is important to bear in mind the terms of the motion, because the defence provided by the government was a disgrace and appalling. It was a descent into “what about-ism”, the refuge of the moral cretin. This motion has come before the house in the terms that it has because, for the last 18 months, this house has been treated with nothing but contempt by the government in its refusal to provide answers to questions that are legitimately put. Part of the problem and the frustration in dealing with this contempt is that members, if they are so inclined and pursue the actual issues, have no other recourse but to put in freedom of information requests. Now we find that great helmsman, the gentleman who set the course of openness, transparency and accountability, has been blown off course by the rocky shoals of honesty and now refuses to deal with freedom of information requests. He derides the whole inquiry process. I want to quote from the Premier in debate on 18 September. There is a point to this. He said —

The reality is that if members put a lot of frivolous and meaningless FOIs, —

That is a ridiculous assertion. He continues —

... it puts the public servants under huge pressure. The journalists cannot get theirs answered and members of the public cannot get theirs answered ...

That is an absolute fabrication of the process and the experience. We should not accept as a chamber that members of the opposition or, indeed, members of any other political party feel they should not put in freedom of information requests because, if they do, the government will claim that we are getting in the way of journalists or members of the public having their questions answered. That is utter stupidity. To point out that utter stupidity, it was not on that day but in that time, government members in this house directed members to put in freedom of information requests. I quote from question on notice 1422 put by Hon Nick Goiran to the Leader of the House representing the Minister for Seniors and Ageing. He was seeking information on some ministers’ appointments. Hon Sue Ellery’s final part of her answer to that question was —

The member may make a formal request through the Freedom of Information Act 1992 to view these documents. This is to ensure the right of third parties to be consulted is upheld.

On the one hand, the Premier in the other place said not to put in any more freedom of information requests because it is blocking the system and getting in the way, despite the fact that we put in freedom of information requests only because we do not have our questions answered in this place, and, on the other hand, as proof of that thesis, the Leader of the House directed my colleague to put in a freedom of information request to get his question answered, with the justification that he needs to do that because it is the only way to guarantee that third party access rights will be provided. That is an interesting point, because it has been the experience of members on this side of the house and that of our colleagues in the other house that when we put in freedom of information requests, and indeed they are processed in something approximating a timely way, this is the calibre of response we get.

This is a document that sought the resignation letters of a number of board members from the North Metropolitan Health Service.

Hon Simon O’Brien: It is two blank pieces of paper.

HON TJORN SIBMA: It is reams and reams of pages of redacted material. It is an absolute affront to any claim of transparency and an absolute disincentive to seek information. If members on this side are compelled to put in freedom of information requests, this is it. I will table this document. This is the standard of transparency and accountability of members opposite. It is not even the “Alfoil” standard; this is something else. Furthermore, this material includes the resignation letter of Dr Rosanna Capolingua, who had previously granted third party access rights, but this is still what we get. This is the standard of accountability of members opposite. This is exhibits A to Z. If members opposite want to defend the motion, they should defend this. If they cannot, they should sit down and not say another word. I seek leave to table this document.

Leave granted. [See paper 2074.]

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [11.21 am] — in reply: My time is short. I think the issues have been canvassed. As I said at the beginning, we could go for days on this subject, pointing out how this government has lowered its standards into the gutter and that that is its idea of high

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standards. The patronising tone from the Minister for Regional Development, who refuses to answer the specifics that have been raised and refuses to give any indication of an increase in standards—rather, she deflected attention onto alleged incidents under a previous government that was derided for its standards by this one, as an excuse for this government’s failure to abide by the promise of transparency, openness, accountability and statesmanship—is just typical of what we have learnt to expect and the reason this motion was brought on in the first place.

Another example of the standard is the fact that the Leader of the House, the leader of those on the government benches and the one who should be answering this, is absent on urgent parliamentary business. That is very, very unfortunate and another sign of how seriously this government treats these issues. There has been no answer to the specifics. The Leader of the House has not responded. There has been no defence of the sort of behaviour we have been outlining in the motion, other than trying to twist the motion around and not even attempting to justify themselves but looking back in the past. This is not a government; this is a political party in power, and there is a difference. A government raises its standards. It attempts to maintain them. That is not what is being done here. There is an expectation that the next Liberal or Liberal–National government will raise the standards again so that it can criticise. Labor abandons any of those standards the first chance it gets for political advantage. That is what is wrong with this particular government; this sneaky government with sneaky ministers run by a sneaky Premier, who refuses to live by the standards he portrays and trumpets.

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: I know Hon Alannah MacTiernan is busy talking to herself over there, but it is my opportunity to respond to what she did not respond to.

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: This is a government—I use the term loosely—that has nothing but contempt for the parliamentary process, no accountability, no transparency and no honesty. It derides the concerns of those members who were elected by members of the public who did not vote for them, so it transfers its contempt to them. This is a government of the WA Inc era, of the Burke days. That is what it has been inspired and mentored by and its protégés are there on the government benches. The standards of probity, statesmanship and responsibility are absent. Members opposite will not take responsibility, as was illustrated by the Minister for Regional Development, who cannot check the answers she puts into this place; she gives vague answers and says, “Look; it’s your fault because you didn’t follow up on them.”

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: I have had that situation when —

The PRESIDENT: Order! Both members have had an opportunity to have a say. Hon Michael Mischin is making his reply.

Hon MICHAEL MISCHIN: Thank you, Madam President.

I have had a similar situation with answers tabled by the Leader of the House on behalf of the Attorney General that have obvious typographical errors in them. The Attorney General is sloppy and has so little regard for the Parliament that he cannot even proofread the stuff he puts his name to. He cannot proofread his answers. It takes two days for him to get around to check it to make sure it is right. It is repeated behaviour.

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: I am sorry, Madam President; I am having difficulty hearing myself because a member has so little respect for the parliamentary process.

Hon Alannah MacTiernan interjected.

Point of Order

Hon MARTIN PRITCHARD: Point of order, Madam President.

The PRESIDENT: Order! Thank you, Hon Martin Pritchard. Hon Michael Mischin, I encourage you not to turn your back on the Chair.

Hon MICHAEL MISCHIN: Sorry; it was not to you, Madam President.

The PRESIDENT: You have just over a minute now, so I encourage you to finalise your response on this motion and no-one else will interject.

Debate Resumed

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Hon MICHAEL MISCHIN: Thank you, Madam President. I am sorry if you thought I was turning my back on you; it was not intended to be on you.

As I was saying, the government's standards are low. The fact that this minister has taken the approach she has to legitimate complaints about matters of probity, accountability, transparency, accuracy and comprehensiveness of answers and information given to this chamber is just typical. It is her own indictment of the standards of the government she represents in this place. It is regrettable that these sorts of motions have to be brought. It is interesting that there has been only one response from the government side—one attempt—because I suspect this is part of the ethos of this particular administration, which does not regard itself as a government but wants to exercise the powers of government, rather than raise itself and become a standard for other jurisdictions.

Motion lapsed, pursuant to standing orders.