

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**MINISTER FOR POLICE — CONDEMNATION**

*Motion*

**HON KEN TRAVERS (North Metropolitan)** [10.10 am] — without notice: I move —

That this house condemns the Barnett–Grylls government and, in particular, the Minister for Police for their failure to provide adequate protection of, and services to, the Western Australian community in the areas of the administration of gun regulations, increased police presence on public transport, fire and emergency services, road safety, and general policing, and calls on the Premier to relieve the minister of his duties.

When we consider whether a minister should go, probably three tests need to be put in place. The first is the stand-alone test. In this case, we would look at the report handed down by Mr Keelty yesterday on the fires in the hills and the problems within that minister's portfolio. We have to ask: does the report on its own raise enough significant issues to conclude that the minister should be removed from his portfolio? That is the stand-alone test. The second test is the cumulative test: even if the stand-alone test does not warrant the minister's removal, has the minister over a period of time been such a bumbling and chaotic minister and left so many issues in his wake that, cumulatively, all those issues warrant his removal? A third test needs to be applied when issues raised in a report require significant work to fix them going into the future: is the minister up to that task for the future role he will play? I intend to put to the house that on any one of those tests, we come up with the same conclusion; that is, the Minister for Police needs to be removed from office by the Premier.

Let us recount a bit of history about ministerial responsibility and what members on the other side have said. I might add that they applied an even stronger test than I will today on ministerial responsibility and when a minister should go. Let us look at the sorts of things the Premier—the current Premier—said about ministers when he was in opposition.

**Hon Donna Faragher:** Are you talking about the ones before the CCC who were sacked?

**Hon KEN TRAVERS:** No; I am not. If Hon Donna Faragher recalls, every minister who ended up before the CCC with adverse issues was stood aside.

**Hon Donna Faragher:** Yes; they were all from your government though.

**Hon KEN TRAVERS:** In fact, Hon Donna Faragher's biggest problem is that her government cannot get anyone to even join the CCC.

**Hon Donna Faragher:** Oh, really?

**The PRESIDENT:** Order! Let us hear only from the member on his feet. If other members want to make a contribution, there is an opportunity in this debate for members from across the whole chamber to contribute at the right time.

**Hon KEN TRAVERS:** Let us start with issues around energy—issues that were the result of Mr Barnett's failure as a minister to invest in the electricity network in Western Australia. In March 2004 a motion was moved on that issue in the other place. One of the things Mr Barnett said was —

What I found incredible in the aftermath of that catastrophe was that the minister did not accept responsibility. He and the Premier did all they could to deny responsibility and to blame others. Their excuses and those to whom they levelled blame changed on a frequent basis. I will go through some of the pitiful comments made by both the Premier and the Minister for Energy. They ran from accountability and from responsibility. The Minister for Energy, as I said yesterday, should have resigned. His failure to do so should have resulted in his removal by the Premier, if not from Cabinet, at least from that portfolio.

That was the Premier's test. I hope Hon Peter Collier, who I assume will respond on behalf of the government, has re-read some of his enlightened speeches because I found his research very good. I remind the minister of a motion that he moved in this place regarding the performance of the then Minister for Education and Training and his calling for her to be replaced immediately.

**Hon Donna Faragher:** She was hopeless.

**Hon KEN TRAVERS:** Do you reckon?

**Hon Ljiljanna Ravlich:** Who are you talking about?

**Hon Donna Faragher:** You.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**The PRESIDENT:** Order!

**Hon KEN TRAVERS:** Rob Johnson makes her look like the best minister ever.

Several members interjected.

**The PRESIDENT:** Order! If I allow one interjection, we can see what happens. It is like a game of tennis; we get a ping-pong effect between other interjections, which is very distracting to the member on his feet.

**Hon KEN TRAVERS:** In this place on 25 October 2006, Hon Peter Collier quoted from Wikipedia, that great source and fount of all knowledge. I thought his second quote was better, but let us hear what he quoted in Wikipedia at the time —

. . . Individual ministerial responsibility is a Constitutional Convention in government using the Westminster System that a cabinet minister bears the ultimate responsibility for the actions of their ministry.

It states further on —

This means that if waste, corruption or any other misbehaviour is found to have occurred within a ministry, the minister is responsible even if the minister has no knowledge of the actions. A minister is ultimately responsible for all actions by a ministry.

Those are the minister's quotes; I hope he remembers them today in this debate. He went on to say, himself —

I refer now to Graham Maddox, a renowned Australian political theorist. He adds to that definition, but from an Australian perspective.

A little bit of the minister's quote reads —

It is up to the minister to be aware of what is going on in the department, and to be sufficiently in control to know that what is delegated is likely to remain politically neutral. In any case, all business conducted by the department is done in the minister's name or at his or her direction. The minister will be quick to take political credit for the success stories of his or her department, but he or she must also accept criticism when things go wrong . . .

Under individual responsibility, the minister whose department has failed to perform up to public expectation or, worse, has been tainted by public scandal, should resign his or her commission . . .

If that is not enough for members on the other side of the chamber, let us go to the intellectual powerhouse of Western Australia, Hon Rob Johnson! What did he say about ministerial responsibility in a debate on 22 August 2006? He said —

How the Premier can sit there and sing the praises of his minister, God only knows. Nobody in this house knows. Even members on his side of the house must hang their heads in shame and amazement that the minister is still a minister.

Do members know what? We have been listening to members in the corridors today, and I know that there are plenty of government members hanging their heads in shame.

**Hon Michael Mischin:** Who is he talking about?

**Hon KEN TRAVERS:** The member should look it up; I have given him the date. I am going to get on with my speech.

**Hon Michael Mischin** interjected.

**The PRESIDENT:** Order!

**Hon KEN TRAVERS:** Hon Peter Collier's remarks continue —

When will the Premier take some positive action? Obviously the minister will not do the right thing. She will not tender her resignation, although she should. Any decent minister in the Westminster system would do that. Any decent minister knows that the buck stops with him or her.

**Hon Michael Mischin:** Who was it?

**Hon KEN TRAVERS:** It was in relation to Hon Sheila McHale—never before the royal commission.

They are the standards the other side sets itself. I have to say that they are very tough standards. It is probably fair to say that, in modern terms, the better test now on these matters is: when a problem arises with a ministerial portfolio, should the minister have known there was a problem in the portfolio and what have they done to fix it? That, I think, is the more modern way ministerial responsibility is held. However, I have quoted the standards

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

that members opposite set when they were in opposition. The question we need to ask is about the issues raised in the Keelty report yesterday. Did the minister know or should the minister have known and what did the minister do about it? The fact of the matter is that we have a litany of evidence to show that the minister knew there was a problem. The first finding goes to the relationship between the Fire and Emergency Services Authority and the Department of Environment and Conservation and their management. In the amazing situation yesterday it was revealed that, because of that dysfunctional relationship, FESA was looking to go to Victoria rather than DEC to get assistance to fight the Roleystone–Kelmescott fire. Did the minister know? Let us start with the minister's own words on radio this morning. He admitted that he was aware of rumours to that effect and that he tried to fix the problem.

**Hon Adele Farina:** Rumours?

**Hon KEN TRAVERS:** That is what he said—"rumours". That is what he claimed on the radio this morning. I was flabbergasted when I heard that, but the minister admitted that he had been aware of the rumours from the time of dysfunction and he took action. But clearly the actions that he took did not fix the problem. There is this situation. We can look at the "Major Incident Review of Toodyay Fire December 2009", which raises the exact same thing. We know that the fire occurred in December 2009. The other amazing thing is that one of the minister's great things he claims credit for is the fact that he introduced emergency management legislation, the preparation of which, I have to say, had been started under the previous government. The minister can get the credit for that; he introduced that legislation. But in the major incident review of the Toodyay fire, it is acknowledged that that legislation still had inadequacies. If I get time, I might go through a whole range of legislation brought in by this minister with inadequacies that need to be fixed. On page 11 of that review it states —

The Review Team acknowledges that these legislative changes have improved the clarity of emergency management arrangements, however, the Review Team believes they do not fully resolve the underlying issues that led to the changes to the Act.

The review goes on to state —

Furthermore, the legislation introduces a level of uncertainty as to when FESA should take control of an incident.

There are a whole range of issues and, if I had more time, I could go through this review in great detail. On page 12, under recommendation 1, it states —

... command, control and coordination processes and systems, and fire fighting assets are not always compatible and at times hampered the ability to communicate and coordinate effort. The inability to immediately integrate command and control systems is a particular impediment to joint operation.

That is very similar to the issues raised by the Keelty report, which is now resulting in a new structure for FESA to deal with those issues. Not only did the minister hear the rumours, but also he actually received a report back in August 2010. What has he done about it? There are clear examples. The minister knew of the problems; the minister failed to act, or, if he did act, he failed to act sufficiently well to ensure that the problems went away—to fix the problems. That is the bottom line with this minister. Under any test for ministerial responsibility—the Premier's test, Hon Peter Collier's test or the minister's own test—he should be removed from office. I know the next example that the government will use as its defence: there was a board in place. A board may deal with certain operational matters, but we should be under no illusion that although we have the system we have, the political responsibility for that organisation, whether there is a board, remains with the minister. We cannot delegate. If we quote some of the points made by Hon Peter Collier, he makes it very clear that the political responsibility for the overall operation of an agency cannot be delegated. It is clear that the agency failed. Yesterday we saw the CEO go, and it would appear that the chief operating officer is also on his way out. If they are on their way out, the minister should be following them. In fact, the minister should have been the first one out the door followed by those other two officers, not the other way around.

Even if the most generous person in politics in Western Australia looked at this matter and said that that is still not enough, and that none of the stuff that Mr Travers has raised is enough to warrant the removal of this minister, let us go to the second test—the cumulative test. This is a bumbling minister; everything he has touched has gone to ruin. On a daily basis, we see legislation coming from that minister that needs to be corrected by the Parliament.

**Hon Nick Goiran:** Are you opposed to the cannabis reforms?

**Hon KEN TRAVERS:** No.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**Hon Nick Goiran:** Sorry; you said everything that he has touched. Rephrase; withdraw that remark. That's fine; I'll be generous.

**Hon KEN TRAVERS:** And what has happened under the Liberal Party's watch with respect to cannabis use? It is starting to climb back up again.

**Hon Nick Goiran:** Okay; so you're opposed to the reforms?

**Hon KEN TRAVERS:** No, what I am saying is —

**Hon Nick Goiran:** Tell us what you really mean.

**Hon KEN TRAVERS:** — that the legislation, and the way in which this minister implements it, is a failure and we will watch the test. We have seen crime rates go up. The government must be nervous watching those crime rates, which were coming down, but now, after a couple of years with this minister, are starting to climb. Do members remember the Road Traffic Amendment (Hoons) Bill 2009? It was a piece of legislation brought into this Parliament to deal with hoons. When it arrived in Parliament, members on the opposition side said to the government that it had many problems. Government members said that no, we were all wrong, that the bill would be perfect, and that it was all sorted. What did we find? We then found we had to bring in the Road Traffic Amendment Bill 2010, because as the explanatory memorandum stated —

The amendments contained in this Bill are intended to address a recently identified market failure relating to the inability to release an impounded vehicle, where it is considered that there existed sound public policy reasons for releasing it.

The market failure was not recently identified; it was identified when the original bill went through. But we ended up with the great Lamborghini incident occurring in Western Australia. I could go on with a whole array of legislation. In regard to the legislation brought in by the Minister for Police, I have to say that members on the other side are not slow learners all the time, because they have started to realise that they need to be a bit cleverer about bringing in legislation. When the opposition puts up amendments, the government now looks at and accepts the amendments, and puts them into the bill before it leaves this chamber. However, the original bill that comes in is poorly drafted.

Prior to the last election, 500 extra police were promised, as was an increased police presence on public transport, particularly our trains, so that passengers feel safe when they travel, especially at night. That was one of the Liberal Party's major advertisements and was run across the state. What has happened under this Minister for Police? There has been a reduction in the number of police. When we challenged the minister about what he was doing about that promise last year, he said he was not aware of it and that he would look at it. What have we seen since? The number of operational police attached to the public transport division has gone from 90 to 88; the number has got worse under this minister, all whilst crime is going up in the state. There is the regulation of guns; there is a long list that we unfortunately do not have time to go through today, but I think that government members would be well aware of it.

Then there is the final issue about whether the minister is up to the task of the challenges of the future, now that we have the Keely report. It must be said that in most governments there are probably only five to 10 competent ministers and the rest of the ministers that fit within the cabinet are there to play a particular role. Hopefully, those ministers are given portfolios that will not get them into trouble. The portfolio of police is not a bad one, because if there is a good Commissioner of Police who takes operational command of the police service, the minister can basically wander around making outrageous comments to make those people who want a tougher law and order policy feel that they have a spokesperson out there. That is why we see the Minister for Police talking about bringing in the rattan. Does the Liberal Party ever do it? No. Does the Liberal Party support the rattan? No. The role of the Minister for Police has not been to be an administrator, but the icon for those out there in our community who want massively populist changes that the government knows will not actually fix problems. Throughout the minister's history, he has constantly made outrageous claims, and some of my colleagues might go through some of those a bit later on, to appease a particular market and to make it feel that there is a spokesman in the government for its views, but the government never gets on. This house gets the same. The Leader of the House runs the secessionist argument every six months, but does the government ever bring any legislation in to do anything about it? No. We know that it is not serious; it is just flying the kite. If the government gets into trouble, it floats the Leader of the House out there, throws up the argument and never does anything. The canal used to be the line that the Premier ran but now Don Randall runs it. If the government believes that the canal is such a good idea, it should get on and do the studies. It does not though, does it? The problem with this government is that it does not have five to 10 competent ministers; it has less than a handful. However, the new Minister for Police was identified by *The West Australian* this morning—Hon Peter Collier.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

The newspaper believes that Hon Peter Collier is one of the few ministers in the government who can actually get on and meet the challenges of fixing the problems.

Listening to the radio this morning I got the impression that the Minister for Emergency Services had not met with the United Firefighters Union of Western Australia for a couple of years even though the union has been raising issues with him, which I found extraordinary, so I rang the union this morning to find out whether that was true. I met the union secretary for the first time yesterday. I was amazed by his passion for his profession, which is why he is the secretary of that union, which represents its membership. It has almost total coverage; there are very few firefighters who are not members of the union. The union raised issues with this minister two years ago and the minister said, “Yes, we’ll get onto it. I’ll get you together with FESA and we will sort out these problems that you’ve got with the way in which the firefighting and emergency services are administered in this state.” Nothing happened in those two years. In fact, as members who listened to the radio this morning know, every major stakeholder in this minister’s area is saying that the minister has to go. How will he meet that challenge? We know that he does not have the intellectual might. The minister does not even have the goodwill from the key players and stakeholders in that portfolio to take this issue forward. That is the final reason that this minister should go. On its own, the Keely report states that the minister should go. Cumulatively, the bumbling minister and his failures mean he should go. Finally, the minister is not up to the future task.

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [10.31 am]: The government will obviously not be supporting this motion; we feel that it is unjustified and certainly does not reflect reality. I intend to give a general overview of what the government, through our police minister, has achieved in law and order. Several other members will also speak on specific areas; for example, Hon Donna Faragher will talk about the tremendous inroads that the government has made under the current police minister with regard to clamping down on illicit drug usage. Hon Michael Mischin also intends to make some comments on the Fire and Emergency Services Authority report.

Several members interjected.

**The PRESIDENT:** Order! Hang on a second! The member on his feet may have mentioned that some other members may make a contribution but he did not say right now.

Several members interjected.

**The PRESIDENT:** They will make their contribution when they are given the call in turn.

**Hon PETER COLLIER:** What did I say that was funny? It is serious stuff, sorry, and I always seem to incite Hon Ljiljanna Ravlich. I will try to keep my comments specific to the motion and that is exactly what I will be doing.

As I said, certainly one thing that we as a government have been criticised for as far as the police minister is concerned, is that there is too much legislation, there is too much going on and we have too much of a focus on law and order, and that needs to be remembered. Therefore, rather than be criticised now and sit back and say that we have not done anything, it needs to be acknowledged that there has been a plethora of legislation for law and order and all the areas that we talked about. Just to give an example, because it is going to take a considerable amount of my time, I will go through the achievements of the current government under the leadership of the police minister. As I said, by the time we finish, if we have time because —

Several members interjected.

**The PRESIDENT:** Order!

**Hon PETER COLLIER:** I think I have an hour, do I not?

**The PRESIDENT:** No.

**Hon PETER COLLIER:** There is no way I will get through all this in 15 minutes! However, we will see how I go and I will get through as much of this as I possibly can because it reflects the seriousness of this situation—the fact that it puts paid to this motion that the police minister is not doing anything about law and order in Western Australia. I will go through just some of the achievements that the government has made under the police minister.

We fulfilled the pre-election promise to deliver 500 extra police officers over five years with a further 200 support staff, committing more than \$200 million in the budget. We reinstated and strengthened the rural crime unit closed by Labor. We reinstated the Graffiti Taskforce shut down by Labor. We committed \$6 million to a community crime prevention program that includes closed-circuit television installation at key locations around the state. A total of \$767 000 —

*Point of Order*

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**Hon KATE DOUST:** Can the minister identify the document that he is reading from?

**Hon PETER COLLIER:** I will table it if the member likes.

**The PRESIDENT:** The question has been asked, but the member will be aware that some different rules apply to ministers from every other member. If the minister wishes to identify the document, he is at liberty to do so.

**Hon PETER COLLIER:** I have no problems whatsoever; they are briefing notes and I am actually reading them into *Hansard* so whatever I read into *Hansard* will be exactly what is contained on these sheets. I have no problems at all tabling, I can tell the member.

*Debate Resumed*

**Hon PETER COLLIER:** CCTV funding has been provided to seven local governments. We provided funding for and reopened three country police stations closed under Labor. The stations are now fully operational. We fully funded and commenced work on the \$113 million Perth police complex. The complex remains on budget and on time. We committed a total of \$47.5 million to expand the Perth police radio network. The network will now cover 80 per cent of WA's population. We introduced into Parliament Australia's toughest anti-hoon laws—namely, the Road Traffic Amendment (Hoons) Bill 2009. We amended Labor's flawed anti-hoon laws to prevent unfair impounding and provide other safeguards with the road traffic amendments in 2010.

We secured \$24 million in funding and a commitment for a second police helicopter to be delivered prior to the Commonwealth Heads of Government Meeting. We developed and introduced into Parliament tough new laws for police stop-and-search powers designed to combat the escalating incidence of weapons carriage with the Criminal Investigation Amendment Bill 2009. We developed and implemented tough new laws on the carriage of illegal weapons.

We developed and introduced legislation for tougher penalties for drug offences, including possession, cultivation, and the sale of drug paraphernalia, and introduced mandatory one-on-one counselling for offenders—the Cannabis Law Reform Bill 2009 and the repeal of the Cannabis Control Act. We banned the sale of ice pipes—the Misuse of Drugs Amendment Bill (No. 2) 2010. We streamlined processes for police in connection with the seizure of drug-connected property—the Misuse of Drugs Amendment Bill 2010. We are developing legislation to toughen penalties and limit sentencing options for exposing children to harm through the cultivation and manufacture of drugs by tackling illicit drugs in the community with amendments to the Misuse of Drugs Act 1981. We are developing a strategy to prevent access to hydroponic chemicals used in drug cultivation.

We are developing tougher drink-driving laws, including automatic licence suspension, and a repeat drink-driving strategy. We introduced legislation to automatically suspend the licences of drink-drivers—the Road Traffic Legislation Amendment (Disqualification by Notice) Bill 2010. We introduced legislation to allow for additional qualified persons to conduct forensic procedures on sex crime victims—the Criminal Investigation Amendment Bill 2010.

I know all about these bills because I had carriage of them through the upper house, so I can assure members that I am very cognisant of the fact that we have had an enormous amount of legislation on law and order. To say that we are not actually —

Several members interjected.

**The PRESIDENT:** Order! Only one member can speak at a time. No member can possibly speak over half a dozen interjections at a time.

**Hon PETER COLLIER:** To say that we are not doing anything is nonsense.

We developed and let new police towing and storage contracts to ensure a better service while reducing the cost to police. This will save taxpayers millions of dollars. We introduced to Parliament, with the Attorney General, mandatory sentencing legislation. A review of the Criminal Code Amendment Bill 2008 12 months after its implementation indicated a 30 per cent reduction in offences. We managed the implementation of amendments to improve the integrity of the security industry with the Security and Related Activities (Control) Act. We introduced and passed legislation to provide payment of medical expenses for employment-related injuries for former police officers—the Police (Medical and Other Expenses for Former Officers) Bill 2008. We are drafting, with the Attorney General, a tranche of legislation dealing with organised crime. We have overseen efficiency dividends that have streamlined police operations, freeing officers for front-line duty and reducing excess costs. This initiative is continuing. We introduced legislation to enable police to deal with minor matters efficiently and save court time by issuing on-the-spot infringements—the Criminal Code Amendment (Infringement Notices) Bill 2010. We introduced legislation to prohibit the interception of and other access to telecommunications except where authorised in special circumstances—that is, the Telecommunications (Interception) Western

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

Australia Amendment Bill 2010. We implemented a review of the criteria associated with assessing school crossings and the best practices for children's crossings in Western Australia. We managed the implementation of a centralised firearms licensing system to provide improved probity and integrity in the granting of new and additional licences. We are developing legislation to address identified flaws in the Criminal Investigation (Identifying People) Act to ensure that the investigation of serious crime is not compromised. We are about to introduce legislation to provide protection to police officers undertaking covert investigations. We oversaw carriage of legislation to provide additional security and safety during CHOGM; that is, the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011. We implemented regulations to reclassify a crossbow as a prohibited weapon. We are about to introduce amendments to the Misuse of Drugs Act to toughen penalties for those who sell and supply drugs to children and endanger or harm children through exposure to drug manufacture or cultivation. We successfully trialled a juvenile clean-up project for graffiti offenders through the Office of Crime Prevention. As I said, in legislation and a number of other areas, the government is concerned and has been extremely proactive. To even remotely suggest that the government and the police minister have been sitting on their hands, been inactive and not been looking after the welfare of the Western Australian community does not face reality and does not stand up to scrutiny.

Several members interjected.

**Hon PETER COLLIER:** With regard to firearms, which is also mentioned in the motion, although the licensing of firearms has always been subject to a considerable number of complaints by licensees, clubs and dealers, the level of dissatisfaction with the process and operations of the licensing enforcement division has been disconcerting. For the firearms community, the change from licensing firearms at local police stations to the Australia Post process was unwelcome. Although greater probity and regulation was required, it was not anticipated that the bedding down of the new regime would be the protracted process it became. Subsequently, there were a number of IT and process-related issues, and also human errors involving a large number of licensees that were a drain on resources and caused distress, delays and a lack of confidence in the licensing regime. There is ongoing concern at the number and consistency of complaints that the minister's office receives about the attitude of call takers at the licensing enforcement division and their lack of response and service. The minister has consistently raised these issues with the Commissioner of Police and, as a result of ongoing concerns, has recently written to the commissioner requesting a review of management processes.

Several other members on this side of the chamber want to speak specifically on some of these issues, but I would like to comment yet again on the fact that law and order was a big issue in the eyes of the community going into the last election. People are fed up to the back teeth with going into Northbridge and getting bashed. They are fed up with having home invasions.

**Hon Kate Doust:** Still do.

**Hon PETER COLLIER:** They want a government that is seen as being proactive.

**The PRESIDENT:** Order!

**Hon PETER COLLIER:** Hon Kate Doust has really been grumpy since she got back after the break—she really has.

**Hon Kate Doust:** I'm not grumpy at all. I'm a very happy girl.

**Hon Ljiljanna Ravlich** interjected.

**The PRESIDENT:** Order!

**Hon PETER COLLIER:** I can always rely on Hon Ljiljanna Ravlich, I have to say. She is very, very consistent but I had not expected to hear from Hon Kate Doust.

**Hon Ljiljanna Ravlich** interjected.

**The PRESIDENT:** Order! Let us stick with the substance of the motion, not how other members may be feeling.

**Hon PETER COLLIER:** Thank you, Mr President. I will temper my comments and refer entirely to the motion.

Having said what I have said, certainly as far as law and order is concerned, as a collective the government can hold its head up high. I have commented on a tranche of legislation that covers a vast area to ensure that Western Australians feel safe in their homes, and that has come as a direct result of the advocacy of the Minister for Police. With regard to the Keelty report on the Fire and Emergency Services Authority —

**Hon Ken Travers:** You're getting to it!

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**Hon PETER COLLIER:** Just let me finish!

The Keelty report identifies some real issues with FESA. Hon Michael Mischin will make a lot more comments on that report. Those issues that have been identified through the Keelty report have been acknowledged by the government and by the minister, who will be proactive in ensuring that things change and necessary improvements are made. But certainly in terms of the collective as a government, if there is one issue that we have been extremely cognisant of and extremely proactive on, it is law and order, and that is as a result of the strong advocacy on the part of the police minister.

Therefore, on all the issues that have been identified through this motion, as I said, I have more than adequately and more than successfully identified that we are being proactive in overcoming the uncertainties, the concerns and the fears of the community to make sure that they feel safer in their homes and in the streets. We will learn from the report on FESA, identify those issues and take steps to correct them, as that is the only way forward, and we will do that through the fact that we have a strong police minister. The government therefore will not be supporting this motion.

**HON LJILJANNA RAVLICH (East Metropolitan) [10.44 am]:** I support the motion. That was the worst defence of a minister by another minister I have ever heard in the 14 years that I have been a member of this place.

Several members interjected.

**The PRESIDENT:** Order!

**Hon LJILJANNA RAVLICH:** Without doubt, the reason for that is because he is going to be the beneficiary —

Several members interjected.

**The PRESIDENT:** Order! I just ask members to remember that we have some very important, impressionable guests in the President's gallery. What might they be thinking of this Parliament if we do not conduct the debate in an orderly fashion?

**Hon LJILJANNA RAVLICH:** The point I want to make is that so very little effort was put into that defence of the Minister for Police by the minister previously on his feet because he is one of those people who have been identified in the media as a possible replacement for the Minister for Police.

Several members interjected.

**Hon LJILJANNA RAVLICH:** I have heard the Minister for Energy on his feet before and have heard him mount some significant and substantial arguments in the government's defence. I have to say that today was the worst that I have ever heard. That is because he has something to gain and it would be in his nature to not really defend the Minister for Police. There is an old saying when somebody has no idea about what is going on or what is happening around them. The old saying is: "They wouldn't know if their bum was on fire!"

**The PRESIDENT:** Order!

**Hon LJILJANNA RAVLICH:** That is not unparliamentary!

**The PRESIDENT:** Order!

**Hon LJILJANNA RAVLICH:** That is just a saying.

Several members interjected.

**The PRESIDENT:** Order! As a colloquial saying, we all know that it is used commonly, but I ask the member on her feet to be a little bit cautious about the tone of the language that she uses.

**Hon LJILJANNA RAVLICH:** Thanks, Mr President.

I say that because it is so very relevant. If anyone had looked at this morning's Alston cartoon in the newspaper, they would have seen exactly that. There was a picture of the police minister upside down, there were flames—I am sorry, Mr President!—and he was trying to extinguish the fire with an extinguisher. That, to me, clearly is symbolic of the fact that this police minister has no idea about what is going on around him. I did not want to say that in this place, but I did think it was relevant given what was in the paper and given the circumstance in which this minister finds himself.

In the contribution by Hon Peter Collier highlighting the achievements of the government, I note with some interest that he did not talk about what has really happened in the minister's portfolio. He made no mention of



Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

the yellow Lamborghini that we all know about and the poor fellow who was without his car for months and months. He made no mention of the firearms licensing bungle when gun owners were asked to pay for licences that were later deemed invalid. He made no mention of the fact that there was a recent report that found the minister was apparently trying to rein in WA police officers and ordering them to seek his permission before speaking to opposition members of Parliament—and indeed speaking to his fellow cabinet ministers and fellow Liberal Party members. He made no mention of these things. He made no mention of the fact that under this minister some \$130 million has been taken out of the police budget since 2008 for a combination of reasons. This information was provided to the estimates committee of the Parliament only recently. There were some \$5 million or so in savings on media, marketing, consultancies and advertising. There was the three per cent efficiency dividend. We were told that the efficiency dividend would be for only one or so years, but the information provided by the police to the estimates committee was that the three per cent efficiency dividend is real and ongoing. About \$130 million has been cut from the direct spending of the police, and there have also been savings on the vehicle fleet. There has been an enormous cut in the police budget. At the same time, the rate of crime continues to escalate. How can the government take \$130-odd million out of the police budget while crime rates are increasing and say that we will end up with a better quality of service? We will not end up with a better quality of service; we will end up with a worse quality of service because the police cannot do more with less. That is exactly what the Minister for Police has been asking the police department to do. He has not been a good defender of the police. He has not gone to the expenditure review committee to fight for the police or for the protection of the ordinary citizens of this state.

The whole bushfire incident really does take the cake. Seventy-one houses in the Perth hills were destroyed. Real people in a real community lost everything they owned. The real question is: could this have been avoided? It appears that, yes, it could have been avoided. For the first five hours of the fire, the Fire and Emergency Services Authority did not have a proper incident management plan. Surely the Minister for Police would have checked with the agencies that are directly under his control or that he funds that these things were in place. The minister has said that the government has read the report by Mr Keelty, that it acknowledges the report, and that it is time to move on. The Minister for Energy might be moving on and the Minister for Police might be moving on, but I assure them that the 71 people who lost their homes and everything they owned are not moving on. The government cannot just shrug it off and dismiss it, all for the protection of its minister. No, he does not deserve to be protected. No, he does not deserve to keep his job. He should be sacked as a matter of priority. That should happen immediately.

I read this morning's paper. There was a very interesting piece by Ben Harvey in "Sketch". I just want to put a bit of this on the public record. It states —

Rob Johnson is a walking, talking monument to the shortcomings of parliamentary democracy.

A few months ago this bloke struggled to explain new laws banning drivers from talking on mobile phones.

But yesterday Premier Peter —

Sorry —

Premier Colin Barnett —

**Hon Peter Collier:** Not yet! It is only a matter of time!

Several members interjected.

**Hon LJILJANNA RAVLICH:** I said that Hon Peter Collier is destined for great things!

**The PRESIDENT:** Order!

**Hon LJILJANNA RAVLICH:** Anyway, not yet.

**Hon Peter Collier:** You said it.

**Hon LJILJANNA RAVLICH:** What a dreamer! You've got stars in your eyes, sunshine!

**The PRESIDENT:** Order, members! Do not let a Freudian slip create chaos in the chamber.

**Hon LJILJANNA RAVLICH:** Thank you, Mr President. The article continues —

But yesterday Premier Colin Barnett expected us to feel comfortable with him overseeing significant changes to the way we prepare for and fight bushfires.

*Sketch* implores every reader to go out and buy their own fire extinguishers right now.

It will be a miracle if Mr Johnson doesn't accidentally set fire to himself during this whole process.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

I think Ben Harvey did a very clever piece, but it does not detract from the seriousness of this issue. I will again make the point about this government's response when things go terribly, terribly wrong. Its response appears to be, "Well, we're sorry, we made a mistake; tough it out, get over it, because that's what we're going to do." The government has no understanding of the consequences of this lack of action, particularly, in this case, by the Minister for Police. It has no understanding of what that lack of action actually results in. I, for one, think that the Minister for Police should go as a matter of priority.

**HON DONNA FARAGHER (East Metropolitan — Parliamentary Secretary)** [10.55 am]: It is interesting when one has to follow the member who was the most hopeless minister of the previous government.

**Hon Ljiljanna Ravlich**: I didn't kill dolphins!

**Hon DONNA FARAGHER**: She was absolutely hopeless.

**Hon Ljiljanna Ravlich**: Donna killed the dolphins!

**The PRESIDENT**: Order!

**Hon DONNA FARAGHER**: I will go back to some of the answers Hon Ljiljanna Ravlich gave in this place when she was minister; it was just frightening!

**The PRESIDENT**: Order! Let us have a debate, not a screaming match.

**Hon DONNA FARAGHER**: Hon Ljiljanna Ravlich gets a bit testy when we raise that.

I will say a few words against this motion and in support of the words already said by Hon Peter Collier. Hon Peter Collier identified a number of achievements of the Barnett government that have been led by the Minister for Police in the area of law and order. I will focus on a couple of those aspects, which compare starkly with the achievements of the previous government. Firstly, did the Labor Party support the mandatory sentencing of those who commit serious assaults against police officers? No, it did not.

**Hon Kate Doust** interjected.

**The PRESIDENT**: Order!

**Hon DONNA FARAGHER**: Labor members will say—I am going back in history, because we always like to go back to the record —

**Hon Kate Doust**: You always do.

**The PRESIDENT**: Order! Deputy Leader of the Opposition, please come to order.

**Hon DONNA FARAGHER**: Thank you, Mr President. Labor members will say that the previous Labor government introduced its own legislation to increase penalties for offences against police officers. Yes, it did. We supported it. But did the previous Labor government have a commitment to get that legislation through the Parliament? No, no, no. That legislation languished in this place for months and months. It sat on the Legislative Council notice paper and it never had priority. That is what the previous government thought of assaults on public officers. Our government, on the other hand, under the leadership of the Minister for Police in law and order, has a different view. I will refer to some statistics that were quoted in a press statement released by the Minister for Police and the Attorney General in June this year. The statement reads —

Assaults against WA Police have continued to plummet with recent figures indicating a 13 per cent decrease in the first five months of 2011 compared to the same period in 2010.

Attorney General Christian Porter and Police Minister Rob Johnson said this decrease was above and beyond the drop of nearly 30 per cent in the first year following the introduction in September 2009 of mandatory sentencing of serious assaults against police officers.

I think everybody in this house would like the number of assaults to plummet to zero, but at least this government and this minister took a tough stance and said that it actually was not okay for thugs in the community to belt police officers, who put on a uniform every day to help fight crime.

I turn now to drugs. Hon Ken Travers mentioned this. Everyone in this house knows that I like to talk about the scourge of illicit drugs. The previous government had such a permissive attitude to cannabis and illicit drugs, it was astounding. Let us remember that under Labor's soft cannabis laws, the possession of 30 grams of the drug and the cultivation of two plants was treated no more seriously than a parking ticket. That is the way the previous government treated it. Over the first two years of that law being in place, 9 563 infringement notices were issued. How many of them were actually dealt with? It was less than half. It was absolutely pathetic. Yes, we have increased the penalties. They came into effect, I think, on 1 August, and they are a good thing.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

Let us turn to the announcement made by the minister over the weekend about drug endangerment offences relating to children. I will say more on that matter when the bill comes before this place. What will we see in this legislation the minister is putting forward? It will prescribe a minimum sentence of 12 months' jail for adults who manufacture, cultivate or prepare illicit drugs that cause harm to a child. It has a tough new penalty for selling drugs to children. We will see a ban on all drug use paraphernalia. Did the previous government do anything to combat any of these issues? No, it did not. Did members of the previous government talk about introducing drug endangerment offences relating to children found in drug laboratories? Actually, they did. Do members know when they talked about it? It was back in 2003. When did the opposition lose government? It was in 2008. The opposition had five years to introduce this legislation, and it did absolutely nothing, which epitomises their time in government. Members of the opposition talked the talk, and they did absolutely nothing. Did opposition members seek to ban drug-use kits, such as cocaine kits and the like? No, no, no. I started asking questions in this place back in 2006. I asked whether they were going to ban cocaine kits. I did not actually think it would be that hard. Anyway, I was told, "Oh well, we will consider technical reports, and we will do reviews," and so on. They did nothing. Did they say that they were going to introduce offences relating to people who sell drugs to children? They did. But did that legislation ever come into Parliament? No.

It is much like some comments I made yesterday in relation to the environment. The opposition hates the fact that this government places a high priority on law and order. The fact is that when it comes to law and order, there are people who will say that we either go too far or not far enough. It is a constant challenge. I believe that this government has taken a very tough stance on law and order. Yes, it is the job of the Minister for Police to make sure that legislation on those sorts of things comes to this place, is debated and goes through the Parliament. The Minister for Police can stand tall knowing that he is the one who introduced legislation for mandatory sentencing for those thugs in our community who think it is okay to belt up police officers. The previous government never did it. Opposition members were the ones who had a permissive attitude to illicit drugs. We will fix that. Will we fix it 100 per cent? I am not sure; I would like to think that we will. At least this government and this minister are prepared to introduce legislation to increase penalties for those people who sell drugs to little kids and put kids' lives in danger in drug laboratories. Opposition members did absolutely nothing, and they should hang their heads in shame.

**HON SALLY TALBOT (South West)** [11.03 am]: I am sorry, I was caught a little by surprise there —

Several members interjected.

**The DEPUTY PRESIDENT (Hon Col Holt)**: Order! Those members who are interjecting have already had a say, so they should allow Hon Sally Talbot to have her say.

**Hon SALLY TALBOT**: I must say I was caught a little on the hop there, because once again Hon Donna Faragher only used about half the time she could have used. That is not really a surprise, because this government has no defence to make about its Minister for Police, because the actions of the police minister are absolutely indefensible.

Several members interjected.

**The DEPUTY PRESIDENT**: Order! Please allow the member on her feet to continue with her debate.

**Hon SALLY TALBOT**: I want to start by making this point: this is a classic example of the weakest link. We have clearly identified the weakest link. Unfortunately the weakest link in the Barnett government changes from day to day. Today the weakest link is clearly the police minister. The problem with having such a weak link in the chain is that it drags everybody down. I will give a couple of classic instances in which I can demonstrate that this has happened directly because of the actions of the police minister. Having heard those very weak and rambling attempts at defence by Hon Peter Collier and Hon Donna Faragher, I have also come to the conclusion that the Minister for Police, Mr Johnson, is clearly being let down by his colleagues, who can do nothing more by way of defending his reputation and his role in the government than stand up and read out lists. What did they do? They just printed off their media releases and read down the headlines. They have absolutely nothing of substance to offer this house by way of defence.

Let us not forget that this is the minister who was responsible for drafting what turned out to be one of the most seriously flawed pieces of legislation, which was least understood by the government, that I believe this house has ever seen. I refer of course to the Criminal Investigation Amendment Bill 2009 and the stop-and-search laws. This minister managed to cause excruciating embarrassment both to his Premier and to every member of the government by putting up a bill that was totally indefensible. We were able to come back into this place and share with the house the major embarrassment that had been caused to everyone in this state by having such a ridiculously, poorly-thought-out piece of legislation in front of us. Frankly, it made us the laughing stock of the state. That is one of the things that every single member on the government benches knows. That is why we are

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

not getting a defence, we are not getting a response to this motion. What we are getting is just time filling. Hon Donna Faragher could not even fill the time that was allotted to her.

**Hon Ken Travers:** She gave her number one speech about drugs. It is the only speech she has given in five years.

**Hon SALLY TALBOT:** It is a very old speech. We have heard it many times before.

I began by talking about the weakest link. Hon Ken Travers and Hon Ljiljanna Ravlich have gone through the litany of failures by this minister and talked about how that has affected the whole of the government's operations. I want to just talk about one particular aspect of the failings of the police minister, which is directly related to this motion and to the Keelty report that was tabled in Parliament this week. This goes to the heart of the problem. I would like to ask Hon Donna Faragher why she did not refer to a core problem seeing that it involved her previous department, the Department of Environment and Conservation. At the heart of the Keelty report is the exposure of the lie that was told to us for years, that the relationship between the Fire and Emergency Services Authority and DEC was working; that there was no problem in relations between FESA and DEC. I want to ask the previous minister why she did not talk about that in the six minutes that she spoke to the house. I want to ask her whether the reason that her successor in the environment portfolio has given such an astonishingly weak, bumbling response to questions about the relationship between FESA and DEC was that she, too, did not understand the problem. She, too, failed to get her head around not only the problem but also what might be the solution.

Only weeks after Hon Donna Faragher was removed from the portfolio, in relation to the Victorian bushfires, her successor was asked a series of questions about whether the relationship between DEC and FESA was working. We go back to —

*Point of Order*

**Hon DONNA FARAGHER:** I just want to make it clear to the member, because she always likes to mislead the house, that I was not removed; I actually stood down to have a baby, just so the member knows.

**The DEPUTY PRESIDENT:** There is no point of order.

*Debate Resumed*

**Hon SALLY TALBOT:** Let us go over this weakest link problem. Let us look at what is happening now in the environment portfolio. We have one of the weakest, most incompetent ministers this state has ever seen in Hon Bill Marmion. I will now quote from an article in PerthNow. It states that in January this year the journalist asked emergency services minister, Rob Johnson, if Western Australia needed a fire commissioner. The article states —

He responded by saying: "I can't at this stage see what benefits a fire commissioner would give other than adding another layer of bureaucracy."

That comes from the police minister. But let us go back a little further. I will quote again —

The friction between the Fire and Emergency Services Authority and the Department of Environment and Conservation has become so bad that the firefighters' union is calling on the WA Government to step in immediately.

That was at the beginning of July. It continues —

Insiders claim the two agencies are consumed by "bravado and competition over whose badges are shiniest among the top bosses", but the Government denies any feud.

Was Hon Donna Faragher absolutely unaware of the extent of this malaise that has been eating into DEC's firefighters for years? She was the minister on watch when the Boorabbin findings were brought down. She was minister —

**Hon Donna Faragher:** You were in government when it actually happened!

**Hon SALLY TALBOT:** She was the minister who defended that degree of incompetence. Sadly, what we have in the Liberal Party is an inherited gene that says, "Cover our ears; don't listen; just get your senior bureaucrats in and let them tell you; don't listen to the stakeholders; don't listen to industry; don't listen to the firefighters' union; don't listen to the firefighters in DEC; just let the bureaucrats tell you."

Several members interjected.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**Hon SALLY TALBOT:** These guys, for three years now, have been ruled and driven by the bureaucracy. They have not one scintilla of an idea of their own. They have not one ounce of drive to reform things. They have absolutely no interest in opening their ears and listening to what the problems are.

I go on with this quote —

A recent review into the Perth Hills fires in February that destroyed 71 homes ... found the DEC and FESA could not even agree on a common name for the blazes.

...

Several government inquiries over the past few years have highlighted significant communication difficulties between the two agencies.

...

Environment Minister Bill Marmion denied there were problems between FESA and the DEC.

**Hon Ken Travers:** Because that is what Donna Faragher told him!

**Hon SALLY TALBOT:** Because that is what Donna Faragher had told him. Both Hon Donna Faragher and Hon Bill Marmion are captive to their departments. They have no interest in sorting out these problems.

Last month *The Sunday Times* printed this, as stated in PerthNow —

... the war between the state's two firefighting agencies—FESA and the Department of Environment and Conservation—had reached boiling point.

The PerthNow article continues —

Yet, when I asked Environment Minister Bill Marmion for comment he denied there were any problems or infighting.

Did he even bother to look?

The first recommendation from today's report —

The Keely report —

is that these two agencies need to learn how to work together.

This has been going on for the three years the government has been in power. They have had the warning bells. The warning bells have been sounding as loudly as warning bells can ever sound. All we can do now is ask where the next disaster will be. When we have as weak a link as this in the government's chain, it will infect everybody. Everybody will be affected by this inherent weakness. Nowhere is that clearer than in the way Hon Bill Marmion is handling the environment portfolio. If the Minister for Environment is able to look a journalist in the eye and deny that there were any problems or infighting between DEC and FESA in July this year—that is after the Keely report had already been through all its inquiry stages —

**Hon Ken Travers:** And been provided to the government.

**Hon SALLY TALBOT:** That is after we know now —

[Member's time expired.]

**HON MICHAEL MISCHIN (North Metropolitan — Parliamentary Secretary)** [11.14 am]: Once again we have had an address from Hon Sally Talbot, who, in her quiet, patronising fashion, tries to tell us about how the government fails to fulfil its public responsibilities and how the blindingly obvious seems to pass us by, and how we have no commitment to anything; yet we look at the achievements of the Labor government. Since we are talking about failings of governments and ministerial responsibility, perhaps I would like to hear her talk about things like the Ward case and the attention that the government of the day took to the warning bells that were sounded by the Department of Corrective Services about the inadequacy of a prison fleet; yet, due to total parsimony, failed to contribute any money towards upgrading that fleet with the almost inevitable result. The Labor Party is in opposition now, and that is one of the reasons why—because it is all talk! Hon Sally Talbot gets up and frequently attacks ministers—often in a very personal fashion—and she does it very quietly, almost like a snake; yet she fails to hold herself to account by the same standards. Name the guilty men and women in cabinet who decided that spending a couple of million dollars on upgrading a prison fleet was not worthwhile because there were no votes in it, yet were quite happy to complain that an ex gratia payment of \$3.2 million to the family of the deceased was not adequate! The Leader of the Opposition, at the time of that scandal and the coroner's report being released, got up here and said, "Yes, we're all to blame." No, we are not all to blame, Mr Deputy President; it was the failing of the government of the time. I notice the opposition is looking all very

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

quiet now and very ashamed. For all their credentials about caring about Aboriginal people of this state, and caring about prisoners and the like, I am amazed that Hon Sally Talbot and members of the opposition can walk into an Indigenous community and hold their heads up at all, let alone look them in the eye. Name the guilty men and women in cabinet who made that decision, and then I will start to take Hon Sally Talbot seriously when she criticises this government and its failure to do its job.

The amount of credit that one can give to that can be judged by comments such as how Hon Donna Faragher was “removed” from her portfolio. I do not know whether Hon Sally Talbot is deliberately misleading the house or is simply silly. I am prepared to give her the benefit of the doubt and say it is a mixture of both. But the fact remains that Hon Donna Faragher resigned her portfolio out of a sense of responsibility to her family and an acknowledgement of the fact that hanging on to a ministerial title when she cannot devote sufficient energy, time and attention to the job is simply a misuse of public responsibility and status. I frankly applaud her for her decision. It took courage to resign a ministry in favour of family and domestic responsibility; rather than hanging on to it, like Labor ministers tend to do—hang on to ministerial responsibility and status—simply because it big-notes them.

I now turn to Hon Rob Johnson. I do not propose to go through a vast history of difficulties with FESA and the like. I will turn my attention, however, to the motion before the house. The motion is framed as a condemnation. We have heard an awful lot of those over the past two years. Even from the moment this government took office, there were condemnations for not having achieved various things and having done things wrong. The motion before us relates to the government and the Minister for Police’s failure to provide adequate protection of, and services to, the WA community on a raft of issues—I repeat “adequate protection of, and services to”. Of course, that is a wonderfully subjective standard. One can judge where the opposition is coming from on this by the fact that whenever the government puts forward a proposal on matters such as public safety, general policing or road safety, we hear complaints that we are being too obsessed with law and order.

**Hon Ken Travers:** Who said that? We said you’re failing on law and order, not that you’re too obsessed with it.

**Hon MICHAEL MISCHIN:** Really? How about the mandatory sentencing legislation? We have heard about —

**Hon Ken Travers:** Crime’s gone up on your watch, Michael Mischin.

*Point of Order*

**Hon MICHAEL MISCHIN:** It is Hon Michael Mischin, thank you very much! I could see Hon Sally Talbot getting distressed about that because I know how particular —

**The DEPUTY PRESIDENT (Hon Col Holt):** Order, Hon Michael Mischin! The point of order is correct. The member should be addressed by his correct title, but I can make that call from here. Continue with the debate, please.

*Debate Resumed*

**Hon MICHAEL MISCHIN:** A little courtesy, please. We try to extend it to Hon Ken Travers.

**Hon Ken Travers:** Would you prefer “minister in waiting”?

**Hon MICHAEL MISCHIN:** That would be nice.

**Hon Ken Travers:** Except Hon Nick Goiran has already raced off to get the job.

**Hon MICHAEL MISCHIN:** I am in no hurry. The second or third term will be fine; perhaps even the fourth.

**The DEPUTY PRESIDENT:** I suggest that the member direct his comments to me.

**Hon MICHAEL MISCHIN:** You are quite right, Mr Deputy President; my apologies.

It is a subjective standard. I suggest that no matter what the government did about the provision of services to the community, it would never be quite good enough for the Labor opposition. When Labor was in government, it saw the deterioration of policing and other law and order issues in the community and in community security.

While touching on the subject of crime rates, I believe that over the eight years when Labor was in government, the crime rate dropped overall by 13 per cent, which is quite an achievement. In the two years that this government has been in office, it has dropped by 10 per cent. It has increased over the last 12 months, but it is still lower than when we took office. Assaults on police officers have dropped by 30 per cent.

**Hon Ken Travers:** It took a while for the lag effect!

**Hon MICHAEL MISCHIN:** Is the member taking credit for that?

**The DEPUTY PRESIDENT:** I remind the speaker on his feet to direct his comments to the Chair.

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljanna Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

**Hon MICHAEL MISCHIN:** Assaults on police officers dropped by 30 per cent. Hon Rob Johnson was a particular advocate of those measures that were opposed by the opposition.

Dealing with emergency services, the previous government tabled the Community Development and Justice Standing Committee's report "Inquiry into Fire and Emergency Services Legislation" in October 2006. In two years, how many of the 88 recommendations did the former government implement? None. Absolutely none! When this government was elected, the minister introduced a bill into cabinet, and a result of that was the Bush Fires Amendment Bill, which was proclaimed in December 2009. That bill introduced total fire bans; new arrangements for the control of a major fire, with FESA assuming the control of major fires; help to combat arson; a clear definition of the word "property" to include crown land as well as bush; and a revised fire danger rating system to include the words "severe", "catastrophic" and the like. It may be that the opposition, as usual, is taking credit for laying the groundwork for things, but it never actually got around to doing anything.

It is no secret that there has been tension between FESA and the Department of Environment and Conservation, but that did not start with this government. Those tensions existed before this government took office. Let us look at the achievements of the former government. I understand that Hon Sally Talbot was the parliamentary secretary for one, if not all, of the 15 Ministers for the Environment under the last government. She was always the bridesmaid, never the bride, when it came to being the Minister for the Environment. The Labor Party ran out of time before she got her chance at it. The tension between FESA and DEC has been there for ages. This minister took a proactive approach by establishing the Interagency Bushfire Management Committee. That committee was based on a successful formula that operated prior to the operation of FESA. An executive group oversees and works with a number of subcommittees to improve information sharing, coordination and collaboration. Plainly, it has not done its job entirely. That does not mean that the Minister for Emergency Services is unable to continue with the work that he started and try to achieve something that was not achieved under the Labor government. Perhaps Hon Ken Travers can tell us what —

*Point of Order*

**Hon SALLY TALBOT:** I think Hon Michael Mischin should be pulled into line for misleading the house. I have put on the record the fact that when asked to comment, the Minister for Environment, Bill Marmion, denied there were any problems or infighting between DEC and FESA. That has been totally contradicted by Hon Michael Mischin. Someone is misleading the house, and I think it is Hon Michael Mischin. I ask the Deputy President to direct him to confine his comments to the truth.

**Hon MICHAEL MISCHIN:** Are you suggesting I am lying?

**The DEPUTY PRESIDENT:** The honourable member will resume his seat. There is no point of order. The member on his feet is offering his views of the situation. Unless the member who called a point of order can prove otherwise, I will allow the parliamentary secretary to continue.

*Debate Resumed*

**Hon MICHAEL MISCHIN:** Thank you, Mr Deputy President. I am running out of time. Hon Bill Marmion may have had a particular perception about that, but it is the Labor opposition that is complaining in this motion that it has known about these tensions for ages, but the minister has not done anything about it.

**HON ADELE FARINA (South West) [11.26 am]:** I have very little time remaining to say what I need to say, so I will be very brief because I want to provide Hon Ken Travers with an opportunity to respond to the debate. We have heard three government members speak on this motion this morning and not one of them addressed the recommendations in the Keelty report, "A Shared Responsibility: The Report of the Perth Hills Bushfire February 2011 Review", or said what the government will do to address those recommendations. The government has released the report but has failed to indicate to the public how it intends to adopt and attend to the recommendations in the Keelty report. The government has also failed to address the standard of ministerial responsibility that Hon Peter Collier referred to. Not one government speaker has addressed the issue that the Minister for Emergency Services has performed at a level that is well under the community's expectation of a minister in that position. On that basis alone, and on the strength of the Keelty report, he should resign.

On the question of whether the minister should resign or step aside, this morning on ABC radio the minister's best defence of himself when he was asked that question was to say, "Name one thing that I have done wrong." The talkback radio listeners were very quick to point out to him that it was not a question of what he had done wrong but what he had failed to do. That is the issue that we are dealing with. It is not a matter of whether he did something wrong; it is what he failed to do. It was disingenuous of the minister to say that he had heard only rumours that there were problems between the Department of Environment and Conservation and FESA. The minister must be living under a rock, because he would be the only person in Western Australia who had not heard there were serious problems between the two agencies. If he had read the consideration of the amendments

Hon Ken Travers; President; Hon Peter Collier; Hon Ljiljana Ravlich; Hon Donna Faragher; Hon Dr Sally Talbot; Hon Michael Mischin; Deputy President; Hon Adele Farina

---

to the Bush Fires Act in this place, he would have heard me speak time and again of my concerns about FESA's capacity to be the lead agency for bushfire management and control. A huge number of issues were very apparent to everyone. The issue was about not only FESA's capacity to manage bushfires, but also the relationship between FESA, DEC and volunteer firefighters. The Keely report describes that relationship as poisonous. That is not the word that I used to describe it when I spoke on this issue in Parliament. Nevertheless, he has probably summed it up better than I. I also raised the need for better prescribed burning and the need to have a fuel-load assessment and mapping in place, and that the Fire and Emergency Services Authority was not addressing any of these issues. I also raised concerns about whether FESA had any level 3 fire controllers with bush fire and command experience, but I got no response to the issues I raised in my second reading speech. I therefore asked two questions in Parliament on 20 October and 22 October 2009 on the issues and about how many level 3 fire controllers FESA had. The minister gave a very long-winded response but failed to address the issue. He failed to address any of the issues I asked about.

*Point of Order*

**Hon KEN TRAVERS:** During the debate, the—I was about to say “Minister for Police”; I am getting ahead of myself—Minister for Energy indicated that he would table his briefing notes. I do not know that he has done that yet.

**Hon Peter Collier:** I do not know whether I have tabled them, but I handed them in.

**Hon KEN TRAVERS:** If we could have them formally tabled, that would be appreciated.

Several members interjected.

**The DEPUTY PRESIDENT (Hon Col Holt):** Order! Members, you are seeking a point or order. The papers were not tabled because the minister did not offer to table them, but the minister can table them if he wishes.

**Hon Kate Doust:** He did.

**Hon Peter Collier:** I will table those papers, but I have already handed them in; that's fine.

**The DEPUTY PRESIDENT:** That document will be tabled.

[See paper 3618.]

Motion lapsed, pursuant to temporary orders.