

TOODYAY FIRES — WESTERN POWER — MEDIATION

516. Hon MATT BENSON-LIDHOLM to the Minister for Energy:

I refer to statements made by the Premier in 2010 that it was inappropriate that Western Power enter into negotiations with Toodyay fire victims as the matter needed to be litigated in the courts, and to recent disclosures that Western Power has recently entered into settlement discussions with those victims.

- (1) Can the minister confirm offers have been made by Western Power to a number of Toodyay residents; and, if so, how many offers and what was the quantum of such offers?
- (2) If yes to (1), what has changed since the Premier made his statements, and is this a concession of liability from Western Power?
- (3) Has Western Power offered residents independent legal advice to consider the offer?
- (4) Does this offer include full payment of solicitor Kevin Banks-Smith's costs?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1) The parties agreed to participate in mediation that resulted in mutually acceptable agreements. The parties agreed that discussions are confidential and I have no intention to breach that agreement.
- (2) Nothing has changed. Mediation is a component of the litigation process. Participation in mediation is not a concession by either party.
- (3) The residents have been represented in their claim by their own experienced legal team, which included eminent barrister Chris Zelestis, QC, as senior counsel, another barrister as junior counsel, and their solicitors headed by Kevin Banks-Smith. The residents were represented by both their barristers and solicitors at the mediation.
- (4) The residents are represented independently of Western Power; therefore, I am not in a position to comment on their legal costs.