

**DIRECTOR GENERAL OF DEPARTMENT OF WATER — EMPLOYMENT TERMINATION**

*Standing Orders Suspension — Motion*

**MR M. McGOWAN (Rockingham)** [12.13 pm] — without notice: I move —

That standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That the Premier and Minister for Water provide a detailed explanation to the house of the reasons for the dismissal of the Director General of the Department of Water and whether all appropriate processes and laws have been followed.

I provided notice of this motion to the government this morning at 11.30 am and I sought the agreement of the government to debate this matter as a matter of urgency. Of course, suspension of standing orders usually requires something that is immediate, that needs resolution and that needs explanation. I therefore provided the government with that notice—playing by Queensberry rules—so that the government could come into this place and allow proper consideration of this issue, whilst having regard to the fact that the government has its own legislative agenda for the matters it wants to pass through the Parliament.

The reason this is an urgent matter is it happened yesterday. We have a view that this is about a high-quality, good public servant who has served the state of Western Australia in an appropriate and well-regarded fashion for many years—in fact, decades—and there needs to be some explanation as to why this person has been treated in the way he has. We seek an explanation from both the Premier as the minister responsible for public sector management, and from the Minister for Water for why this person has been treated in the way that he has and for the broader policy or other reasons behind the decision. That is why we have brought forward this matter. We are seeking both the Minister for Water and the Premier to provide us with that explanation.

We have received some advice from the Premier that the government is prepared to allow this matter to proceed on the basis that each side of the chamber receives 20 minutes for debate. On the basis of that advice that I have received, I am prepared to sit down now and allow that amendment to the motion to take place, but we do expect there will be a full explanation, in particular from the Minister for Water as to why he has taken this action.

*Standing Orders Suspension — Amendment to Motion*

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [12.15 pm]: I thank the manager of opposition business for giving us some notice of the intention to move to suspend standing orders. We certainly have no aversion to that, but I move the following amendment —

To insert after “forthwith” the following —

, and that up to 20 minutes in total be provided to non-government members and up to 20 minutes in total be provided to government members to speak on the motion

**Mr M. McGowan:** That is fine by us.

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

**The SPEAKER:** Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

I indicate to members that I have counted the house and there is an absolute majority present.

Question (motion, as amended) put and passed with an absolute majority.

*Motion*

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [12.16 pm]: I move —

That the Premier and Minister for Water provide a detailed explanation to the house of the reasons for the dismissal of the Director General of the Department of Water and whether all appropriate processes and laws have been followed.

This motion goes directly to the credibility of the Premier and his descriptions of how his government will operate. Can the Premier be believed when he talks about the way in which his government will function? Let me quote the Premier from 28 February 2008, when he was in opposition. He said —

A departmental head should be able to advise his or her minister without fear or favour on any issue.

**Extract from Hansard**

[ASSEMBLY - Wednesday, 19 May 2010]

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Mr Mark McGowan; Mr Rob Johnson; Mr Eric Ripper; Mr Fran Logan; Mr Colin Barnett; Dr Graham Jacobs;  
Mr David Templeman; Speaker

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Further on in that same speech, he said —

We should let the public service rebuild itself, because it is under question, just as this Parliament is. We should also reinstate the concept of permanency for heads of departments.

That is what the Premier said in opposition. When he came to government he established what he said was an independent Public Sector Commissioner. In his press release announcing the establishment of the independent Public Sector Commissioner, he said —

A new era of public service management and accountability begins today with the commencement of the new Western Australian Public Sector Commission.

Later on in that press release he said that the functions of the new commission included chief executive officers and senior executive service members. Right at the conclusion of the press release, he said —

... the Commissioner for Public Sector Standards will continue to play an important and independent role in the selection of public sector CEOs, ...

Those are therefore the standards that the Premier established. That is what he told the community would be the way in which his government would operate. Is it not all so different, Mr Speaker?

We have seen the appointment of Peter Conran, despite the fact that he had served in a political capacity with the Premier. In that political capacity, coincidentally and fortuitously, he happened to be a company, not an individual, and was therefore allowed, whereas other individuals in similar circumstances would not have been, to apply to be Director General of the Department of the Premier and Cabinet.

We have seen the resignation of the Director General of the Department of Health following bullying by the former Treasurer, and now we have seen the dismissal of Mr Kim Taylor, the Director General of the Department of Water. There are really serious issues that need to be answered here, Mr Speaker—really serious issues. Was an independent decision made by the Public Sector Commissioner on this matter? He has delegated responsibility for CEO matters. Did he genuinely make an independent decision? On the other hand, did the minister act alone? Did the minister present the Public Sector Commissioner with a *fait accompli* without consultation? Was the Premier, who is responsible for the Public Sector Management Office, consulted? Was he involved? Did he give approval for what happened? Did the matter go to cabinet? All those issues need to be advised to the public and to the house.

The most significant issue that I have noted in the past day is the government's absolute refusal to explain what has gone on here. Where is the concept of accountability when the minister refuses to answer questions to the media and gives no explanation to the Parliament? This is a serious issue and there has been no acceptance of accountability by the Minister for Water or the minister responsible for public sector management. It is not a small matter that an experienced and highly professional public servant who has worked successfully with many ministers over the years in a department as sensitive as water loses his job. That is not a small matter. That is something that the Premier has an obligation to talk to the Parliament and to the community about. Why will the government not explain? Why will the government not be accountable for this issue? More importantly, why has Mr Taylor been forced from the position of Director General of the Department of Water? Why has he had to unwillingly vacate the position? I ask these questions because the announcement by the Public Sector Commissioner is very curious. It is the announcement, but it says "The Minister ... has announced". The only trouble is that the minister did not announce it. The minister might have announced it to the Public Sector Commissioner, but it was the commissioner who announced it. It is a very curious document from the Public Sector Commissioner, which only arouses deeper suspicions in the public about what is going on here.

What is the policy dispute behind this? Is it about water supply security, the cost of water or the protection of the environment? Is it about the efficient use of water or is it about the Gngangara mound? Is there a dispute between various people within the government about whether to mine the Gngangara mound water supply in the future or protect the environment of that mound by restricting the amount of water that the Water Corporation can draw? I wonder if there is a sinister environmental agenda behind this dismissal. I wonder if there is a policy dispute that has gone on that relates to those very important issues of water security.

To conclude, that new era of public sector independence and public sector accountability goes out the door when a weak minister meets a highly professional chief executive officer. Out the door go all those statements of the Premier about how his government would work.

**MR F.M. LOGAN (Cockburn)** [12.22 pm]: There is something very smelly about what is going on here. The Public Sector Commissioner, Mr Mal Wauchope, put out a one-page media release yesterday, and the first paragraph needs to be explained very clearly by the Minister for Water. It reads —

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The Minister for Water, the Hon Dr Graham Jacobs, has announced that Mr Kim Taylor, Director General, Department of Water will be vacating the role.

What role did Mal Wauchope and the Office of the Public Sector Commissioner play in that? All Mr Wauchope has done is produce a media release saying that the Minister for Water has sacked his CEO. Is that the way CEOs are dealt with under the Barnett government? What role did the Premier play in the termination of Mr Taylor? Did the Minister for Water tell the Premier he was going to terminate the CEO? What did the Premier say to the minister? Did the Minister for Water consult with Mal Wauchope, the Public Sector Commissioner? What advice did the minister receive from the Public Sector Commissioner? Why does that termination seem to be exactly the same as what occurred with Dr Peter Flett—another outstanding public servant? Is it because when ministers run up against competent, effective public servants who are smarter than the ministers, they get rid of them? Is that what is happening here, or is it something deeper? Is it because Kim Taylor as the DG of the department was presenting advice to the Minister for Water that he disagreed with? Was Mr Taylor giving advice to the minister's chief of staff that he disagreed with? Is the minister going to tell this Parliament what role his chief of staff played in the termination of Kim Taylor? This house needs to know. It is unacceptable for any government—members opposite raised exactly the same things when members on this side were in government—to be able, with no explanation whatsoever by the Minister for Water, to suddenly terminate a competent, effective CEO and DG of a department, a person with 30 years' experience in the Western Australian public sector, who is very well respected by everybody in the public sector; who started off in the Water Authority, has been through the Department of Water and Rivers and the Department of Environment and Conservation; who established and headed up the Department of Water; and who has been an effective operator over the past two years. And when the minister is questioned by the media about why he has sacked this effective CEO, this effective public servant, the minister refused to provide any answer whatsoever. Now is the time to explain to this house why the Minister for Water has terminated Kim Taylor.

**MR C.J. BARNETT (Cottesloe — Premier)** [12.25 pm]: This is a proper matter to be raised in the Parliament. It is quite proper.

**Mr J.N. Hyde** interjected.

**Mr C.J. BARNETT**: It is quite proper; I am just making that point. I think that issues of the position of senior public servants, their rights of employment and under what conditions their jobs may be changed or indeed terminated are proper things that Parliament should look at. I will make a few brief comments and the minister will make some further comments. First, Mr Kim Taylor has been Director General of the Department of Water for two years. He is a longstanding career public servant. He is a very competent person. There is no doubt about that at all. He is a hardworking, well-qualified and competent public servant. The opposition has made a number of claims —

**Mr E.S. Ripper**: We have asked a lot of questions.

**Mr C.J. BARNETT**: Members opposite have also made claims. In their speeches, members have claimed that Mr Taylor has been sacked or terminated. Neither is true. He will continue to be employed as a senior public servant

**Mr F.M. Logan**: But not as DG of DOW.

**Mr C.J. BARNETT**: No, that is correct. But to use terms like “sacked” and “terminated”, frankly, unfairly reflect on him.

**Mr R.H. Cook**: He has been restructured!

**Mr C.J. BARNETT**: Members opposite may choose other words now, but in their public utterances that we just heard, they used the terms “sacked” and “terminated”. I want to make it very clear that he has not been sacked; he has not been terminated. He is a respected and valued public servant and he will continue to hold a new and senior position within the public service.

**Mr E.S. Ripper**: Will we see a year go by and then a redundancy payout at that time?

**Mr C.J. BARNETT**: He is being retained. He wishes to continue in the public service, and he will, for as long as he wishes.

**Mr M. McGowan**: Did you discuss it with him?

**Mr C.J. BARNETT**: I have not met him, to my knowledge. I certainly have not discussed it with him.

Several members interjected.

Mr Mark McGowan; Mr Rob Johnson; Mr Eric Ripper; Mr Fran Logan; Mr Colin Barnett; Dr Graham Jacobs;  
Mr David Templeman; Speaker

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**Mr C.J. BARNETT:** I want to make a few points. In discussions between the Minister for Water and Mr Taylor there was clearly a breakdown of the relationship between the minister and the CEO of the department. That does happen from time to time. Whatever the reasons, there was a breakdown in communications and a breakdown in the relationship.

I make it very clear that a minister cannot sack a public servant. A minister has no authority and no power to do so. It cannot be done.

**Mrs M.H. Roberts:** What about you?

**Mr C.J. BARNETT:** No. Should a circumstance arise in which a public servant is to be terminated, the only person who can do that is the Public Sector Commissioner. What a minister is entitled to do is to have a conversation with a CEO; and out of that, if a minister is dissatisfied in any way—I am talking generically here—the minister is entitled to take that to the Premier, or ultimately the issue can go to the Public Sector Commissioner. The minister raised with me that he had concerns about the relationship and he was directed to discuss that ultimately with the Public Sector Commissioner. The issue, once the relationship between a minister and a CEO breaks down and they have no practical working relationship, becomes one for the Public Sector Commissioner, Malcolm Wauchope. He has spoken with Mr Taylor. I have not spoken with Mr Taylor and I do not intend to do so. As of now, Mr Wauchope has established that Mr Taylor wants to continue in the public service, so he will be found a new and suitable position somewhere else in the public service.

**Mr E.S. Ripper:** So if a minister says he has to go, then he has to go?

**Mr M. McGowan:** Why did they break down; that is important?

**Mr C.J. BARNETT:** I want to make another couple of comments. We are setting high standards and something has gone wrong here.

Several members interjected.

**Mr C.J. BARNETT:** Something has gone wrong here. I admit that. The relationship between a minister and a CEO has broken down. I do not know exactly the details—maybe the minister will explain them today—but the relationship broke down for whatever reason. In that circumstance, an unworkable arrangement should not be persisted with. That is not done in business and it is not done in government.

**Mr E.S. Ripper:** So a minister can sack a CEO!

Several members interjected.

**The SPEAKER:** Thank you, members!

**Mr C.J. BARNETT:** He is not going, he is moving to a new position in the public service. I do not know yet what that position will be.

Several members interjected.

**Mr C.J. BARNETT:** I just want to make a couple of other comments. The opposition can be a little bit holier than thou. There has been a little bit of debate about positions, and I will take this opportunity to make a comment.

**Mr E.S. Ripper:** It was all going to be different under you—that's what you said!

**Mr C.J. BARNETT:** It is!

**Mr E.S. Ripper:** It is, is it?

**Mr C.J. BARNETT:** I will make a comment about Mr Nathan Hondros, but I will not go into the issues.

**Mr F.M. Logan:** What's that got to do with it?

**Mr C.J. BARNETT:** I want to make this point because it has been misreported in the media. There have been a number of stories in the media about the public servant who lost his job. I just place on the public record that Mr Nathan Hondros, who lost his position under the former Labor government, was chief of staff to a Labor minister—he was not a public servant. He was a term-of-government employee.

Several members interjected.

**Mr C.J. BARNETT:** The point I am making is that he was not a public servant; he was a term-of-government employee, so he can be moved on.

Several members interjected.

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**The SPEAKER:** Members!

**Mr C.J. BARNETT:** A term-of-government employee comes and goes with the government, comes and goes with the minister, and come and goes with the circumstance. A public servant cannot be moved on; that is the difference. Mr Hondros was not a public servant, and the former government could, if it liked, sack him, as it did. What cannot be done under this government is the sacking of a public servant.

**Mr E.S. Ripper** interjected.

**Mr C.J. BARNETT:** He has not resigned! He has not resigned! Before the opposition becomes too holier than thou, I want to remind it of a few senior public servants who left under a cloud; they may have been sacked, unlike Mr Taylor who is still employed. I want to remind the opposition of the names of some people who were forced out during the Labor years: one Dr Paul Schapper, Department of Industry and Resources; Mr Roger Payne, Water and Rivers Commission; Mr Mike Harris, Department for Planning and Infrastructure; Dr Bryan Jenkins, chief executive officer of the Department of Environmental Protection.

*Point of Order*

**Ms A.J.G. MacTIERNAN:** He was not forced out; the new job was advertised and he was unsuccessful. That is wrong.

Several members interjected.

**The SPEAKER:** The Premier has the call.

*Debate Resumed*

**Mr C.J. BARNETT:** Mr Alan Bansemer, Commissioner of Health—I have a long list and I am just plucking a few out that come to mind. It goes for pages, Mr Speaker! Mr Peter Browne, director general of the Department of Education and Training; Mr Haydn Lowe, chief executive officer of the Department of Indigenous Affairs; and Mr David Eiszele, chief executive officer of Western Power. The former government got rid of about five pages of people, and they were sacked! Mr Taylor has not been sacked; he is leaving from a position because of a breakdown in the relationship between him and the minister. He is continuing as a valued public servant and will assume a new senior role elsewhere in the public service.

**DR G.G. JACOBS (Eyre — Minister for Water)** [12.33 pm]: Mr Speaker, I thank you for the opportunity today to explain issues around Mr Taylor.

**Mr R.H. Cook:** Can you explain the blood on your hands?

Several members interjected.

**The SPEAKER:** Thank you, members!

**Dr G.G. JACOBS:** Mr Speaker, it is not my modus operandi to sneak up on anybody and it is not my modus operandi to use cloak and dagger methodology.

**Mr E.S. Ripper:** Just the dagger!

**Dr G.G. JACOBS:** It is about a process and it is about Mr Taylor and the concerns I had with the relationship between him and me, and the ability of the director general of the Department of Water to take us through a water reform process in Western Australia. I have no personal issue with Mr Taylor.

**Ms M.M. Quirk** interjected.

**The SPEAKER:** Member for Girrawheen!

**Dr G.G. JACOBS:** But, as often happens, it is about the bigger picture.

**Mr M.P. Murray:** Couldn't he make it rain?

**Dr G.G. JACOBS:** It is about who will lead the Department of Water into the reform process for water in the state of Western Australia. Member for Cockburn, there is no hidden agenda. I think the Leader of the Opposition talked about Gngangara mound; it is not an issue. I have no hidden agenda about an argument about the Gngangara mound and the draw on it. This is about the ability of the director general to take us through the reform process in Western Australia.

**Mr F.M. Logan:** Are you saying he was incompetent?

**Dr G.G. JACOBS:** It was not about sneaking up on Mr Taylor.

**Mr F.M. Logan:** Are you saying Mr Taylor was incompetent?

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Mr David Templeman; Speaker

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**Dr G.G. JACOBS:** It was nothing to do with sneaking up on Mr Taylor. The discussions I had were part of a process—they went through a process. This was not me waking up in the morning and saying that I will get rid of Mr Taylor.

**Mr F.M. Logan:** What was the process?

**Dr G.G. JACOBS:** In any case, as the Premier has explained, he has not been sacked.

Several members interjected.

**The SPEAKER:** Members!

**Dr G.G. JACOBS:** I had discussed the overall performance of the Department of Water with Mr Taylor as part of general performance discussions many months ago. This did not happen overnight; it was about some of those performance areas in the Department of Water.

**Mr E.S. Ripper:** What's wrong with those performance areas?

**Dr G.G. JACOBS:** I expressed some reservation over the leadership, including the ability of the Department of Water to manage policy and regulatory functions.

**Mr R.H. Cook:** When? When did you do that?

**Dr G.G. JACOBS:** I have often said that the Department of Water is the controller, regulator, planner and policy setter in the water space in Western Australia.

**Mr F.M. Logan:** When did you raise these issues with Mr Taylor?

**Dr G.G. JACOBS:** I have encouraged the Department of Water to take up that role.

**Mr F.M. Logan:** When did you raise these issues with Mr Taylor; explain to the house?

**Dr G.G. JACOBS:** This explanation was made many, many months ago.

**Mr F.M. Logan:** When did you raise these issues with Mr Taylor?

**Dr G.G. JACOBS:** I advised the Public Sector Commissioner that the DG would contact him to discuss his continued engagement in the role of DG.

**Mr F.M. Logan:** When?

**Dr G.G. JACOBS:** I met with the deputy commissioner, agency support on 27 April 2010, and outlined the above, and advised Mr Taylor. It was also advised that Mr Taylor was aware of my views. I also believe that I was man enough to actually talk to the DG person to person about these issues over the last few months. I expressed my views to him, and we eventually reached a point at which the relationship had broken down. The relationship had broken down and I felt it was my responsibility to get the Department of Water to truly take up those control, regulatory, planning and policy functions.

**Mr T.G. Stephens:** The wrong bloke left.

**Dr G.G. JACOBS:** The Public Sector Commissioner met with Mr Taylor on 4 May and discussed options, one of which was a compensation payment under section 59 of the Public Sector Management Act. The Public Sector Commissioner again met with Mr Taylor on 5 May, when Mr Taylor expressed a desire to remain in the public sector and to explore alternative opportunities.

**Mr M. McGowan:** Did he want to stay?

**Dr G.G. JACOBS:** The Public Sector Commissioner met with Mr Taylor, who expressed the desire, as I have said, to remain in the public sector and to explore alternative opportunities. I thought I had already said that, Mr Speaker. Mr Taylor considered other options and the transfer of Mr Taylor from the role of director general was undertaken in compliance with the relevant provisions of the Public Sector Management Act. The Public Sector Commissioner believes that my actions were entirely appropriate. I did not sneak up on anybody. I did not try to —

*Point of Order*

**Mr D.A. TEMPLEMAN:** The minister is clearly reading from a document and quoting from it in terms of particular dates. I ask that he table the document he is reading from.

**The SPEAKER:** I would need to assure myself, member for Mandurah, whether it was an official document or just handwritten notes that the minister is using for this particular purpose. I need to be able to see those notes.

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**Dr G.G. JACOBS:** Mr Speaker, the notes are in point form for my reference on the time line and the detail of the event. It is not an official document; it is a time line of mine, in point form, of how the events occurred.

Several members interjected.

**The SPEAKER:** I would appreciate it, Minister for Water, if I could examine that particular document.

**Mr F.M. Logan:** Make sure you are given the right one.

**The SPEAKER:** I have observed that, member for Cockburn, yes. I will quickly look at it now. Members, these are simply notes prepared by the minister for this particular discussion; there is nothing official about these at all. Minister, please continue.

*Debate Resumed*

**Dr G.G. JACOBS:** I did not write it on the spot; I did it with consideration as I have considered this very serious case. I recognise Mr Taylor's service over many years —

**Mr F.M. Logan** interjected.

**The SPEAKER:** Member for Cockburn!

**Dr G.G. JACOBS:** I recognise that he has been a long-term well-serving public servant. Mr Taylor will be relocated to another position —

**Mr F.M. Logan** interjected.

**The SPEAKER:** Member for Cockburn!

**Mr P. Papalia:** You're looking guilty!

**Dr G.G. JACOBS:** There is nothing to be guilty about and I am explaining to the house how this process has occurred. I want to be fair to Mr Taylor, to members opposite and to the people of Western Australia that this is an open and accountable process. However, in all these difficult decisions, I have to consider, obviously, Mr Taylor, but it is my role as minister to also think of the bigger picture in water reform and the government's agenda for water reform in Western Australia.

Several members interjected.

**Dr G.G. JACOBS:** That is a responsibility we all have in this place and these are often very, very difficult issues. I get no pleasure from any of this. There is not a hidden agenda. I do not get a kick out of this situation. In fact, these are very difficult decisions to make and I have not made this decision lightly. I did not sneak up on this process; I involved everybody in this process—Mr Taylor, Mal Wauchope and the Premier. Mr Taylor and everybody else have been aware for many months about my concerns. Although it is not necessarily a preferred position for Mr Taylor personally, sometimes difficult things have to be done.

Several members interjected.

**The SPEAKER:** Members!

**Dr G.G. JACOBS:** There are always difficult things to do —

**Mr D.A. Templeman** interjected.

**The SPEAKER:** Member for Mandurah!

**Dr G.G. JACOBS:** People —

Several members interjected.

**The SPEAKER:** Members!

**Dr G.G. JACOBS:** People who know me know that I would not make this decision lightly. I would not take this lightly. I have considered this matter, I have been through a process and I have communicated with all the relevant people, including Mr Taylor—the most important person. I have not snuck up on anybody, there is no hidden agenda, but the overall responsibility that I have in Western Australia is to ensure that the Department of Water delivers the water reform agenda for Western Australia.

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [12.45 pm]: I point out that the government will not be supporting this motion before the house and I will tell members the reasons why. One is because, quite frankly, the motion is incorrect. It refers to the dismissal of the director general and he has not been dismissed —

Several members interjected.

Mr Mark McGowan; Mr Rob Johnson; Mr Eric Ripper; Mr Fran Logan; Mr Colin Barnett; Dr Graham Jacobs;  
Mr David Templeman; Speaker

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**The SPEAKER:** Thank you, members!

**Mr R.F. JOHNSON:** But more importantly, if we were to agree and vote for this motion, the motion would have to be entirely debated again. The motion has been debated by the suspension of standing orders; that motion has been debated now.

As I said, the motion is incorrect because it refers to a dismissal but, more importantly, we do not intend to have this debate after the motion has been put to the vote. Therefore, I just want to let members opposite know that they need to do things a bit better on their side of the house because we will not have the same motion debated all day long.

Several members interjected.

**The SPEAKER:** Thank you, members!

**Mr R.F. JOHNSON:** When the vote comes, we will vote against it.

**MR M. MCGOWAN (Rockingham)** [12.46 pm]: I know Kim Taylor. He was the deputy director general of the Department of Environment and Conservation when I was environment minister in 2006. In that role, he was one of the finest public servants I have met in my time in public life. He was responsible for much of the good economic news that Western Australia has today. The approvals for Gorgon, Wagerup, Worsley, Pluto and Fortescue Metals Group's Cloudbreak operation, plus a multitude of others, were all given in 2006 when Mr Taylor was responsible for that section of the Department of Environment and Conservation, which supported the Environmental Protection Authority in those approval processes. Therefore, when all those approvals, the most complex approvals one could ever hope to deal with as an environment minister, came through, it was Mr Taylor who was responsible for driving that agency to make it happen.

Mr Taylor is an incredibly capable, competent public servant who believes in the nature of public service—that a public servant can rise through the ranks and do good in the community serving governments of any persuasion. Mr Taylor has been a public servant in this state for the past 30-plus years. He commenced his public service when Sir Charles Court was Premier and has served governments of both sides. He is a qualified engineer who forsook his profession to go into the senior echelon of public service to perform those roles.

Perhaps he has a burden to bear with a conservative government in that his father, a man by the name of Don Taylor, was a member for Cockburn and the Labor Deputy Premier under John Tonkin. Kim's father was a Labor Deputy Premier and a well respected politician of high quality and calibre who was respected on both sides. However, in all the time I knew Mr Taylor, he never mentioned that; he was a completely apolitical quality public servant who performed the wishes of the government of the day. Perhaps there is an element of petty political vindictiveness being shown towards this man because of who his father is.

Several members interjected.

**Mr M. MCGOWAN:** Petty political vindictiveness—members opposite have not disavowed or disowned it. Their explanation has been nothing short of pathetic. However, I want to get to a couple of points in the explanations given by the Premier and the Minister for Water. The Premier said that Mr Taylor has not been sacked or dismissed. However, when the Minister for Water stood in this place he said that the government had gone through a process by which he was relieving Mr Taylor of his responsibilities and that compensation will be offered; the compensation process will be an option for him. He is being moved, but he is being offered compensation for removal from his position. In any other world, that would be described as dismissal. If he is being offered compensation because he is no longer required to perform his job, he is being dismissed. The Minister for Water has said one thing and the Premier has provided a different explanation to the house about what has happened to Mr Taylor. The facts are quite clear: he would have preferred to have remained in the position of Director General of the Department of Water. He worked his way through the public service for more than 30 years to get to that position, but 18 months after assuming that role, the Minister for Water removed him from it. What public servant would want to go from leading an agency as important in both the national and Western Australian context as the Department of Water to being removed to the departure lounge, or some office in Governor Stirling Tower, where he basically has no role to perform? The Minister for Water has not described to the house what his job is now. What is this senior public servant going to do? Where is he? The minister has not said what he is doing, yet at the same time he is saying that he has not been terminated or sacked. Of course he has been terminated. The minister is just hoping that he will leave now on the basis that he no longer has a role to perform.

The second thing the minister said was that Mr Taylor did not have the ability as director general to carry out the minister's water reform process. As I mentioned before, this is the bloke who ran all those major approvals through the Department of Environment and Conservation, which is keeping our unemployment rate below five per cent; it is even approaching four per cent. He is the bloke who did all that, but the Minister for Water is

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saying that he does not have the capability to carry out the roles and responsibilities of Director General of the Department of Water. The minister has not said where Mr Taylor was failing in his abilities. Where was he failing? The minister will not tell us. Perhaps I will offer the minister the opportunity to do so now, in a concise way. Where did he fail? Minister for Water, where did he fail?

**Dr G.G. Jacobs:** I have made my comments; I've made my statement.

**Mr M. McGOWAN:** We are no more enlightened about what Mr Taylor did wrong after the minister's address than we were at the start; the minister has said only that Mr Taylor did not have the ability to carry out a water reform process. The minister has not described to the house what that process is; he has not described to us where, in the water reform process, Mr Taylor has failed. In fact, the minister regularly comes into the house and says how well he is doing in respect of water. He has come in here, question time after question time, and described in those long, turgid answers to Dorothy Dixers that cause such mirth on the back bench of the Liberal Party, what a great job he is doing in water; yet he now says that the bloke who was required to carry that out has no ability to carry out any water reform agenda. He has not described to us why. The Minister for Water needs to go outside the house after this and explain to the media why Mr Taylor has been sacked and how he failed to carry out the agenda that the minister requested him to carry out.

The last matter I will raise is the minister's office and its role in this matter. The minister has a chief of staff by the name of Mr Darren Brown. The word that the opposition is hearing is that Mr Darren Brown had a difficult relationship with Mr Taylor, and that that has perhaps influenced the minister's decision. Just to help members remember who Mr Darren Brown is, he was a community activist who set up a website and ran a community group seeking to establish poker machines all over Western Australia. He was that particular individual.

**Dr G.G. Jacobs:** What's the relevance?

**Mr M. McGOWAN:** I am stating a fact to the house as to who he is. The minister has a person in his office who has a past history of taking up issues of that nature in this state. The minister needs to answer the question about what role Mr Brown had in the dismissal of Mr Taylor. The minister needs to provide an answer to that question to this house or at least to the media.

Lastly, we also know that the minister's office has been a somewhat difficult case for the Premier to manage; in fact, the Minister for Water as a minister has been a difficult case for the Premier to manage. I go back to a previous staff member of the Minister for Water, Tirzah Bell, whom the minister employed and the Premier got rid of. Why is it that all these things seem to happen around the minister? The case of Tirzah Bell is insignificant compared with Mr Kim Taylor, who is a high-quality individual. The minister has not answered the questions posed to him.

**MR D.A. TEMPLEMAN (Mandurah) [12.55 pm]:** When we moved this motion earlier this afternoon, we expected that the Premier and the Minister for Water would give clear and concise answers to a range of questions and concerns that the opposition has raised about an eminent public servant with a very long history of service to the state of Western Australia, and a level of competency that has been recognised by many people over a long period for his contribution to the state. We expected that the Premier and the minister would be able to very clearly outline exactly why the former Director General of the Department of Water was dismissed, sacked, streamlined, or moved sideways; whatever term they want to give it, it is very clear that the former Director General of the Department of Water, Mr Kim Taylor, is no longer the director general. The government can put whatever term it wants to what that means, but to the layperson out there, I am sure it is simply the sacking of a very competent public servant of Western Australia, with a very long history of service to this state. We have not had any answers from the minister or the Premier as to the reasons. The minister fumbled his way through a process of time lines in which he talked about the concerns he has held for a long time. He was then contradicted by the Premier, who said, "I don't know the reasons why. I'm sure the minister might tell us why". There is a very clear difference between what the minister said he told his cabinet members and the Premier, and what the Premier said. The Premier said he did not know anything about it, and that he was interested in hearing what the minister had to say!

The minister has shown that it is he who is incompetent and who should be sacked, not the former Director General of the Department of Water. He has not answered any questions at all. The Premier clearly does not support him, and there are clearly many more questions that the minister will need to answer when he steps outside this place and the media asks him why he could not work with one of the most competent public servants in the state of Western Australia. His answers in this place this afternoon have been pathetic; he has not demonstrated that he clearly understood the person who headed his department. The opposition will continue to pursue this, because none of the minister's answers have been appropriate, transparent or accountable. I always remember the government's new members who came into this place saying that they would be accountable; the minister is not accountable, and he is not transparent at all.

**Extract from *Hansard***  
[ASSEMBLY - Wednesday, 19 May 2010]  
p2897c-2906a

Mr Mark McGowan; Mr Rob Johnson; Mr Eric Ripper; Mr Fran Logan; Mr Colin Barnett; Dr Graham Jacobs;  
Mr David Templeman; Speaker

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Question put and a division taken with the following result —

Ayes (24)

Mr R.H. Cook  
Ms J.M. Freeman  
Mr W.J. Johnston  
Mr J.C. Kobelke  
Mr F.M. Logan  
Ms A.J.G. MacTiernan

Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray  
Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley

Ms M.M. Quirk  
Mr E.S. Ripper  
Mrs M.H. Roberts  
Ms R. Saffioti  
Mr T.G. Stephens  
Mr C.J. Tallentire

Mr P.C. Tinley  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

Noes (29)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr J.J.M. Bowler  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr V.A. Catania

Dr E. Constable  
Mr M.J. Cowper  
Mr J.H.D. Day  
Mr B.J. Grylls  
Dr K.D. Hames  
Mrs L.M. Harvey  
Mr A.P. Jacob  
Dr G.G. Jacobs

Mr R.F. Johnson  
Mr A. Krsticevic  
Mr W.R. Marmion  
Mr P.T. Miles  
Ms A.R. Mitchell  
Dr M.D. Nahan  
Mr C.C. Porter  
Mr D.T. Redman

Mr A.J. Simpson  
Mr M.W. Sutherland  
Mr T.K. Waldron  
Dr J.M. Woollard  
Mr J.E. McGrath (*Teller*)

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Pairs

Mr J.N. Hyde  
Ms L.L. Baker

Mr J.M. Francis  
Mr I.M. Britza

Question thus negatived.