

**CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2020**

*All Stages — Standing Orders Suspension — Withdrawal of Notice*

Notice of motion, given Wednesday, 27 May, withdrawn by **Mr D.A. Templeman (Leader of the House)**.

*Second Reading*

Resumed from 14 May.

**MS L. METTAM (Vasse)** [10.08 am]: I rise to make a brief contribution to this debate. Like others in this house, I have some concerns about the legislation being proposed here and the unprecedented nature of the Premier of the state attempting to appoint by name the head of the state's most powerful body, being the Corruption and Crime Commission. As many have stated before me, the Corruption and Crime Commission Act 2003 was set up to ensure that we would not see political interference in the appointment of the state's top corruption watchdog. Mr McGinty, the state's Labor Attorney General at the time, stated —

The commissioner will be appointed following a procedure drawn from the Electoral Act. It will require consultation with leaders of political parties. For practical purposes that will mean discussions with the Leader of the Opposition—in other words, the Leader of the Liberal Party—and the Leader of the National Party.

...

Once Cabinet has made a decision, perhaps even after Executive Council, I would not want just a courtesy notification given to leaders of the two political parties. It would not be an appropriate way to give effect to the spirit of the legislation.

The federal Attorney-General came under some criticism, perhaps justified, for the extent to which he personally intervened in the High Court appointments.

The current CCC act and the process of appointment are a product of the Royal Commission into the Commercial Activities of Government and Other Matters, which is known as the WA Inc royal commission. This is a very important principle to ensure that the government of the day cannot install a commissioner who would not perform their duties because of an allegiance to the government of the day. It is a fair concern and it highlights the important role of Parliament in monitoring and overseeing the appointment process. It is clear that the bill we have before us sets a dangerous precedent, with the government of the day naming the head of the corruption watchdog in what was intended to be a bipartisan process. But there are clearly some outstanding concerns about how we reached this point and the saga that the public has witnessed unfold. Given the bipartisan nature of the committee, I would hope that the Liberal representative of that committee would reflect the views of the parliamentary party. I also believe there is an outstanding opportunity for the committee to provide an explanation for why the commissioner's tenure will not be extended. It is the right thing to do and it is in the public interest.

In a letter to the Chair of the Joint Standing Committee on the Corruption and Crime Commission, Mr McKechnie wrote, according to my notes —

As a lawyer and experienced parliamentarian, you would of course know the importance of procedural fairness to a person in respect of whom an adverse decision might be made. This is basic and includes advising the affected person of the material the decision maker may take into consideration and seeking their response.

The committee's media release suggests that the Committee took matters into account in rejecting the Premier's nomination which were never put to me in interview or subsequently for comment or repudiation.

I do not know the third parties or what they have said.

My reputation is being traduced by the Committee's media release in that it suggests the committee was given secret information of such a nature as to lead to my disqualification as Commissioner, notwithstanding my years of service to the State in high office.

We have already heard in this place of the high esteem in which Mr McKechnie is held by the Premier, the Leader of the Opposition and many members of this place. John McKechnie, QC, began his five-year appointment as Western Australia's Corruption and Crime Commissioner in April 2015 under the previous Liberal–National government. He has a distinguished career of over 30 years as the state's Director of Public Prosecutions, as a justice of the Supreme Court, and, more recently, in his role overseeing the commission, when I understand he oversaw a number of significant investigations. During Mr McKechnie's time as commissioner, the CCC has uncovered some of the biggest public sector corruption scandals, including within the Department of Communities and the North Metropolitan Health Service. It is also understood that up until the conclusion of his tenure, Mr McKechnie

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was involved in a number of investigations that were of significant public interest. I am not referring to the matters associated with former members of Parliament and the management of their electoral allowance, but to other work of the commission, which is understood to be of greater significance.

We can all clearly see Mr McKechnie's achievements in the role of commissioner, but we have not been provided with any balancing arguments for why he should not be reappointed. This lack of transparency or openness about the decision-making process of the JSCCCC is, in my view, unacceptable in this circumstance. It is clear that there is great public interest in the matter, and the community has a right to understand why committees of this Parliament make the decisions that they do. The bill the Premier is proposing is unprecedented, but so is this situation. I am aware that many in the community are disgusted by the secrecy surrounding the matter and dismayed by the impasse we are now facing. It is clear that this current situation is not acceptable to the people of Western Australia. This is why I believe efforts must be made to ensure Mr McKechnie is able to continue to complete the inquiries he is currently conducting, with the extension of his tenure for another term. This is why I will not be opposing the bill.

**DR M.D. NAHAN (Riverton)** [10.15 am]: The Corruption, Crime and Misconduct Amendment Bill 2020 is a very unfortunate bill. Some of us, although very few of us, have been around in the public arena for as long as I have—not in Parliament, but outside—when we went through, first, the Ray O'Connor example of, I think, a Liberal Premier who got into deep trouble with corruption. Then we had WA Inc mark I, which, as a public servant, I was embroiled in, unfortunately, and then we had WA Inc mark II, which my competitor in 2008 was embroiled in. WA Inc mark II was WA Inc under the Carpenter era when, because of the problems that happened during the Carpenter government, four or five ministers went out the door.

We responded to these matters in a whole raft of ways back in the 1990s and 2000s, including, more recently, by setting up the Corruption and Crime Commission. We are a big state with a small population where everybody knows everybody else. The business community in particular is intimate. We also have some extremely wealthy individuals in the property sector in the main, but not necessarily, who seek advantage from governments through planning and other activities. Many of the WA Inc problems arose from planning-related activities, as they do everywhere around the state and probably around the world. *The Australian Financial Review* rich list does not exist now but most of the people on it were property developers and miners. We set up the CCC. It was painful and it has not had the greatest success in the world at times.

**Mr J.R. Quigley:** The CCC was set up by the Gallop government. We set up the CCC.

**Dr M.D. NAHAN:** I know that. I am speaking of Parliament as a whole. There was a predecessor organisation before that. We also had reforms to the public service that had a major impact. We had a royal commission, we had an inquiry into and policy from the public service, and we have also had the predecessor to the CCC and now the CCC. The CCC is working well.

**Mr J.R. Quigley:** Now it is.

**Dr M.D. NAHAN:** It had some teething problems, as do all of these types of organisations. I think that the Independent Commission Against Corruption in New South Wales is often a kangaroo court and a show court; it goes too far. But that is a different issue. We set up some systems. One of the major themes of the CCC is the fact that the parliamentary Joint Standing Committee on the Corruption and Crime Commission—the oversight body that oversees it—is bipartisan and vets various issues. Confidentiality, of course, plays a primary role for members on that committee. We have always had, in the time that I have been here, extremely competent chairmen of the joint committee that oversees the CCC, and we still do have one. We are here today voting on legislation put forward by the government that will effectively override the legislation so that the government of the day can put in place its chosen chairman. That is not how it should be done; the government should not be doing this. It is inappropriate to do this. The government will say that the best person was there and it had no choice. I do not know Mr McKechnie very well at all. I have had a series of meetings with him, I have been briefed by him before, but I can read his CV and it is outstanding.

**Mr J.R. Quigley:** Impressive.

**Dr M.D. NAHAN:** It is impressive. My wife used to lecture with him at the law school at the University of Western Australia and she supports my conclusion. Is he suitable for the job? Yes. Is he the best? I do not know. We set up a process whereby the heads of the Supreme Court and the District Court choose an appropriate person in the community, and I think Mr McKechnie was the top choice out of three. Clearly, he meets most of the criteria. In my view, he has done a good job. He has had a problem though, and I will get to that. Then the process was that the matter went to the Joint Standing Committee on the Corruption and Crime Commission and it chose not to recommend Mr McKechnie. I do not know why. I find it strange that it did not disclose why it did that, but I can understand it—because it might go into intimate personal details, and the last thing we would want to do is sully the reputation of the eminent people who applied for the job. But that is the system that we have, and even though

**Extract from Hansard**

[ASSEMBLY — Thursday, 28 May 2020]

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he is eminent, there are other people for the job. I have sat back and wondered why the committee would do that. I scratched my head, and I am guessing to some extent. I have looked through the act and one of the requirements is that the head of the Corruption and Crime Commission must be suitable to be a member of the Supreme Court of Western Australia. The Supreme Court of Western Australia has a requirement that there be mandatory retirement at 70 years of age, and Mr McKechnie will be 70 in five or six months. I do not agree with that. I will be 70 in six weeks, and I do not think I am over the hill yet!

Several members interjected.

**Dr M.D. NAHAN:** Yes. I tell members what, his intellect is stronger than mine. That might be an issue; I do not know.

**Mr J.R. Quigley:** Every candidate in the US presidential race!

**Dr M.D. NAHAN:** That is different. There is no mandatory age of retirement anymore for a US President, but there used to be. Most of those guys are hiding in their basements because they are at an age at which they are at risk of catching coronavirus, except Mr Trump, who has Clorox, but anyway the Attorney General diverts me.

We have an issue. There could be other reasons. Maybe the committee decided that one term is good enough. Let us be honest here, the king is dead, long live the king, but the work goes on. The boss sets the culture, and he has done a great job, but things move on. The committee might have decided that it wanted a different approach. I am guessing here, but McKechnie might have got himself enmeshed in a quasi-constitutional issue that the head of the CCC—a major judicial figure—should not be involved in, and that is the stoush between the Legislative Council and Mr McKechnie that has now resulted in legal action in the Supreme Court about who has access to confidential information and who controls confidential information about members of the LC and, by the way, members of Parliament. I have not followed it in great detail, and I do not think this thing is going anywhere, but it is not seemly for the CCC to have a different view from the LC about parliamentary privilege. Mr McKechnie put forward his view, acquired the information, and the LC has sought to limit him by going to the Supreme Court. It is not right. There are different ways to solve this problem. The issue is not about hiding the data; it is one of fundamental parliamentary privilege about who has access to the information and who gives access to it. I would be outraged if the LC did not give the data to the CCC eventually, but it should be the one giving it. I would be outraged also if the Department of the Premier and Cabinet, which on behalf of the Parliament manages that data, gave it away. That is not its right. The department is our agent to manage that data, and that is unique to WA. In every other state and territory, that data is managed by departments of the Parliament separately. That is the stoush, and I think Mr McKechnie might have got himself embroiled with the executive against the Parliament. That is not a sightly situation to be in. Quite frankly, I am surprised that a person of his stature and background would do that. Some of this data comprises emails to and from members of Parliament and their constituents. We all know that some of it is strange and some of it we want to protect because a constituent might say something outrageous and libellous and they might also say something about the government of the day on a confidential basis. I have certainly had that. That should be preserved and controlled by a department of Parliament, whether it be the Legislative Council or the Legislative Assembly, and given to the CCC upon its request—not by the Department of the Premier and Cabinet. That is the issue. He has got himself embroiled in an issue.

The accusation by the Premier was that Hon Jim Chown was the one who stopped this, and the Premier went too far by accusing Hon Jim Chown of doing that because the CCC is investigating electoral allowances of the LC—first. I do not know that; the Premier does not know that. I do not know what Hon Jim Chown's decisions were. Second, if electoral allowances are going to be examined, everybody's should be examined—LC, LA, Labor, Liberal, whatever. Maybe it is good, maybe it is not; that is a different issue. I have my own views on that. But the Premier went too far in accusing Hon Jim Chown of not supporting McKechnie's reappointment on the basis of protecting himself—the implication was—from examination of his electoral allowances. There is no evidence of that whatsoever. Most importantly, the decision about the dispute over access to information is not run at the LC by Hon Jim Chown, but by the Standing Committee on Procedure and Privileges of the LC, which is run by the President of the LC, Hon Kate Doust. In other words, it is unanimously supported by the Legislative Council that the Council should provide access to the information rather than the DPC. That is a dispute here, but the real issue, which the Premier does not want to mention, is that, clearly, from evidence I have been given, it was not just Hon Jim Chown who chose not to support the reappointment of Mr McKechnie. The member for Kalamunda was on the committee, and clearly he did. From what the chair of the committee said, she supports the reappointment of Mr McKechnie. Maybe I am wrong, but that is my understanding of her speech on this. The Chair of the Joint Standing Committee on the Corruption and Crime Commission supported the reappointment of Mr McKechnie. But it is clear that both members of the upper house did not—both. One is a Green, Hon Alison Xamon, and the other one is a Liberal, Hon Jim Chown. The Premier did not mention Hon Alison Xamon's issues, and I do not know what they are, but I can tell members that I am pretty sure that the LC is very concerned about this constitutional stoush with the CCC, or Mr McKechnie as chairman of the CCC in concert with the McGowan government, to question and override the privilege of the Legislative Council. Maybe that is it. I can understand that. These things

should be resolved. I believe that the member for Churchlands raised the following point in his speech on this bill: that we should not lose sight of our parliamentary success. The Legislative Council is a really important mechanism, but we must make sure that we support all the pillars of government—the executive, the Parliament and the judiciary—and have them in balance. My concern is that the executive and the Corruption and Crime Commission, the judiciary, are going too far. Unfortunately, I believe that Mr McKechnie is the meat in the sandwich.

If members do not think these are serious issues, they should review what we have done this week. Mid-afternoon last Tuesday, I was informed that there would be a wideranging briefing on a planning bill at five o'clock. That was by arrangement. Planning is complicated. Planning is important. We need planning to be performed. In the context of the COVID-19 pandemic, I can understand the arguments for it; it came out of a Council of Australian Governments meeting. So, I went there to support it. However, when we arrived, there was chaos. There was no bill. There was no title. There was a bunch of seven briefing notes, of which six applied to something that was not even in the bill and one applied to special accelerated approval processes. We then convinced the government to put off the debate for about a week, and I thank the government for that. But what did the government do then? It stayed here until 2.00 am! It was an exercise in sending someone to the cooler. The reason the government engaged in that physical torture was to inhibit us from adequately talking to constituents and vetting the bill. Why would it do that on a planning bill that will give extraordinary planning powers to the minister and the Premier? In essence, for large residential projects of over \$30 million and some special things, a special organisation will be set up, nominated by the Premier and the minister in some senses, to expedite projects. This will give the Premier and the Western Australian Planning Commission power to override all other planning regulations and other licences relating to approvals. They are extraordinary powers. Most of the provisions on transparency, community consultation and links with local government are buried in regulations that we have not seen. When passing regulations like that, the Corruption and Crime Commission is all the more important.

[Member's time extended.]

**Dr M.D. NAHAN:** Today, the government is trying to dictate its choice and override the choice of the Joint Standing Committee on the Corruption and Crime Commission, which is basically dominated by the government.

**Mr M. Hughes:** It wasn't a choice. It failed to achieve bipartisanship. It was not a choice; it was a non-decision.

**Dr M.D. NAHAN:** No; the member for Kalamunda is playing with words. I go back to one issue: the government should not have politicised the choice of the head of the CCC. It should not have allowed the executive to interfere in the judiciary. It should not have put McKechnie in a position in which the Legislative Council—the Parliament—had to sue a member of the judiciary, who is supported by the executive, in the Supreme Court.

**Mr J.R. Quigley:** He is not a member of the judiciary; he resigned from the judiciary.

**Dr M.D. NAHAN:** I perceive the CCC to be a quasi-judicial body.

**Dr D.J. Honey:** It has more powers than a court in fact.

**Dr M.D. NAHAN:** Yes, it is a quasi-judicial body.

**Mr M. Hughes** interjected.

**The ACTING SPEAKER (Mr S.J. Price):** Member for Kalamunda!

**Dr M.D. NAHAN:** The reality is that the CCC act requires bipartisanship. This decision did not have that. It is clear that both upper house members, one of whom is not in the opposition, voted against it.

**Mr M. Hughes:** Is it clear?

**Dr M.D. NAHAN:** Yes.

**Mr M. Hughes:** I thought you would never know.

**Dr M.D. NAHAN:** We know two things. Unless the government of the day is misleading the media, the media has made it quite clear. We know that the two committee members from the Legislative Assembly—the Labor members of Parliament—supported the reappointment of McKechnie. We know, from what we have been told, that both members of the Legislative Council did not. Unless someone is misleading the media and they got it wrong, that is what happened. Bipartisanship is a tenet of the regulations under an act that was put in place by Labor, by the way, and the government wants to deviate from that.

One major issue is that we have just gone and passed the most overriding, draconian and powerful regulations to govern planning in this state. They are more powerful than what any other state has done in response to the COVID-19 pandemic—I have looked at them all. It gives unprecedented power to the Premier, the minister and, of course, the Western Australian Planning Commission to expedite developments, including the power to override any local government scheme or decision-making and effectively override all the myriad other regulations that

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a property development might have to follow. It is unprecedented. Again, all the issues that we are concerned about—transparency and accountability—are largely locked in regulations that we have not seen and are not yet drafted.

We are now talking about the government wanting to put its chosen person in place. It wants to alter the CCC act so that it can go against the principle of bipartisanship and appoint its chosen member to the CCC. If it were not McKechnie, there would be an uproar. He clearly has the ability, but this is not the way to do it. The government should not politicise the CCC, especially when we are going into an extreme situation.

**Mr M. Hughes:** That is the problem—the politicisation of the CCC. Your side politicised it.

**Dr M.D. NAHAN:** The government is politicising the CCC. I go back to the start. When I was the opposition leader, one of the first moves Labor made in government was to alter the expected norms in the choice of members of the joint committee.

**Mr M. Hughes:** Your side politicised it.

**Dr M.D. NAHAN:** Please!

**The ACTING SPEAKER:** Member for Kalamunda, you have given your speech. It is now the member for Riverton's turn.

**Dr M.D. NAHAN:** The accepted norm, particularly since the committee needs to be bipartisan, was to have pairs from the upper and lower houses. There would be a government member and an opposition member from the upper house on the committee, and this would be mirrored in the lower house. The government changed that. It went against that. It appointed Hon Alison Xamon from the upper house and used that as rationale to appoint two Labor members from the lower house. It changed the principles. It politicised that process. That was a very serious omen, and we had many debates in this place about that. The government should not have done that. Down the track we saw, firstly, the Premier's department getting involved in the CCC investigation into issues with former member Phil Edman and perhaps wider issues, and now, the Premier is trying to use an amendment to the legislation to put in his chosen person as head of the CCC. The government of the day is sending a clear signal to us and everybody else that it is using its power and influence to politicise the CCC. Look at the path—one, two, three. That is wrong. Why would the government do that?

**Mr A. Krsticevic:** It is drunk on power.

**Dr M.D. NAHAN:** Maybe, but I doubt it. Maybe it is just for the media so that it can try to highlight the issues with Hon Phil Edman, which should be highlighted, by the way.

**Mr J.R. Quigley:** Dishonourable.

**Dr M.D. NAHAN:** I think he was there long enough to get the term "honourable". No-one, in any party, who has been around as long as the Attorney General and I, should cast stones because people from all parties have been dishonourable, so let us not do that. However, the Corruption, Crime and Misconduct Amendment Bill goes to the heart of good governance in this state and should not be supported. From what I see, I am having a hard time understanding why the Joint Standing Committee on the Corruption and Crime Commission made a decision on the basis of the three issues I have discussed—that is, the Supreme Court action, maybe his age and others or maybe they want fresh blood; I do not know. I struggle to see why McKechnie has not been appointed. He is clearly capable. The 70-year age cut-off is ridiculous but might apply. However, this is not the way to do it and I will not support this legislation.

**MR Z.R.F. KIRKUP (Dawesville)** [10.40 am]: I had more of a speech prepared, but, unfortunately, my laptop appears to be going through an update and I cannot use it. I might get some prompts from the floor as we go along.

**Mr K.M. O'Donnell:** It gets embarrassing when an older man has to help a younger man with tech, doesn't it?

**Mr Z.R.F. KIRKUP:** I am not sure it is a tech issue in this case. I did not anticipate how long the update would take, but it does not matter. My point is that my contribution might not be as structured as I had otherwise hoped.

**The ACTING SPEAKER:** I am sure it will be outstanding.

**Mr Z.R.F. KIRKUP:** I cannot guarantee that.

**The ACTING SPEAKER:** Carry on.

**Mr Z.R.F. KIRKUP:** Thank you very much, Acting Speaker. I am sure, given we were all here until the early hours of this morning, we want to get through this as easily as possible, so I will try my best

Firstly, I would like to echo the sentiments of a number of speakers who have spoken about John McKechnie, QC, and his outstanding credentials in his service to the state for decades. As someone who is obviously a freshman to this place and, obviously, young, from everything I have read about John McKechnie, he has served the state longer than I have been alive, in significant judicial positions and, latterly, as the head of the Corruption and Crime

Commission. His service to the state should therefore be recognised and commended. I cannot imagine the sacrifices that would have been made to achieve such a position.

My concern is that we are now in an unenviable position as a chamber to have to vote on legislation that specifically names John McKechnie as the proposed commissioner of the CCC for a fixed period—from my understanding, legislation that is relatively unprecedented and reflects the extraordinary circumstances we face. I think it is to the detriment of this entire chamber that we have to vote on legislation brought in by the government that seeks to name a commissioner. That is incredibly disappointing. Speakers have canvassed a range of issues that have explained the circumstances that have led to us considering this legislation. I do not think they are ideal in any sense at all. There are people who are particularly passionate about that. The member for Kalamunda has spoken on that a number of times with a passion that reflects his perspective on this matter. Obviously, we should take a lot of notice of that as he is a serving member of that committee. Personally, I was amazed at some of the detail the member for Kalamunda went into. I was surprised, to say the least, if not a bit shocked, when he went through the exclusionary process, because, of course, he said, he could not talk about what happened in committee so he would talk about what did not happen in committee. I find that to be quite extraordinary.

**Mr M. Hughes:** You need to revisit your motion.

**Mr Z.R.F. KIRKUP:** There is very little point me now revisiting a motion because the government would not support it anyway. If that action had been taken by a member of the opposition, I suspect that member would have been referred.

**Mr M. Hughes:** Possibly.

**Mr Z.R.F. KIRKUP:** Possibly. Maybe by a less magnanimous Attorney General —

**Mr M. Hughes:** It depends on the ability for cause.

**Mr Z.R.F. KIRKUP:** The reality is that it was an extraordinary step, and I am certain the member knows the threshold.

**Mr M. Hughes:** It reflects upon why a person would be taken to that position.

**Mr Z.R.F. KIRKUP:** I understand that the member for Kalamunda felt compelled to do that.

**Mr M. Hughes:** When we have the institution of Parliament —

**The ACTING SPEAKER:** Member for Kalamunda, the member for Dawesville has the call.

**Mr Z.R.F. KIRKUP:** Thank you very much. What is more extraordinary is that the member for Kalamunda serves as one of two government members on that joint standing committee.

**The ACTING SPEAKER:** Member for Dawesville, are you inviting interjections?

**Mr Z.R.F. KIRKUP:** I was responding to the member for Kalamunda.

**The ACTING SPEAKER:** Through the Chair, please.

**Mr Z.R.F. KIRKUP:** Thank you very much, Acting Speaker. Nonetheless, it was an extraordinary step and crossed a Rubicon that I did not think we would possibly cross. I know a number of members who were concerned about the possible impact it would have on privileges and the operations of committees generally speaking. I remain concerned about that.

**Mr M. Hughes:** Me too.

**Mr Z.R.F. KIRKUP:** Thank you very much, member for Kalamunda—you too.

This reflects our overall situation. It is not a good position for either Parliament or the Legislative Assembly to be in because, clearly, it is an extraordinary bill and I am not aware that we have had to vote in a similar fashion to enshrine in an act of Parliament a person's appointment for a fixed period. Usually these things are done by the executive council. A head of power allows flexibility for appointments. This is an extraordinary step. Of course, the way we have got here and the contributions that have surrounded this—as I have said, one from the member for Kalamunda and others—have led to an extraordinary situation. That is the pattern that has occurred. Unfortunately, because of the way we have arrived here, it has put John McKechnie in a terrible situation. As I have expressed publicly, he is an outstanding individual and someone who has done great service to the Corruption and Crime Commission. We have seen that in the actions that have occurred. The reality is I have not seen the CCC be as effective as it has been in more recent years. That is undoubtedly a reflection of the culture created at the CCC. Unfortunately, neither I nor any other member in this place, other than two members, much to our concern, are members of the minority parties. Other than the two members, we in the Assembly do not know what happened in the committee and the reason the committee resolved in the way it did.

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**Mr J.R. Quigley** interjected.

**Mr Z.R.F. KIRKUP:** I appreciate that but, of course, at this moment in time, I do not know that. We are, effectively, in a lot of fog here not knowing what other actions we can take, except to deal with this Corruption, Crime and Misconduct Amendment Bill. As I said, it is extraordinarily unprecedented legislation that has been brought to this place through, I think, rank politicisation of the process and that concerns me greatly. I say that, member for Kalamunda, not because I do not believe in the gentleman the government seeks to appoint; not because I do not believe in the CCC and what it seeks to achieve; and not because I do not believe in the democratic process. When the government brought in this legislation seeking the appointment, at the press conference that occurred—I have it in my notes otherwise, so appreciate that this is from my recollection—the government saw fit to use language to suggest, “The Liberal Party is a party that is akin to acts of terror, terrorism and terrorists”, because of the way we have approached this and the concerns raised over the appointment of John McKechnie. I think that was terribly detrimental language to use by a government in a state of emergency against this opposition party. At a time that we should have heard calmer and more considered language, calling the opposition terrorists is of huge concern to me. It speaks to what I believe has been the unfortunate politicisation of this issue now. We have reached a point at which an otherwise outstanding appointment, and whatever process we have, has now been mired in language like that, which causes me great concern. A government cannot seek to position its opposition, because of the way that it approaches something, as terrorists. That language is absolutely beyond what I ever believed I would see in Western Australia.

A government member: Come on!

**Mr Z.R.F. KIRKUP:** No, it is not “Come on”. In a state of emergency, the government has certain powers—number one. That is a fundamental fact. Right now, the state of Western Australia can track any citizen it deems fit during a state of emergency. But beyond that, because of the way this process had been arrived at, members of the opposition were called terrorists. That was not directed at a single person; it was all of us. That is absolutely unacceptable. But it goes to the nature of how this appointment has now been politicised, to the point that we find ourselves, as I said at the very start of my contribution, in a very unenviable position. This is an unfortunate position. I cannot stand here and suggest that the government’s conduct has been done in good faith and that we have seen actions of quality and integrity and consideration when it had to resort to calling the opposition terrorists.

**Mr J.R. Quigley:** Member, I will stand in good faith; I promise you.

**Mr Z.R.F. KIRKUP:** I am sure you will, Attorney General, and I have faith in you. The reality is, outside this place and outside this chamber, that is how the government sought to cast the opposition. That is absolutely unfair, absolutely unreasonable, and something that I thought was very disappointing at the time.

The language has since been walked back, I have noticed. For a number of days, the Premier sought to go out and talk about this issue. That dropped away very quickly, and during this state of emergency I have not heard him talk about it since. It was spoken about for a number of days and then it fell away, because we are now dealing with this bill in this place. I am incredibly disappointed that that is how the process came to be. That is how this legislation started, and the inception of the process with which we are dealing with it. From my perspective, it is unacceptable.

Now, we are left in a situation in which the Parliament is put in an unenviable position to deal with an extraordinary circumstance involving an honourable person—a man who has given a lot of service to this state—and the way this was cast at the very start was to call the opposition terrorists. It is not right, it is not fair and it is not just, and ultimately it does no justice to John McKechnie and his reputation and service to this state. If anything, I think the language used by the government is to his detriment and has injured his reputation. Absurdly, and perhaps as an outcome of the way in which the government’s language has been so overcooked, overblown and exaggerated, it has actually done a disservice to the man they seek to appoint. For that, I think the Premier should apologise.

The Liberal Party has made its position quite clear on this, and it is not because we do not believe in the foundations of this Parliament, the foundations of democracy, and what underpins our state’s exemplary system of representation. It is not because we do not believe in John McKechnie, QC, and his contribution, fine and outstanding as it has been, to the state of Western Australia. It is not because of either of those. The bill that we have before us is an unusual and an extraordinary one. For any appointment, whether for the CEO of Perth Zoo or the chair of the Metropolitan Cemeteries Board, whether any agency, large or small —

**Ms A. Sanderson:** Rubbish.

**Mr Z.R.F. KIRKUP:** That is not rubbish, member for Morley, because in every other instrument or head of power that I have seen, this is done by way of Executive Council endorsement or by regulation appointment. It is not by a bill that receives royal assent and becomes a law, and names the person individually. So, no matter which agency, large or small, integrity agency or not, it would be unusual for the Parliament to be voting on such a bill in any case. More than that, it is the state’s premier integrity agency. More than that, because of the language that the Premier

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sought to use at the very start of this process, when he suggested that this was a leadership issue and wanted to try to pivot himself to the politics quickly, during a pandemic, and line up against the Leader of the Opposition on this and then throw as many grenades as possible at the opposition by using language like “terrorism”, it is disappointing and unfair.

**Mr M. Hughes:** It is an unfortunate analogy.

**Mr Z.R.F. KIRKUP:** It is an unfortunate analogy, member for Kalamunda, but it is one that the government indulged in. That is not of our doing. The language could have been calm and tempered and considered and dealt with the situation properly, but it was not. Indeed, I suspect the member for Kalamunda’s contribution would not have been so impassioned had it not been for a government that went so extreme in the first place. The member, in his contribution, is himself a victim of a government that has gone so far beyond any reasonable steps that he felt the need to come here and contribute so much, in ways that I think possibly would have otherwise breached privilege. Had he been a member of the opposition, he would have been referred to the Procedure and Privileges Committee.

**Mr M. Hughes:** And I would have defended myself.

**Mr Z.R.F. KIRKUP:** Indeed, you may have defended yourself, member for Kalamunda.

**The ACTING SPEAKER (Mr S.J. Price):** Member for Dawesville, through the Chair, please.

**Mr Z.R.F. KIRKUP:** Indeed, the member for Kalamunda may have defended himself, Acting Speaker, but here we are. The Liberal Party’s position has been made clear. I apologise if my contribution has not been quite as structured as I had hoped, given my laptop was going through an update. Nonetheless, unfortunately, we are not in a position to support this appointment. As I said, that is not a reflection on John McKechnie, it is not a reflection on the Corruption and Crime Commission, and it is not a reflection on the processes of this Parliament. If anything, our view is that we uphold and value those institutions and that appointment process far more than the government does, and, as a result, we will not be supporting the bill.

**The ACTING SPEAKER:** Member for Carine. Member, through the Chair, before you start, please.

**MR A. KRSTICEVIC (Carine) [10.56 am]:** No problem, Mr Acting Speaker. Of course. Why would I do it any other way?

I, too, want to make a contribution to the debate on the Corruption, Crime and Misconduct Amendment Bill 2020, following on from the member for Dawesville, who has put an outstanding case on the record for why this bill fails and needs to be looked at in the way we are looking at it, from the perspective of the opposition. Again, can I say, from my perspective, that I have met Hon John McKechnie only once at a function at Government House. I had a short conversation with him, and he seemed very pleasant, very professional and of a high distinction; that is what I felt as I walked away from that conversation. Apart from that, I know him only from his public record and the things that he has achieved in public office. He has done a number of great and outstanding things in that time as a judge and as a prosecutor when he was the Director of Public Prosecutions, and also within the Corruption and Crime Commission. I would like to reiterate what all members on this side have said: this has nothing to do with Hon John McKechnie; it is about Parliament and parliamentary process.

We need to look back at when this problem started. It started in March 2017 when the Labor Party won that election with 41 members. Yes—people will remember that it had 41 members, until, of course, the Barry Urban affair came up, and then that dropped down to 40 members. The Barry Urban affair would not have occurred if the Procedure and Privileges Committee had not got involved in the process. The Parliament would not have done anything about him, but eventually, obviously, under pressure, the Premier referred him to the privileges committee, no doubt thinking it would all be water under the bridge, but it did not work out that way.

Of course, when the Premier had such a great victory, his contempt for the Parliament became obvious from day one. He does not care about Parliament and this institution at all, and he displays that on a regular basis in this house, in the Legislative Assembly. The Legislative Council has a different view from that of the Premier, and the Labor Party members in the Council have a different view from that of the Premier. They respect the institution of Parliament and its rules, they follow those rules, and they want to do what is right by the Parliament, not by a dictator who is drunk on power. We have seen that on many occasions. Obviously, the *Al Kuwait* incident recently is a perfect example of the Premier being drunk on power and wanting to blame someone else rather than working collaboratively and trying to get a positive outcome for such a critical situation. This CCC legislation is obviously another example of him being drunk on power. He has introduced this legislation for nothing other than a political stunt. The Premier had no intention of doing this properly and professionally. I will touch on that in the course of my contribution.

I want to go to its genesis—the formation of the Joint Standing Committee on the Corruption and Crime Commission. The process within the Parliament of Western Australia is to have four members on that committee—two from the

lower house and two from the upper house; a Liberal Party member and a Labor Party member from both houses. At that time, the Labor Party said that it wanted two members from this place on the committee—the member for Girrawheen and the member for Kalamunda—and that the upper house could determine its own selection, albeit that the Labor Party selected Hon Alison Xamon in the upper house. She was chosen by the Labor Party as its representative on this committee in the upper house as opposed to a Labor member, which is the convention. So let us not forget that three of the four members of the committee were strongly supported by the Labor Party. We only had one member; we would normally have two.

At the time of the formation of the committee, I remember saying in this Parliament that the opposition in the Assembly does not have a voice on that committee now. We do not have a voice on that committee when things need to be raised and discussed. We saw that last week when the member for Girrawheen and the member for Kalamunda got to their feet and made statements about things that had occurred in that committee. I say “occurred in that committee” because the member for Kalamunda, I think, did stray into that space. They both got up and gave their versions of events. We do not know whether what they said is true. We do not know whether what they told us is correct. Was a member from our side of this house able to stand up in here and express their version of what they heard in that committee? No, they did not. We heard a biased view from two government members. It was amazing that the views of those two members were different. The member for Kalamunda, from what I heard, was attacking the chair of the committee. He disputed and disagreed with the chair of the committee, who represents that committee and is the spokesperson for that committee. I thought that was absolutely atrocious. I could not believe the words that came out of his mouth and the accusations he made in this house about the chair of one of the most powerful committees of this Parliament.

Of course, Hon Alison Xamon and Hon Jim Chown did not participate publicly in this debate because the standing orders of the Parliament prohibit them from doing so. They have not gone out publicly, or in the Parliament, and made statements about the deliberations or other views about the process of the appointment of Hon John McKechnie as the Corruption and Crime Commissioner. However, another member—the member for Kalamunda—had no problem publicly getting involved in that debate. I think that was very, very telling in this whole situation. We know that there is a dispute at the moment between Hon Kate Doust, the President of the Legislative Council, and a Labor Party member. She has been in the Supreme Court with the CCC—or Hon John McKechnie, while he was the head of that. The Legislative Council and the CCC are involved in a dispute in the Supreme Court.

Interestingly, every time the Premier talks about electoral allowances, he refers to the Liberal Party. What he should be saying is that Hon Kate Doust, a Labor member, the President of the Legislative Council, is the one who is in court against the CCC on access to privileged information. Yes, it is linked, potentially, to electoral allowances, but it is Hon Kate Doust who is taking that action on behalf of the Legislative Council—we could say, on behalf of the Labor Party. But the Premier does not go out and say that. He says, “It’s the Liberals who are doing this; it’s the Liberals who are stopping it. It’s the Liberals who are driving it in this direction.” That is not the case. We know that is not the case and we know that that needs to be continually put on the record.

We also know that the Premier did not support Hon Kate Doust to be President of the Legislative Council. He undermined her at the time of the selection of the President of the Legislative Council; he wanted anybody else but Hon Kate Doust to be the President of the Legislative Council. The Liberal Party was offered that position in the upper house, whichever member wanted to take it—any member other than Hon Kate Doust. But the Liberal Party said, “No. She deserves it. She’s the right person for the job”, and we appointed her. Do members know what—she is a member of integrity who stands up for her beliefs and will not be bullied and intimidated by the Premier. I applaud her and the Legislative Council for standing up for the things the way that they do, and holding up the integrity of the Parliament.

When the Premier refers to allowances and other issues to do with members of Parliament, maybe he needs to look into a mirror and reflect on some of his own members. He might be surprised at what he sees. We talked a while ago about ministers double dipping on car allowances when, inappropriately, I say—not illegally—they were given extra money even though they still had their own cars. Eight members of Parliament were involved in that; we know that.

**Mr J.R. Quigley:** I don’t think I was one of them.

**Mr A. KRSTICEVIC:** The Attorney General was one of them; yes, he was. He is on the list I have here. It says here: Attorney General, John Quigley; Bill Johnston; Rita Saffioti; Fran Logan; and a number of other members. It was only \$5 000-odd, but that was stopped by the Premier.

**Mr J.R. Quigley** interjected.

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**Mr A. KRSTICEVIC:** I am referring to doubling dipping on the car allowance—getting paid an allowance whilst having a car. Anyway, I will not go into that because I did not want to cover that in detail because it has been talked about previously.

The Premier had no problem with members who were double dipping; getting this extra money. Obviously, he then shut down the system through the Salaries and Allowances Tribunal. That was an issue.

When the member for Kalamunda rose to speak in the debate in this chamber, it was concerning to hear him refer to Hon Alison Xamon as a handmaiden. I wondered where all the Labor Party people were who stand up for those sorts of things. I am sure that if one of us on this side called a lady over there a handmaiden, we would have been pilloried—from pillar to post. That was a very, very important point. It is one thing that we need to worry about—the treatment of members in this Parliament. Of course, Hon Alison Xamon was the Labor Party’s choice and now it is attacking her, but that is okay. Now the Labor Party is throwing mud because it does not like what they are hearing. I am not saying anything bad; I am just saying that if someone else said that, is it appropriate?

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** The minister obviously agrees with that.

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** I am not taking interjections.

The member for Kalamunda came into this Parliament and tried to defend his referral to the Procedure and Privileges Committee. It is interesting to read in *Hansard* what he said during that debate. The Acting Speaker, the member for Mirrabooka, had to pull him up a number of times during that debate and say, “Listen, you might want to be careful about what you are saying. You might want to revisit that. You might be breaching privilege.” But the member for Kalamunda kept on going over and over that in this Parliament, and, as the member for Dawesville indicated, he may have been breaking privilege during that speech.

It was interesting to hear just now, when the member for Kalamunda and the member for Dawesville had an exchange in this debate, the member for Dawesville used words to the effect, “If it were a member of the opposition who did it, would they be referred to the privileges committee?” to which the member for Kalamunda replied, “Possibly.” The member for Kalamunda then said, “It depends on the notability of the cause.” In other words, members can break privileges; they can disclose the deliberations of parliamentary committees if they think the cause is appropriate. That is what the member for Kalamunda just said in Parliament. He also indicated that if someone else had been sent, because the government has the numbers, they obviously would not have done that. Of course, we know that the government has learnt from its mistakes. It sent Barry Urban to the privileges committee, thinking that he was going to come back nice and clean, and that did not happen. It is too scared, because the Premier does not have control over the privileges committee as he does over the Parliament; and he definitely does not have control over Labor Party members in the Legislative Council. He wants to keep things in this little bubble in here, where he is king of the mountain and he has no challengers. He can do what he likes to this Parliament. He can disrespect it and he knows that government members will let him do what he wants.

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** It is interesting that members of the Labor Party did not support Hon Mark McGowan, Premier of Western Australia, prior to the March 2017 election.

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** We know that Hon Bill Johnston and Hon Peter Tinley wanted to get rid of the Premier. They wanted to get rid of him. They said, “Premier, you’re too arrogant. We don’t want you to be the Premier. We want to remove you. We want to put Hon Stephen Smith there.” But that failed, did it not?

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** That is because they knew that.

*Point of Order*

**Dr D.J. HONEY:** The member should be able to continue uninterrupted. There has been a constant stream of interjections from the Minister for Tourism.

**The ACTING SPEAKER (Ms L. Mettam):** Did you want to take any interjections?

**Mr A. KRSTICEVIC:** No.

*Debate Resumed*

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**Mr A. KRSTICEVIC:** I am just putting some points that are on the public record in a speech. I am not introducing new information here. I am not saying something that is not already known.

**Mr P. Papalia** interjected.

**Mr A. KRSTICEVIC:** I am not worried about anything, mate, at all! As a matter of fact, I like the old imprest system personally.

**Mr P. Papalia:** I know you do; you used it!

**Mr A. KRSTICEVIC:** Personally, as opposed to now, when you are getting the cash in your pocket. You are getting the cash in your pocket now, minister.

**The ACTING SPEAKER:** Member for Carine, you are inviting interjections.

**Mr A. KRSTICEVIC:** You are getting the cash in your pocket and you are not travelling. You are getting cash in your pocket.

**Mr P. Papalia:** Did you go to Japan? I know you went to Greece.

**Mr A. KRSTICEVIC:** Of course I did; I went to Japan for a private holiday. So there you go.

**Mr P. Papalia:** Did imprest pay for anything?

**Mr A. KRSTICEVIC:** No. That is a stupid question. You are not spending anything.

**Mr P. Papalia:** You went on a tour with Frank Alban.

**Mr A. KRSTICEVIC:** Where?

**The ACTING SPEAKER:** Minister for Tourism, I think the member for Carine is indicating that he does not want to take interjections.

**Mr A. KRSTICEVIC:** As the Attorney General can tell, the minister likes to go to the gutter.

**Mr J.R. Quigley** interjected.

**Mr A. KRSTICEVIC:** There are no issues. I am not going to get involved in this; I have more important issues to talk about at the moment. We will worry about that later if he wants to bring it up.

We know about the disrespect that this government shows at so many levels. The disrespect that this government has shown to the Chair of the Joint Standing Committee on the Corruption and Crime Commission, the member for Girrawheen, inside and outside Parliament has been astounding. I think this committee is now well and truly broken. The government has attacked the member for Girrawheen, an outstanding member of Parliament who was pushed to the backbench but then given this responsibility. I will read the details about that, but I just want to touch on the terrorist accusations that were made against us. A Nathan Hondros article on 28 April states —

On Monday, the Premier likened the WA Liberal Party to terrorists for the failure of the Liberal MP on the committee, Jim Chown, to support Mr McKechnie.

“You can’t give in to terrorists; you give in to terrorists they just continue to terrorise and that’s what the Liberal Party is doing,” ...

I would have thought that members who have been involved in our Defence Force over many years would have taken offence at that statement. Members of Parliament were called terrorists because a committee did not come up with the result that the government wanted. I want to go through that. We know that the member for Kalamunda also likened us to terrorists. He agreed with the Premier that we are terrorists. The Premier also said that we are corrupt and he went down a number of other avenues. Let me tell members that on 14 May, the same day as we had that debate, there was an article in the newspaper about Kabul. Members might remember it. There was a picture of a soldier carrying a baby. The article states —

Afghanistan has vowed to resume a full offensive against the Taliban after gunmen stormed a maternity ward in Kabul, killing at least 16 people including two newborns.

There was also a separate suicide attack at a funeral. The Premier is connecting members of Parliament with those sorts of activities.

Several members interjected.

**Mr A. KRSTICEVIC:** That is what a terrorist is. I think back to the Bali bombings on 12 October 2002, when 202 people died, 88 of whom were Australians, with a number of people from Kingsley. That is terrorism. I think it is an absolute disgrace for the minister to defend the Premier for calling members of Parliament terrorists. Interestingly enough, I read an article about the 2002 Bali bombings in the *Daily Mail Australia* of 21 November 2018. The terrorist who did the bombings in Bali planted a 700-kilogram bomb. He was on the run up until 2011, when he was recaptured.

**Extract from *Hansard***

[ASSEMBLY — Thursday, 28 May 2020]

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He got 20 years in jail. He also did the Christmas Eve bombings at the churches and mosques. Indonesia is looking at releasing him eight years early. The Premier does not care about that. That is not an issue for him to get involved in—someone who killed 202 people, 88 of whom were Australians. He is not making any commentary to the Indonesian government about that situation, but he is happy to refer to us as terrorists. He needs to apologise for that. He is an absolute disgrace. I am disappointed that those members who have served in our military forces are not defending members of Parliament and Western Australians. There are many things that we do not call people in this world because of the horrific nature of activities throughout history and rightly so; and, when they do, they get condemned, and rightly so. As far as I am concerned, when we consider that beheadings and killing women and children are terrorist acts, a person should not call people terrorists.

[Member's time extended.]

**Mr A. KRSTICEVIC:** I think this should be called out as an absolute disgrace. For a former member of the military forces to defend it is an absolute disgrace to his former profession.

We also know that the Premier wanted the Leader of the Opposition to get involved in this process after the committee had made its initial deliberations. The Leader of the Opposition did a very noble thing; she wrote a letter of support to the Premier, saying that he could use it or resubmit it or do what he needed to do. Of course, that was not enough for the Premier. He continued to attack the Leader of the Opposition because she would not interfere in a committee of Parliament. He was telling her to interfere in a committee of Parliament—to break standing orders and not worry about it. Was he telling her to do that because he does that on a regular basis or because that is what his ministers do or was he telling her to do that because he does not care about the standing orders of Parliament or the procedures and processes of committees? I do not know, but whatever he was asking her to do went against the principles of what this Parliament stands for. It was effectively illegal and he should not have done that; he should not have called it out. He should not be making this so political. It is all about the politics, just like with the *Al Kuwait*. The appointment of the Corruption and Crime Commissioner by the JSCCCC is all political; it has nothing to do with what is in the best interests of Hon John McKechnie, the CCC, the people of Western Australia or this Parliament. It is all about what he wants to do. That is an absolute disgrace.

As I said before, we know about the appalling attack on the member for Girrawheen by the member for Kalamunda. I want to read what he said on 13 May as recorded in *Hansard* —

I did not support the letter sent from the committee chair to the Premier on 23 April, or the assertions within it, to which the media statement referred. If members read both, I could not concur with the letter and I could not concur with the media release. I table an email sent to the committee —

I am not sure that that was appropriate —

at 6.12 pm on 22 April recording that I did not support the observations made in the letter and I lay it on the table.

He went on to say —

I followed up the email and said to the principal research officer in a telephone call —

Again, these are committee discussions with the principal research officer —

that in particular I did not support the assertion made public in the form of a media release that the committee resolved unequivocally to reject any suggestion that the motivation for members not supporting the appointment recommendation was the Corruption and Crime Commission's focus on parliamentary electoral allowances.

He is obviously saying it is —

It makes it unequivocal. The media release used the word “resolved”. I did not support that statement, —

Again, as far as I am led to believe, he disagreed with the chair of the committee and the committee itself —

I did not agree with it and I still do not agree with it. There was also the assertion that discussions included information provided by third parties in confidence and matters that may impact on the operational performance of the commission. I did not support that statement in the media release, which resulted in several media reports that cast unfair suspicion over Mr McKechnie's fitness to be reappointed.

That is absolutely unbelievable. I cannot believe the attack by that member on the chair of this committee, who is also a member of his own party, which appointed three of the four members of that committee. It used its power in this place to destroy that committee from the day it was formed. The member for South Perth, John McGrath, was our nominee in the Assembly to that committee. For some reason, the Premier did not want the member for

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South Perth on the committee. I am not sure why; I think the Labor Party likes the member for South Perth, but for some reason he was not good enough to be on that committee, so I think that was very disappointing.

I want to cover a couple of other points. Again, I stress that everything I am saying is already on the public record. It is information that has already been discussed; it is available if people could be bothered to do the research and look into things. That is important. I make no apologies for putting information on the public record. We know that the Attorney General is the sponsor of this bill; it comes under his jurisdiction. He is, effectively, the referee for Hon John McKechnie. He is the one who is putting him up and saying, “I back this man; he is my choice.”

**Mr J.R. Quigley:** That’s not correct. He’s the Premier’s nominee. I don’t have anything to do with it.

**Mr A. KRSTICEVIC:** He’s the Premier’s nominee, but the Attorney General is obviously putting him up in the Parliament, and that is fair enough. Again, I do not read anything into this. This is interesting and maybe the Attorney General can clarify it. The Attorney General will obviously be very familiar with what he said in *Hansard* on Thursday, 18 May 2006.

**Mr J.R. Quigley:** I can’t remember what I had for breakfast, member!

**Mr A. KRSTICEVIC:** Let me refresh the Attorney General’s memory. It was about what the Attorney General thought of John McKechnie at the time. I thought that was worth getting on the record. Again, I do not agree with any of this, and I do not agree —

**Mr J.R. Quigley:** He and I had epic battles.

**Mr A. KRSTICEVIC:** Just to read from *Hansard* on that day —

His Honour Mr Justice McKechnie—he has been promoted since those days when he was just Mr McKechnie; he first became Mr McKechnie, QC, and then His Honour, but this letter to him was written on 21 October 1994 and was set out for the prosecutor who subsequently became a judge—has said on the public record, and is reported in *The West Australian* at least twice as saying, that he did not know any of this. He has denied what the police are saying.

Further, it states —

I refer again to the letter written by Detective Sergeant Shervill before he became an assistant commissioner. It is the letter that Justice McKechnie said he never saw because he had checked his diary and he was in Bunbury at the time.

Then further down it states —

If His Honour checks his diary, he will find that he was not in Bunbury prosecuting on 19 July.

Justice McKechnie was a Supreme Court judge by this stage, and he was saying, “I was in Bunbury”, but the Attorney General, as a member of Parliament, was saying, “No, you weren’t in Bunbury, you’re giving me the wrong information”, and he put that on the public record rather than —

**Mr J.R. Quigley:** That was tame compared with what Mr McKechnie and I used to battle over. Tame!

**Mr A. KRSTICEVIC:** I am just saying, the Attorney General in the extreme was saying that he was misleading him —

**Mr J.R. Quigley:** No!

**Mr A. KRSTICEVIC:** — and in the mildest version he was saying he got it wrong.

**Mr J.R. Quigley:** No, I was saying there was a date error.

**Mr A. KRSTICEVIC:** He got it wrong, but he was calling him out. He then went on to say —

... Mr McKechnie, knew everything that the police knew. If that is true and, knowing that, those two prosecutors —

**Mr J.R. Quigley:** “If” that is true!

**Mr A. KRSTICEVIC:** It continues —

conducted themselves in the manner in which they did conduct themselves before the Supreme Court and the Court of Criminal Appeal and kept secret all this information that they knew, that of course could amount to an attempt to pervert the course of justice.

Having read about the serious allegations that have been made against him by the five senior police officers, His Honour should reconsider his position. He should stand aside until the Corruption and Crime Commission ...

So the Attorney General was calling on a Supreme Court judge to step aside until the Corruption and Crime Commission investigation was completed.

**Mr J.R. Quigley:** Was there one?

**Mr A. KRSTICEVIC:** Well, I am not sure.

**Mr J.R. Quigley:** Eh?

**Mr A. KRSTICEVIC:** I am not sure. I know you —

**Mr J.R. Quigley:** You know the result of what the CCC said about him?

**Mr A. KRSTICEVIC:** I just know that you made those statements.

**Mr J.R. Quigley:** I asked a question.

**Mr A. KRSTICEVIC:** I am just saying, you could have not asked a question on the record, where you have cast aspersions and made accusations against him.

**Mr J.R. Quigley:** That's what we're here for.

**Mr A. KRSTICEVIC:** We are not necessarily here for that. That is where the Attorney General needs to be careful, because I know he has a habit of doing this, and especially the Premier as well. It is a bit like when he made that accusation about the police graffitiing his wall with the word "paedophile". He attacked them and told them they were basically criminals, effectively, and then later he apologised when that was proven not to be true. But he cannot be so quick off the mark in this Parliament to try to accuse people of things without —

**Mr J.R. Quigley:** You've just been accusing the Premier of introducing the word "terrorism" into the political lexicon!

**Mr A. KRSTICEVIC:** Well, he did.

**Mr J.R. Quigley:** No, he didn't. It was Malcolm Turnbull who started calling all of his opponents terrorists. It was Malcolm Turnbull who started it.

**Mr A. KRSTICEVIC:** He is the Premier of Western Australia. He should be a statesman.

Several members interjected.

**Mr A. KRSTICEVIC:** Of course. Again, the Attorney General is a very colourful character. He has had many stoushes in his life. The Legal Professional Complaints Committee loved him for many years, as well. We know that he had a number of stoushes with it back in 2005 and 2011, for various things.

**Mr J.R. Quigley:** For standing up for the vulnerable.

**Mr A. KRSTICEVIC:** There may be more than those, but I know that on both those occasions he was found guilty by the Legal Professional Complaints Committee and was fined quite severely on one occasion; I think there was a fine of some \$18 750 in costs and another \$8 000 fine. I think it was accusing him of not just unprofessional conduct, but of engaging in intimidating and threatening behaviour towards the committee. He must have thought he was in Parliament, I suppose, where he can do those sorts of things, but the committee obviously did not take as kindly to it. Another one—I remember the Attorney General giving a speech—was about disclosing a former undercover operative and saying that if he did not do something, he would expose him.

**Mr J.R. Quigley:** That corrupt guy, "Gary".

**Mr A. KRSTICEVIC:** Again, I do not know the details. I am just saying I know the Attorney General is a colourful character and gets involved in these sorts of things from time to time, but we need to understand that in Parliament we are projecting out there to the community. If we get involved in these races to the bottom, and the Premier —

**Mr J.R. Quigley:** You'll never hit a six unless you swing the bat!

**Mr A. KRSTICEVIC:** The Premier is looking to get bowled out. Maybe the Attorney General will not get bowled out, but I think the Premier is looking to get bowled out here because he is the cause of this problem and the reason we are here. It should never have got to this. The opposition is supportive of John McKechnie. The Leader of the Opposition wrote a letter of support, but the Premier still attacked her and asked her to get involved in the corrupt act of trying to influence a committee of the Parliament. Seriously? Of course, the member for Kalamunda said, "It's okay to do that if you're a Labor Party member because you won't go to the Procedure and Privileges Committee, but if you're anybody else, you can't do it." I am sorry, but the member for Kalamunda needs to retract his statement. That is wrong. He is saying that he does not care about the rules, processes and history of this Parliament. He is a first-term member and probably will not be back again. He does not care. He is another one who does not care. He is another sheep who is bleating to the Premier's tune. It is an absolute disgrace that he did not stand in this Parliament and defend his committee and the process and say, "Premier, I will try my best with your support and with the support of the chair of the committee, who is highly regarded and respected in this Parliament"—by members on our side of the house, but maybe not those on your side of the house—"I'm sure we can work together to come up

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with a resolution.” By the way, if the Premier did not stuff all this up back in March 2017 by corrupting the committee in the first place, he would not have found himself in this position.

Hon John McKechnie, who is an outstanding Western Australian, has now been pulled into this when he should not have been. The Premier and the Attorney General pulled him in to try to win political points. Who is the winner here? Hon John McKechnie is not the winner. The Parliament of Western Australia is not the winner. The Corruption and Crime Commission is not the winner. The people of Western Australia are not the winners. Everyone is a loser, but “Mr 89 per cent” thinks he is going to get himself political points by being a cheapskate. Instead of saying, “I won with 41 seats. I’m going to be a statesman. I have an opportunity now; I have a mandate. I can step up”, he jumped straight into the gutter where he knows how to do business and where he likes to play. Why does he do that? Why has he inflicted this pain on Hon John McKechnie, who everybody supports? We will not support Parliament being usurped and bullied. Hon Kate Doust in the Legislative Council will stand up to the Premier. She will poke back. She will not take any blame. The Premier has to stop blaming us.

**MR J.R. QUIGLEY (Butler — Attorney General)** [11.26 am] — in reply: As a result of a couple of speeches that I have heard made in this chamber on this subject, I have had to rethink and recalibrate and put aside my speech and ad lib, as it were. But in doing so, and as the Attorney General—a one-eyed Attorney General, temporarily—I remind myself what the Lord requires of me in Micah 6:8. What does the Lord require of you but to do justice, and to love kindness and mercy, and to walk humbly with your God?” I hope I am humble in my response.

I have listened to speeches this morning and been inspired by some of them. I will go quickly to a couple of catchphrases from those speeches. What did the Leader of the Opposition say of Hon John McKechnie? She said, “Mr McKechnie, who I have the highest regard for” and then referred to the legislation as a dummy spit. She emphasised the high regard she has for Hon John McKechnie. The member for Dawesville started his speech by saying, “Firstly, I would like to commend John McKechnie for his service to this state” and indicated the high regard in which he holds Mr McKechnie. According to my notes, the member for Vasse said, “We have already heard about the high esteem in which members hold John McKechnie.”

Each of the members who made speeches for the opposition, and, indeed, for the government, spoke about the high regard in which Mr McKechnie is held, not only as a person. We have heard from the member for Nedlands that Mr McKechnie is held in high regard at Nedlands Yacht Club.

**Mr W.R. Marmion:** I don’t know how good a sailor he is!

**Mr J.R. QUIGLEY:** I sailed at the same club. I had a Skate. I bought my first Skate from Victor Court. The suspension failed and the mast speared the deck and came out the bottom, and we had to cart it home to Cherrita, which was Sir Charles and Lady Court’s house, and rebuild it, and Lady Court brought Victor and me lemonade. I remember it well.

The member for Hillarys also spoke highly of Hon John McKechnie, QC. He said that his wife was related to Mr McKechnie. There was not one person in this chamber who did not speak highly of Hon John McKechnie. I hope that those who wrote my speech are not too hard or harsh on me for perhaps butchering to a degree Mark Antony’s speech at the funeral of Caesar, when I say, “Liberals and citizens, lend me your ears. I have come to bury McKechnie, not to praise him. The evil that men do lives after them. The good is often interred with their bones, and so let it be with McKechnie”, say the Liberals. I repeat, “The Liberals come here to bury McKechnie, not to praise him. The evil that men do lives after them. The good is often interred with their bones, and so let it be with McKechnie.” That is the attitude of the Liberals. I shall return in due course to the penultimate paragraphs of that wonderful speech by Mark Antony, delivered after Brutus’s speech.

I now turn to some of the issues that are before the chamber. The proposed amendment to the Corruption, Crime and Misconduct Act 2003 would see Hon John McKechnie reinvested as Commissioner of the Corruption and Crime Commission for a further five years. That necessary amendment will not be moved today at the end of the second reading, and we will go to the third reading later. That is because I would like there to be a pause in the debate in this chamber. Members have made contributions to this debate, including the member for South Perth, who said that people in his electorate cannot understand what has happened. This morning, after hearing the member for Vasse say that she could not oppose the bill because of the work and reputation of Hon John McKechnie, I had to make a quick decision. Therefore, I want to pause and put some of this in context. The reappointment of Mr McKechnie came at a time when the CCC was in the middle of an operation called Betelgeuse.

Operation Betelgeuse was looking not into all electoral allowances, but into the expenditure of travel allowances by a number of people whom the Corruption and Crime Commission had stumbled across in the course of another inquiry into the Peacock matter—the double dipping by our former agent in Japan. Whilst looking at Mr Peacock’s double dipping, the CCC stumbled across emails from a Liberal member of the upper house to Mr Peacock. It did not go headhunting for Liberals. It did not go headhunting for Labor members. It did not even go to put a dose of

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salts through all the travel or expenditure claims. But it could not look away from emails on Mr Peacock's computer that were communications from former Liberal member Mr Edman talking about wanting to get up to Japan before 30 June to get hold of some "Asian honey". We all know what that meant—to get hold of some young Asian women. The member for Carine is shaking his head, and rightly so, not at my speech, but at the conduct. This information fell upon the CCC, and it could not look away; it had to look further.

The CCC commenced an operation and put out an interim report. The Operation Betelgeuse interim report—I stress it was an interim report—revealed that there was a cartel within the Liberal Party, called the "Black Hand". I do not think the "Black Hand" was known to Liberal members in the Legislative Assembly. There were factions in the Labor Party: the left, the right and, where I was in my first term, the left right out! But those factions are known to everybody. When I first went along to the state executive, I saw that the left faction sat on the left, the right sat on the right, and the centre sat in the middle.

**Mr A. Krsticevic:** Where did you sit?

**Mr J.R. QUIGLEY:** Right out!

No-one, including Liberal members of the Legislative Assembly, knew about the "Black Hand Gang".

**Mr J.E. McGrath:** That's not true.

**Mr J.R. QUIGLEY:** That is not true?

**Mr J.E. McGrath:** We were aware, but that was just a name that we gave, or was given, to our Legislative Council colleagues. They were referred to as that because they had the ultimate say when legislation went through. There was nothing sinister in that.

**Mr J.R. QUIGLEY:** But this was revealed to the public for the first time during Operation Betelgeuse. It also revealed to the public for the first time the expenditure of the travel allowance to visit brothels in Japan.

Let us go back to brothels in Japan. After World War II, prostitution was outlawed in Japan. In Western Australia, people turn the other way and say, "Prostitution is outlawed; you cannot have a brothel", but there is a containment policy. In Japan, it is the same, but they do not call them "brothels"; they call them "bathhouses". These Liberal members of the upper house were travelling to bathhouses to get their hands on "Asian honey", quickly, before 30 June, to maximise their expenditure for taxation purposes.

Much has been made of parliamentary privilege and the incursion into parliamentary privilege by the CCC. Let us be clear: there has never been parliamentary privilege to protect a member from a crime. We all remember the expenditure scandal in Westminster involving members, I think, from the Tory party, but they might have been from the Labour Party as well. One chap used his parliamentary expenses to create a duck pond at home.

**Dr M.D. Nahan:** Both parties got caught!

**Mr J.R. QUIGLEY:** Yes, that is what I said. He used it to create a duck pond and a duck hutch in his duck pond. It required the police to investigate, and a protocol was established between Westminster and the police about how to do it without an incursion into parliamentary privilege. Protocols were established so that the police could look at certain documents without breaching parliamentary privilege.

There was also another example in Australia during the prosecution, I believe, of a Mr Obeid, a Labor member in New South Wales, and others. I think there was a Mr Macdonald as well, who had been a minister. The police had to make investigations into corruption that had first been identified by the Independent Commission Against Corruption, which led to prosecutions and jailings. In the process of that investigation, a protocol was established to allow the police to look at certain documents that were held within what would otherwise have been, generally, a parliamentary privileged computer to get evidence of this corruption.

Before Operation Betelgeuse hit full speed—I am going back to over 12 months ago—the Corruption and Crime Commission sought to establish a protocol with the privileges of this Parliament about what would be the rules for disclosure of matters held within a computer, for example, during a criminal investigation. Try as it may, the CCC was unable to achieve a protocol with the committee. There was a breakdown and it had come to a deadlock.

**Dr M.D. Nahan:** Minister, what committee are you referring to?

**Mr J.R. QUIGLEY:** The Standing Committee on Procedure and Privileges of the Legislative Council.

There was a breakdown of the protocol. With the breakdown of the protocol, the CCC issued a notice to produce on the director general of the Department of the Premier and Cabinet to produce documents relating to certain activities of certain members. The DG then informed the privileges committee that he had got this notice and the privileges committee issued an order against him not to produce, and a stand-off came. I think I had gone on a week's leave, and when I got back, the DG said that he had an order and then a letter came from the CCC saying that it did not

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accept any of this and that he would stand in contempt of the CCC and could be prosecuted before the Supreme Court if he failed to produce. The Legislative Council privileges committee said that he would be in contempt of Parliament if he did produce. That precipitated the first court case, in which I, as Attorney General, was the plaintiff.

My court case was to go to the Supreme Court to do no more than seek a declaration of who the DG should obey—the notice to produce by the CCC or the order of the Council? That is all my litigation was about. As the first law officer, I have to see the proper administration of the law, and we cannot have faithful public servants being held in contempt. They come to do a job. That is that part of the litigation. During the course of that, there was an attempt to try to sift out, because there were no protocols, what documents were part of the criminal investigation, and to leave the rest aside. There was an attempt to do that.

**Dr M.D. Nahan:** By whom?

**Mr J.R. QUIGLEY:** It was done by the CCC and the State Solicitor. It is all reported. The CCC had a program and it could put in certain words like “brothel” or “sex” and things like that, and it could pull those out from the emails. At that point, the Council then took action against the CCC, to which I am not a party. My litigation was just to seek an order from the Supreme Court to tell us which way it was all going. A warrant was issued and a laptop was taken, and that led to a criminal investigation. I am not saying that a crime was committed, because it is sometimes very hard to tell the age of Asian girls—very hard—but there had to be an investigation about what was on the computer and whether it involved the sexual exploitation of minors overseas. That is still a current, ongoing inquiry, and a computer is locked away in Parliament somewhere with that evidence. That has not yet been examined in detail.

This inquiry is ongoing, and in his interim report—a warning at the end of the report said that this is an interim report—the commissioner said that Operation Betelgeuse is ongoing. There would have been people whose socks became a bit clammy when they read that line. It is in the middle of all this that the reappointment of Hon John McKechnie, QC, came about. We know about the national advertising. The nominating committee, headed by the Chief Justice, the Honourable Peter Quinlan, SC, who was promoted to the position of Chief Justice by this government, having been appointed to the position of Solicitor-General by the previous government, nominated Mr McKechnie as the outstanding candidate. That went forward under the legislation by the Premier. He thought it was just routine and sent it off to the JSCCCC. The JSCCCC knocked it back without reason. Subsequently, in a media report, driven by a press release, a reason was given that the committee had information from a third party and other confidential information. That article, by the opinion writer Mr Murray, also asserted that this information had come to the committee from the former parliamentary inspector. The former parliamentary inspector, I regret to inform the chamber, is suffering from a condition from which he will not recover. He is fully oxygenated. We can imagine the effort it took him on the morning that he read this to get to his computer and immediately email John McKechnie to assure him that he had not put any information before the committee, and he attached the letter he sent to the committee, which has already been tabled in this Parliament—I do not want to go back to it again, but it was a goodbye letter to the committee, saying also that he had worked well with McKechnie. That must have been an effort for Mr Murray. I honour and thank him for that effort, and I will certainly be making a brief ministerial statement about his contribution over many years.

It was said by the former Attorney General, Hon Michael Mischin, whose party held him in such high regard that it dropped him down to the unelectable position of number six, that bringing this legislation before the Parliament is an act of corruption by the Labor government. Bringing legislation to the people’s Parliament is corrupt according to honourable Mr Mischin. To allow the people’s representatives to have a vote is an act of corruption in the view of Hon Michael Mischin. I fully understand why the preselectors dropped him to number six.

The member for Cottesloe said that this was a serious matter and that someone ran an opinion poll showing that 88 per cent of people wanted Mr McKechnie reinstated. He incorrectly attributed it to the Labor Party. He said that the Labor Party ran an opinion poll that showed that 88 per cent of people wanted Mr McKechnie reappointed. He said that the reappointment of someone like Mr McKechnie into a serious position should not be the subject of an opinion poll. I want to make it quite clear that it will be. Mr McKechnie is not the Labor Party’s minion. He is not the Labor Party’s servant, any more than he was the Liberal Party’s servant when the Liberal Party put him up as the Corruption and Crime Commissioner. Let us just reflect for a moment. The CCC had been in a state of disarray. It had lost commissioner after commissioner. The last full-time commissioner before Mr McKechnie, Hon Roger Macknay, was, as I reflected, a good man. He was a little harsh. He was my school prefect at Aquinas. I thought he gave me too many lines for not wearing my cap. I had hair then. I had bleached it and I did not wear my cap; I wanted everyone to see me as a blond surfie. Anyway, that is another story. Mr Macknay retired from the position, saying he wanted to spend more time with his family, and a hunt was started by Mr Barnett. I will never forget it, out there on the Chesterfield lounge I spoke to him late one night, and he was looking for a real quality commissioner that could resurrect the commission into what it was meant to be. Eventually, they literally presaged Mr McKechnie into taking the job. At that time, Hon John McKechnie, QC, was the leading crime judge at the Supreme Court running the crime list. He was not subject to any of this political debate. He could be down there still doing serious criminal work and not be the subject of any of this criticism.

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**Mr A. Krsticevic:** It's the process; we're not criticising him.

**Mr J.R. QUIGLEY:** We will come to the member's fig leaf in a moment.

I know, personally, what went on ex post facto. There were a lot of discussions between the then Premier and former Chief Justice Hon Wayne Martin, QC, about getting Hon Wayne Martin, QC to try to persuade McKechnie to resign from the Supreme Court—that is why I picked up the member on judicial office—and resign his judicial commission and try to re-establish the flagging Corruption and Crime Commission. Mr McKechnie showed some initial reluctance, but they stayed at the task. It took 54 weeks from the retirement of the last full-time commissioner, Mr Macknay, to inaugurate Mr McKechnie as the Corruption and Crime Commissioner—54 weeks! The member for Cottesloe said that the appointment is not a popularity contest, but it will be. The Premier has said that he will not be nominating anyone else and that Labor will take this issue to the election. If Mr McKechnie is not appointed on a bipartisan basis before the election in March, it will be a clear election issue.

**Dr D.J. Honey** interjected.

**Mr J.R. QUIGLEY:** No, I am not taking interjections; would you kindly protect me from the member for Cottesloe, Madam Acting Speaker?

**The ACTING SPEAKER (Ms L. Mettam):** Member for Cottesloe, the Attorney General has indicated that he is not taking interjections.

**Mr J.R. QUIGLEY:** The election is 40 weeks away. This will be a much shorter time than the 54 weeks it took the Liberal government to install Mr McKechnie. The people of Western Australia will have a clear choice at the forthcoming election. If they vote Liberal, they will shut out the person who the Leader of the Opposition, the member for Nedlands, the member for Dawesville et al say is the most outstanding nominee. If they want to shut out the best corruption commissioner the state has ever had, if they want to cover up and bring to a stop Operation Betelgeuse and stop those warnings from coming, and if they want to cover up corruption, they should vote Liberal. If they want Mr McKechnie, the best corruption and crime fighter the state has ever seen, they should vote Labor. That will be the choice.

**Mr A. Krsticevic** interjected.

**Mr J.R. QUIGLEY:** Would you protect me from the member for Carine, please, Madam Acting Speaker?

**The ACTING SPEAKER:** The Attorney General has indicated that he does not want interjections.

**Mr J.R. QUIGLEY:** There will be a clear choice. This will not be an act of corruption, as described by Hon Michael Mischin. The people of Western Australia will get to decide whom they want as their corruption watchdog—it will not be the Labor Party; it will be the people of Western Australia. I expect that we will come back to this Parliament. The member for South Perth put it correctly. He said that when he goes around South Perth, the people of that conservative electorate say to him, "What's going on, John? He's the best. Why's your party not reappointing him?" The member for Vasse has had very similar experiences. I get razed in the Labor Party, and was the other day, for the manner in which I dress and the company that I keep. They say, "You're a Liberal"—that was because I was wearing a suit and tie—"because I've got the same tie on as you!" A lot of the company that I keep is the company I had when I was brought up at 35 Mountjoy Road, Nedlands—"Neddies Primary School". I was, I think, the only Labor member to stand up at the eulogy of my late friend Doug Shave. I used to play footy with him at Melvista Oval. What many Liberal voters are saying to me over this issue is that it has turned them off big time. This will be a big election issue if Mr McKechnie is not installed before then. Forget Roe 8; Roe 8 will not bite. Voters will have a choice: do they want to reinstall the best corruption watchdog Western Australia has had, who the member for Vasse said had uncovered massive corruption—\$25 million worth of corruption in the Whyte case, the Peacock case and Operation Betelgeuse. Do voters want to reinstall this man? If so, they should vote Labor. If they want it all covered up, vote Liberal. Now I will come to the fig leaf.

An opposition member interjected.

**Mr J.R. QUIGLEY:** The member who interjected said that it is not about McKechnie; it is about process. The member for Riverton said that the Joint Standing Committee on the Corruption and Crime Commission has become dysfunctional, and I agree. We do not know what that committee had before it. We have heard from the member for Kalamunda what the committee did not have before it. It did not have before it any third party information. It did not have before it any secret information that is adverse to the operation of the CCC.

We have heard from the member for Kalamunda that he will move before the committee that the committee table its minutes so we will all know. However, it has not met since he said that, but it will have to meet eventually. Under the standing orders, this chamber has the power to call for those minutes, but we will not move for those minutes yet because we want to see what happens to the member's motion before the committee and who on the committee

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will vote not to produce the minutes. We will have a full suite of minutes of the three meetings, plus learn of anyone on the committee who votes to keep the committee's minutes secret. It is our committee and we deserve to know.

The Nationals WA is in an invidious situation; it is a friend of the Liberal Party, but it is not in coalition. As far as I know—I do not know—it is certainly not in the crosshairs of Operation Betelgeuse; it does not have any skin in the game. If a way is not found forward to do this properly and orderly in a timely manner, at the next election there will be this choice: if people want the best corruption fighter in Australia reinstated, vote Labor; if they want a cover-up of Operation Betelgeuse and what happened, they should vote Liberal.

**Dr D.J. Honey** interjected.

**Mr J.R. QUIGLEY:** That is what will happen. It is not a popularity contest. The member for Cottesloe talks about it as though it is a popularity contest. We call it democracy. At those polling stations, it is not a popularity contest; it is the people choosing in a democracy what they want to happen, and they will have a clear choice.

I am not going to move the amendment today. The bill as it is before Parliament provides that Mr McKechnie be reinstated as the Corruption and Crime Commissioner from 28 April for a period of five years. Obviously, we cannot do that. There will have to be an amendment to say that Mr McKechnie will be reinstated from the date of proclamation for a period of five years. I do not intend to move that amendment today and I do not intend to go to the third reading today. I intend to hit the pause button, because the Leader of the Opposition and other senior Liberals have said that there has to be a way forward. This is not about grand rhetoric; this is about proper governance. When people talk about Mr McKechnie, there are a lot of people in this place who have probably forgotten that when I was a defence barrister and Mr McKechnie was the Director of Public Prosecutions, our fights were of epic proportions.

**Dr M.D. Nahan:** I have some quotes!

**Mr J.R. QUIGLEY:** Thank you, member for Riverton. They were of epic proportions.

A lot of members in this place have been ministers. They will remember that when a minister comes into office, their agencies come around to brief them. It was with some nervousness and anxiety that I awaited Mr McKechnie's call upon me. I suppose it was with some anxiety that Mr McKechnie rang up to make the appointment to see me. We were at law school together; however, he was a year ahead of me, and more intelligent and more capable than me, obviously. He came to my office. I said that I had taken an oath of office down at Government House and he said that he had too. I said that we are here to serve the people of Western Australia, and whatever has happened between us in the past is in the past. We both have to deport ourselves in a manner that the public would expect of an Attorney General and a commissioner. He said that he agreed wholeheartedly. I then said, "Colleen, now can you go and get the lamingtons and the cup of tea." We have had a very professional relationship since that time.

I want to disclose to the Parliament that I recently contacted Mr McKechnie on official business. I rang him and said, "Mr McKechnie, it is my intention to inform the Parliament that we will not be backing away from your nomination, and if you are not reappointed before the election in 40 weeks' time, it will be our policy we are taking to the people that you will be reappointed in the next Parliament."

**Mr A. Krsticevic** interjected.

**The ACTING SPEAKER (Ms J.M. Freeman):** Member for Carine!

**Mr J.R. QUIGLEY:** Mr McKechnie indicated to me —

**Mr A. Krsticevic** interjected.

**The ACTING SPEAKER:** Member for Carine!

**Mr J.R. QUIGLEY:** — that he would stand by for 40 weeks. He would not walk away and he would await the judgement of the people of Western Australia on whether they want him back as the head of the CCC, a person who has been described as the most outstanding person.

I am four minutes short. I would like now to conclude my speech this morning. I return to that wonderful oration by Mark Antony at the burial of Caesar. I apologise to the academics for slightly butchering *Julius Caesar* again, and I hope I am forgiven. After Brutus's speech, Mark Antony concluded —

But here I am to speak what I do know.  
You all did love him once, not without cause:  
What cause withholds you then, to mourn for him?  
O judgment! Thou art fled to brutish beasts,  
And men have lost their reason. Bear with me;  
My heart is in the coffin there with ...

McKechnie —

And I must pause till —

**Extract from *Hansard***

[ASSEMBLY — Thursday, 28 May 2020]

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He comes back to the CCC!

May it please the Parliament.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.