

**APPROPRIATION (CONSOLIDATED ACCOUNT) RECURRENT 2010–11 BILL 2010**  
**APPROPRIATION (CONSOLIDATED ACCOUNT) CAPITAL 2010–11 BILL 2010**

*Estimates Committees A and B Reports and Minutes — Presentation*

**MR M.W. SUTHERLAND (Mount Lawley — Deputy Speaker)** [4.12 pm]: I present the report and the minutes of Estimates Committees A and B.

[See papers 2180 and 2181.]

*Estimates Committee A Report — Adoption*

**MR M.W. SUTHERLAND (Mount Lawley — Deputy Speaker)** [4.12 pm]: I move —

That the report of Estimates Committee A be adopted.

In short, the estimates committees were held from Tuesday, 1 June to Thursday, 3 June 2010. The committee process ran very smoothly indeed. I received no negative comments from members of this side of the house of any major importance, and those matters that have been raised with me will be raised at the relevant Procedure and Privileges Committee. I thank the Clerks and chamber staff for their assistance over the three days. The assistance that we received was exemplary. I also thank the Acting Speakers for the work they put in over those three days.

**MR M. McGOWAN (Rockingham)** [4.13 pm]: I rise to make a few comments on the performance of the estimates committees. As members know, the estimates committees are a major process by which the budget is examined by Parliament. They provide a range of opportunities to grill ministers about aspects of their portfolios and matters that arise in the budget. Members would also know that we use both chambers for the process. I was very pleased to participate in both committees A and B. I experienced sitting in the very expensive chairs in the upper house and was able to recline in them. Those chairs cost in the vicinity of up to \$5 000 each, which the government has seen fit to fund. It was a very interesting experience to observe the wood panelling and the intricate leather inlay and so forth in the upper house. But I digress.

I would like to speak about a couple of aspects of the estimates committee debate. It was apparent during the debate that the normal process that goes on each year would continue; that is, opposition members asked ministers questions and government members asked questions either to take up time or to remove pressure from a minister. I believe that that is counterproductive. This was the government's second budget. No matter what the flow of the debate was, the government backbenchers would read out the typed questions before them and dutifully try to keep the ministers happy with the questions that were being asked of them. As I said, irrespective of the flow of the debate and the matter of moment that was being debated, a government backbencher would raise an issue related to an obscure part of the division that we were debating. I think that that is counterproductive and is also a bit embarrassing for the member who does it and for the minister in question to have that sort of activity going on.

**Mr R.F. Johnson:** Did that not happen when you were a minister?

**Mr M. McGOWAN:** Please do not be immature, and let me make my speech. As a minister, I was always happy to take questions from anyone on any subject within the budget. I was not the least bit frightened.

**Mr R.F. Johnson:** Did you not get your backbenchers to ask questions?

**Mr M. McGOWAN:** Not to the best of my recollection. I was a minister in the second term of the former government, and by that stage we realised that it was silly and counterproductive to even bother with that sort of stuff. As a government gains maturity, it should realise that the Parliament is an opportunity to tease out answers to issues and that that sort of abuse of process is demeaning and embarrassing to not only the member who does it, but also to the minister in question. I fully support government members raising matters that are actually of significant concern to them or that involve their electorate. That is entirely appropriate. However, government members raising issues and reading statements on matters about which they obviously know nothing and can barely pronounce some of the words they are reading —

**Mr R.F. Johnson:** Your lot did that every year.

**Mr M. McGOWAN:** Will the Leader of the House please let me make my speech? He is acting immaturely.

**Mr R.F. Johnson** interjected.

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**Mr M. McGOWAN:** Okay, I will tell members how the now Leader of the House behaved when I was the Minister for Tourism and he was the shadow Minister for Tourism. In estimates committee B in the upper house, he staged a walkout during the debate, saying that I did not answer the questions that he had asked. As he was staging his walkout and waving his papers around, he was winking at me as he left the room as though there was some sort of joke between us. He then went on radio to say how outraged he was, even though he had winked at me when he left the chamber. I do not know what the purpose behind the winking was, but I think he was implying that his walkout during the tourism estimates was all a bit of a staged act. I conclude that aspect about members doing that. I do not think it is productive.

Those who chair the estimates committees need better training. The chairs sometimes exhibited bias and were officious during the activity of the committees, which everyone observed. There must be greater training of those who chair the estimates so that they know how to handle certain matters and the debates.

The third point I want to make is that some ministers performed better than others, which is a fact of life. Some members are better ministers than others. Some have more experience with their portfolios; some have easier or smaller portfolios. It was obvious that that was the case. There must be a greater willingness to provide supplementary information. Sometimes there is a reluctance on the part of ministers to do so. The estimates committee should be a process of free-flowing information, and supplementary information should be a matter of right rather than a matter of privilege. If a member asks a minister for supplementary information about a matter that he or she is clearly interested in, and it is a matter of some public moment, providing that information to the public is a fair thing to do. Some ministers ask for a question to be put on notice. We all know that putting questions on notice is time consuming. Often the answers received do not relate to the questions asked. It would be better if there was greater acceptance of the provision of supplementary information.

Broadly, the assistance of staff from the various government departments was good. Most understood their role in the estimates committee in that they were to answer a question through the minister and that a minister was to direct them on when they should provide advice or answer a question. On one occasion a staff member of an agency exhibited some bias and did not perform the role of a fearless public servant, which is what we expect. That happened during the estimates of the Department of the Premier and Cabinet. The director general of the Department of the Premier and Cabinet was sitting in the seat normally occupied by the Minister for Education. There was some comparison going on between opposition members and the Premier about various aspects of the performance of government agencies. The director general of the Department of the Premier and Cabinet responded by saying, "We perform in this way; when you were in government, you performed in that way." The way he answered clearly implied a degree of partisanship. When I put that to the Premier he smiled, which indicated that he was aware that the director general had gone outside the scope and role of a fearless and independent public servant. It was quite apparent that he was showing a degree of partisanship. That was the only time I witnessed that type of behaviour from a staff member from a government agency. Broadly, staff members from government agencies performed well. As it is often said, sometimes they have to wait around outside before getting their five minutes—or one minute—of fame. That is the price of democracy. If they have to hang around the building or sit outside and do work on their computers or phones, that is the price of democracy. That is fair enough. The estimates are a good process for some departmental heads because it means they have to get completely across the actions and activities of their agency.

The other point I want to raise does not relate to staff members of agencies; rather, it relates to ministers' staff members. During the budget estimates ministers took political staff into the chamber. That has happened in the past two budget estimates. Such activity is very different from the activity of the former government. Neither Geoff Gallop nor Alan Carpenter had his chief of staff or senior political advisers sitting beside him during an estimates hearing. The Premier and ministers would have the head of their department sitting beside them on one side and the head of the department's financial operations sitting on the other side. There was never a political staffer in the chamber. On a couple of occasions during this year's estimates the role of political staffers became heightened. This is a commentary about the government; I am undecided as to whether it is an abuse of the process of Parliament. As an example, the Premier had sitting next to him a young fellow with longish hair who looked a bit like the member for Ocean Reef. He had a young Liberal apparatchik fellow sitting next to him. I am not sure of his name; it was Alex someone or other. He issued instructions to opposition members across the chamber using hand signals. Chamber staff would bring across bits of paper and he would either say yes or no to whatever it was and then the member would ask the relevant question.

**Mr J.M. Francis:** Opposition members?

**Mr M. McGOWAN:** Sorry, I made a mistake. He was making hand signals to government backbenchers from across the chamber. That young man's behaviour as he sat next to the Premier was on show and observable by all. I thought that it was somewhat inappropriate for a political staffer to be in the chamber behaving in that

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fashion. We do not have the type of Parliament in which political staffers enter the chamber and act in a political fashion. The federal parliament has an advisers box from which advisers can issue bits of paper to ministers. That practice seems to be accepted. This Parliament has never had that. I was on the verge of making a point of order about political staffers acting in that way in the committee. The government might want to consider this issue before next year's estimates committees. The minister representing the Minister for Transport also had a political staffer in the chamber. The minister representing the Minister for Transport is understandably not across that portfolio because it is not his portfolio. He acted as a siphon for the minister in the other place. The adviser to the minister representing the Minister for Transport tried to cut off opposition questioning and deliberately tried to guide the minister in his answers. He was not a member of the department or a staffer of the Department of Transport who was asked to answer a question. I am talking about a partisan political operative in the chamber acting in that fashion. I do not think the Parliament should allow that. To the best of my recollection, that did not happen in estimates hearings during the Court government and it certainly did not happen in estimates hearings in the Gallop and Carpenter governments. I expect there would have been some outrage if a Geoff Gallop staffer had come into this chamber during estimates and attempted to cut off opposition members whilst they were asking questions or issued hand-signal directives to government members from across the chamber in an attempt to tell them what they could and could not ask. That is something that the government might want to keep in mind for next year's estimates. The opposition will be watching that sort of behaviour quite carefully. We might raise the issue during the estimates process if that type of behaviour goes on. Of course, it is difficult to make such commentary during the estimates committee because members want to maximise their time and the number of questions they can ask.

I get back to my original point. It would be far better if the estimates were seen for what they are—namely, an opportunity for opposition members to question ministers and for government backbenchers to raise issues of concern. It is far less productive when the estimates become an opportunity for equal time or a competition between government and opposition members during which ministers are asked dorothea dixers by government backbenchers and opposition members are relegated to some sort of equal playing field with government backbenchers. It is a time for teasing out real information from ministers about the budget, which, in this case, was a \$20 billion budget. The estimates process is an important process that should be treated seriously.

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [4.29]: I did not intend to take part in this debate but I could not resist, after the comments from the member for Rockingham and manager of opposition business. God said: come unto me with clean hands. The member for Rockingham did not do that today. The hypocrisy he displayed in this Parliament today is enormous. He has a very short memory. He has just said the same things that we used to say when we were on that side.

Several members interjected.

**Mr R.F. JOHNSON:** That is all the member for Rockingham is doing, yet he is trying to convince this Parliament that he is honest and genuine. I can remember absolutely the time when the member for Rockingham was in the other chamber and he was a minister and I was an opposition member. I saw all the folders that came out that were produced by certain people in the Department of the Premier and Cabinet. I am sure the member for West Swan would know all about that. Every one of the government backbench members had a folder and I used to joke many times and say, "It's question number six." That was to prompt some of the backbenchers at the time to ask their questions, because the member for Rockingham did not like questions from the then opposition members when we were over on that side of the house.

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

**Mr R.F. JOHNSON:** Absolutely true!

Several members interjected.

**The ACTING SPEAKER (Mrs L.M. Harvey):** Order!

**Mr R.F. JOHNSON:** I have been a member of this place for many years now, and I have seen it from this side of the house, from that side of the house and then again from this side of the house; and nothing changes. No matter who is in government, there will always be what is commonly known as dorothea dixers. But I have to tell members that our members are not as well trained as the opposition's backbenchers were when they were in government. They religiously —

**Mr M.P. Whitely:** Because we're educated!

**Mr R.F. JOHNSON:** No, they just will not take no for an answer. As for the member for Rockingham's reflection on the various chairmen of the estimates committees, I think it is disgraceful. To reflect on the chair in that way—not just Liberal members but also Labor members who might have been in the chair—is something

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that is against what we would normally do in this place. But so are very many things that the member for Rockingham does.

I remember many times when we were in opposition that we could not even get questions in because Labor members had very many of their backbenchers ready with their dorothy dixers in their little folders—each one had a folder. In the end, because we just —

**Mr E.S. Ripper:** You guys had never done any preparation.

**Mr R.F. JOHNSON:** The Leader of the Opposition should not show hypocrisy, please. I have had enough of this from his manager of opposition business. The Leader of the Opposition does not need to lower his standards by getting down to the member for Rockingham's standards. Okay? The Leader of the Opposition needs to watch him because I think he has almost got the numbers. So, be very careful.

**Mr E.S. Ripper:** He's a very effective politician.

**Mr R.F. JOHNSON:** Be very, very careful!

**Mr E.S. Ripper:** Isn't he a very effective politician?

**Mr R.F. JOHNSON:** I have never seen the member for Rockingham so cocky in all my life. That must mean he has almost got the numbers; or, has he got the numbers? We hear lots of rumblings. A lot of things are said in the corridors. We know what is going on over there.

**Mr F.M. Logan:** Nice try!

**Mr R.F. JOHNSON:** We know what is going on over there.

**Mr E.S. Ripper:** You don't even know what's going on in your own portfolio, let alone in the opposition!

**Mr R.F. JOHNSON:** Madam Acting Speaker, what I cannot —

Several members interjected.

**The ACTING SPEAKER:** Order, please!

**Mr R.F. JOHNSON:** The manager of opposition business said —

**Mr P. Papalia** interjected.

**Mr R.F. JOHNSON:** I do not mind if members talk when I am talking, but the manager of opposition business cannot stand it. He has just chastised many of his backbench and frontbench members for talking when he was talking. He is the king now; do not forget that. He is the king, or the would-be king.

I remember many times when we were in opposition that when we asked questions, Labor members would not answer them and told us to put them on notice. That happened time and again. In the divisions of the budget estimates committee for which I was responsible, I think I answered virtually every question. There were very few supplementaries that we had to supply. I might have said in answer to one question, which did not really bear relationship to the budget estimates, to put it on notice if the member wanted an answer back. That was for one question. Every other question was answered either by me or by the heads of the agencies. That is the way it should be.

If I go back and look through *Hansard* at the number of questions Liberal members asked and the number Labor members asked, I will see that it is about one to five. Members opposite got about five questions for every question we had. I will go through the *Hansard* and see what the number was, because I am quite interested in that. However, I know for a fact that my members and I were quite happy to have opposition members ask questions. Opposition members never saw any indication from me or from anybody else —

**Mr C.J. Barnett** interjected.

**Mr R.F. JOHNSON:** Absolutely! I am such a fair person. But what I do hate is hypocrisy, and I have seen nothing but hypocrisy today from the member for Rockingham. He has such a short memory! It is only 18 or 20 months ago that he was a minister.

**Mr E.S. Ripper:** It feels like about half a century.

**Mr R.F. JOHNSON:** Yes! That is what it will be before he gets the next chance, my friend! That is what it will be before he gets the next chance to come over to this side of the house. Unfortunately for the Leader of the Opposition, I think I will be a minister a lot longer than he will be the Leader of the Opposition; I really do.

Several members interjected.

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**Mr R.F. JOHNSON:** A lot of things could happen.

**Mr E.S. Ripper:** A reshuffle coming at Christmas!

**Mr R.F. JOHNSON:** I just say this: I do not think that we will wait until Christmas to see the Leader of the Opposition move from that position, which will be a bit of a shame. The Leader of the Opposition has some people who are working against him and who think they are much better than he is. I do not think they are, but obviously they do.

**Mr E.S. Ripper:** It's good to aspire.

**Mr R.F. JOHNSON:** Of course it is good to aspire, but it depends on who one has to stab in the back and tread over on the way there! That is what worries me.

Several members interjected.

**The ACTING SPEAKER:** Order!

**Mr R.F. JOHNSON:** I just say that I did not intend to take part in this debate. I was hoping as Leader of the House that we would have a very responsible few words from both sides of the house on the estimates committees; not the nasty, sniping comments that we have heard from the member for Rockingham, which we usually hear. He is not telling the truth; that is the trouble. He certainly was not telling the truth. I do not like that in this place.

**Mr F.M. Logan:** You're getting soft.

**Mr R.F. JOHNSON:** I am getting soft. I am much too gentle on members opposite.

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

**Mr R.F. JOHNSON:** Does the member for Mandurah want to have a go? Are we going to get one of his theatrical things? Is he going to refer to members on this side of the house as Muppets and puppets and all sorts of things? Is that what we are going to be suffering again?

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

**The ACTING SPEAKER:** Order, member!

**Mr R.F. JOHNSON:** The member for Rockingham could do with joining the member for Mandurah. Come back Norm; all is forgiven!

**Mr E.S. Ripper:** No.

**Mr R.F. JOHNSON:** Yes. As far as he is concerned, he had more credibility than my friend the member for Rockingham has; and that is saying something.

I really wanted to get on to the budget bills so that we can progress the bills through this house and get them to the upper house and have everything in place. There are other bills that we need to get through this chamber this week. That is why we are sitting later than usual today and later than usual tomorrow. I really wanted to get onto the budget bills, but I could not resist and I could not —

**Mr P. Papalia** interjected.

**Mr R.F. JOHNSON:** The day I take orders from the member for Warnbro is the day I will be laying in a box under the ground. That is the only time I will ever take orders from him. That is the trouble. These members come in here, think they know it all and just spout off about anything. They just want to get their name in the newspaper and their comments in *Hansard*. They do not ever talk to the bill that is before the house. A lot of the questions that opposition members asked were not even about any project in the budget estimates; they were outside the budget estimates. But never let a good story get in the way of the truth.

We on this side of the house were very cooperative. When I was asked to extend some time on certain sections of the budget, such as the non-agency ones, I cooperated with opposition members. They wanted extra time on the Water Corporation and that sort of stuff and I cooperated with them.

**Mr P. Papalia** interjected.

**The ACTING SPEAKER:** Order, member for Warnbro!

**Mr R.F. JOHNSON:** But do we get any thanks? Never! If I had asked for that when members opposite were in government, we would have got zilch—absolutely zilch. I just think that members on the other side of the house should not have that short memory problem that they seem to have—I do not include in that the member for Mandurah as I am sure he does not have a short memory problem. I ask them to be honest in this place and to

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reflect on the fact that the budget estimates—the ones that I saw—ran very well. I certainly would never have reflected on the Chair ever, even when I was in opposition.

**MR D.A. TEMPLEMAN (Mandurah)** [4.38 pm]: I want to raise what I believe are some very important issues with regard to the estimates committee. I want to refer to the education division first of all. At the beginning of that division the Minister for Education alerted the committee to an error in the budget papers. She referred to an error on a couple of pages, in particular two tables of information. She indicated through questioning that she was using this opportunity to alert the committee to those changes and errors. I then asked the minister when she was aware of the errors. Her response was that the Department of Education became aware of this on 20 May, and it had highlighted that situation to Treasury. I then asked why she or the Treasurer, the Premier, did not take the opportunity to highlight the error in the budget papers to the house, as we had a full sitting after the budget was delivered on 20 May. The minister reported that it was up to the Treasurer to notify the house. I find it remarkable that an error in table form, including figures, was not highlighted to this place until the actual estimates committee hearing. I think that the Treasurer, the Premier, has to answer to that, particularly given that the error was highlighted to him, I am assuming, and to his department on 20 May. I was quite disturbed by that. Many of us prepare for estimates and rely on the information provided. However, when information is not correct and errors are known but we are not alerted to them until the very day that the division is debated, I find it to be unacceptable, and I think the Treasurer, the Premier, is answerable for that. The error was detected on 20 May and we had the estimates committee hearing on 2 June. I am astounded that the Treasurer, the Premier, when the error was alerted to him and his department, did not use the opportunity of parliamentary sittings to correct that.

The second point is that estimates committees are important. Of course, we have ministers in the other place who are represented by ministers in this place, and it concerns me when the appropriate officers are not available, particularly to ministers who are representing ministers from the other place. I understand that directors general will take leave; I accept that. However, I was concerned that the DG for the Department of Environment and Conservation was unavailable for estimates, particularly given that an acting minister was in the chamber answering questions. There may be a very good reason for that situation, and I am not trying to criticise him in any way. However, I believe it is important that heads of department are present—unless they have been sacked as we saw with the Minister for Water sacking his DG, so of course he was not available. Nevertheless, I was concerned that the Director General of the Department of Environment and Conservation was not available. Obviously he was on leave, and I accept that; however, these estimates committees are very important and I would hope that they are taken seriously by the minister and that Hon Donna Faragher would try to ensure, unless there are extenuating circumstances, that the DG is present to assist the acting minister to answer questions.

The third issue I raise is the answers provided by ministers. I know we have had some toing and froing from the Leader of the House about long-winded answers and preparation. However, there were some glaring examples of the ineptness of some ministers in answering what were dorothy dixers from their own side. One answer I would like to highlight to the house related to a question from the member for Geraldton, who asked a very good question of the minister representing the Minister for Environment regarding the Great Western Woodlands. The Minister for Water, who was representing that minister, absolutely ballsed up the answer! In fact, the minister got so lost that we were all bewildered as to how much money appeared in the budget papers for a very important policy initiative; that is, the protection of the Great Western Woodlands. The minister could not find where the \$3 million was, even though he boasted that the government was putting \$3.8 million towards that important policy area, whereas only \$800 000 appeared in the budget papers. When we continued to ask where the other \$3 million was, the minister was unable to answer. If ever there was an own-goal, that was a classic example! Then we saw the new Minister for Commerce—I do not wish to criticise that minister—and it was quite interesting to watch that process of estimates with the affable Minister for Commerce, as I will refer to him, who at least admitted he did not know what he was doing. On a number of occasions that minister not only did not know where bits and pieces were in the budget, but also did not understand some questions. I am sure he will learn that for next year!

**Mr C.J. Barnett:** It has never held anyone else back!

**Mr D.A. TEMPLEMAN:** Absolutely! But it was glaringly obvious that perhaps the Premier may have looked a bit more closely at the member for Scarborough as a candidate for that post—not that I am advocating for the member for Scarborough! There were those issues.

I want to highlight another important thing. I want to congratulate my colleague the government Whip, the member for South Perth, who is an affable man as well. He is not here at the moment; he is probably putting on a few bets, but he is a very affable man. The government Whip and I get on very well. In fact, I would like to be

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able to go to the Whips' convention that is apparently being held in Sydney in July. I do not know what they are going to do for four days. Four days has been put down for that convention.

**Mr J.M. Francis:** Is that government or opposition Whips?

**Mr D.A. TEMPLEMAN:** Whips of all persuasions have been invited to this four-day conference. I cannot go. I would love to go, but I cannot go. It is in the Hunter Valley, or there is a visit to the Hunter Valley included. I am sure they will take their whips with them, and do whatever Whips do in confined spaces. I wish the member for South Perth all the best as he goes off to the Whips' convention in July. I cannot be there and I am asking him to represent me—appropriately, and I am sure he will. I will be very interested in any report that he may provide to Parliament. I am sure it will be an extensive report of four days of a Whips' convention.

I will conclude by saying that the estimates committee is a process that is very important. I think we still need to look very closely at the time allocated to some of the portfolio areas. Ministers like the Attorney General have a range of agencies for which they are responsible. It was interesting to watch the Attorney General come into this place. He wheeled in a huge trolley of documents. I think he thought he was appearing at the bar, because he had this trolley full of files with no doubt very important references. I do not think he used any of them! It looked good. I cannot criticise him for that; it looked very professional, even though it was totally useless. I think we need to seriously look again at this for next year and consider some of the portfolios that ministers are responsible for and the allocation of time to those portfolios. I am sure that members here will be aware that a number of important divisions were not debated at all because we simply did not get the time to do so. People will say that we should not take up so much time asking questions, but the fact is that areas like health will be scrutinised very closely. The Minister for Health, for example, had responsibility for a number of other agencies—fisheries, Indigenous affairs and the Disability Services Commission. He was representing ministers from the other place in one or two other areas. I know that towards the end of the time allocated, which on paper looked quite large—seven hours from memory—we ran out of time. The Minister for Regional Development, on paper, has a huge number of agencies. He is responsible for nine development commissions, and members in this place, I am sure, were keen to ask questions on those commissions, but, again, time ran out for such questioning.

I think that what we need to do in preparation for next year—I hope the Deputy Speaker will take this on board—is look at those committees in which not enough time was allocated for particular divisions, and look at how we can remedy that. I stand to be corrected, but I think that when the Labor Party was in government, we sat from Tuesday through to Friday. That allowed much greater time for scrutiny of particular areas. For example, this year during the estimates process, a number of agencies, such as Horizon Energy, were allocated only half an hour, from memory. More time should be allocated for particular agencies that require particular scrutiny during the estimates process.

**Mr C.J. Barnett:** Do you think there is merit in having a combined estimates committee for both houses so that only the minister will be responding and not someone representing the minister?

**Mr D.A. TEMPLEMAN:** If sufficient time was allocated for that, I think that idea would have great merit, because it would possibly prevent the duplication that occurs currently, and it would also allow for real transparency, because it would enable the minister responsible to answer the questions and be responsible for the answers.

**Mr C.J. Barnett:** It is very difficult for someone to answer on behalf of a minister in another place. You will have experienced that.

**Mr D.A. TEMPLEMAN:** If there was agreement to pursue that course of action in preparation for next year, I think that would be a very good idea. So long as sufficient time was allocated to enable scrutiny to take place, that would have great merit. Although there was some byplay across the chamber about “We did this when you were in government, and you did this when we were in opposition”, I have to say that there was criticism of the now government, when in opposition, about its performance during estimates. I remember that when the Labor Party was in government and I was a minister, there were divisions for which too much time had been allocated, and the then members of the opposition were keen to get out of the place. In fact, in one case the division was supposed to finish at 10.00 pm, and it finished just before or just after 9.00 pm. I found that quite remarkable.

The estimates committee process is very important. Government members need to understand that. I again refer to my good friend the member for South Perth, the government Whip, who has said that the purpose of the estimates is to give the opposition the opportunity to scrutinise the budget. I agree with him. It does not matter which party is in government. Sometimes we found when we were in government that it was our own members who asked the really curly questions—I will not go into that!—rather than the actual opposition at the time.

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I conclude my remarks by saying let us look at how we can improve the estimates committee process. Let us take on board the Premier's comments about giving members the opportunity to question the responsible minister directly. Let us look at the time allocation. I would also like the Premier to respond to the serious issue about the need to alert the house to any errors in the budget papers. As I have said, the Minister for Education and her department, and therefore Treasury, knew on 20 May—according to the minister's answers in *Hansard*—that there were errors in the budget papers. However, despite a full week of sitting the following week, and despite other opportunities that the minister had to alert members to those errors, members were not alerted until 2 June, the actual day of the committee sitting. That is not good enough. We deserve to be given an answer about why the minister decided that it was not necessary to alert the house earlier to those errors. If errors are known—it does not matter how big or how small they may be—Parliament should be told about those errors at the earliest possible opportunity. A simple statement should be made by the minister responsible, and the corrected documents should be tabled. I find it remarkable that the Minister for Education tabled the corrected documents only at the actual sitting of the committee. That should not happen, and the Premier and Treasurer should take responsibility for that.

**MR B.S. WYATT (Victoria Park)** [4.55 pm]: I want to make three comments—some of which have been touched upon by the member for Mandurah—and I also want to make a quick response to the interjection from the Premier to the member for Mandurah about having only one estimates committee for both houses. My first point is about rulings by the Chair. What has been common practice, certainly since 2006, because that is as far back as my experience goes, is that members are able to pursue by way of supplementary questions a minister's answer. Traditionally, it does not need to be the member of Parliament who asked the original question; any member can ask supplementary questions, provided they are on topic. On day one of estimates, it was explained by a number of Chairs that a ruling had been made, I assume by the Speaker, that supplementary questions could be asked only by the member who had asked the original question. That is very, very contrary to what has been the practice of this Parliament for a considerable period of time. By the time we got to the Thursday, when the Premier and Treasurer appeared before the estimates committee, we agreed to change that process so that members could ask supplementary questions regardless of whether they had asked the original question. Therefore, one of the points that needs to be made, certainly when the Speaker, the Deputy Speaker and the Acting Speakers gather together to talk about the fall-out from the estimates process, is that if a ruling is made by the Speaker that affects how estimates will be run, that ruling should be made clear the week before estimates so that all members of Parliament are aware of the change in the traditional way that estimates is run. That was not done, and it caused some confusion and angst, certainly on the Tuesday and Wednesday of the estimates process.

The second point I want to make—to follow on from the comments of the member for Mandurah—is about the time allocated for the utilities. On the Thursday, between 8.00 pm and 10.00 pm, my committee had to deal with Verve, Synergy, Western Power and Horizon Energy. Those utilities were given only half an hour each, and the dorothy dixers that came through meant that the opposition had only about 15 minutes to ask questions about those utilities. It is simply not good enough to pack them in on a Thursday night and let the opposition get in only one question, or, if we are lucky, two questions, to the relevant minister. I accept that the minister was representing the minister in the other place. Therefore, I think that the Premier's interjection to the member for Mandurah may have some merit, provided that adequate time is made available.

I also do not see why the estimates process needs to be squeezed into Tuesday, Wednesday and Thursday. I cannot see why it cannot run from Monday through to Friday, spread out during the working week. In light of the fact that estimates week is, in my view, the most important parliamentary week of the year, to have to squeeze four significant utilities into half an hour each on a Thursday night, and to give the opposition only one question, or, if we are lucky, two questions, is simply not good enough.

**Mr C.J. Barnett:** The utilities are not normally part of the estimates process.

**Mr B.S. WYATT:** No. We asked for those to be included.

**Mr C.J. Barnett:** There is an argument that all the utilities should at some stage during the parliamentary year be accountable to Parliament.

**Mr B.S. WYATT:** I agree. I think the Premier is right in suggesting that when the minister responsible is in the other house, we perhaps should have a situation—as the Premier is obviously thinking about—that is bicameral and involves both houses, so that the minister responsible can be put under scrutiny. It was hopeless in the end with only half an hour allocated for each of those utilities.

**Mr J.M. Francis** interjected.

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**Mr B.S. WYATT:** I still do not have an answer. I went back and had a look at that, and Mr Aberle did not actually tell me; I do not think he knows, but the pole outside my place has been replaced, so I have him to thank.

**Mr J.M. Francis** interjected.

**Mr B.S. WYATT:** I will not make any comments on those sorts of interjections!

The final point I want to make—the member for Mandurah has already pursued this—is about errors. Two errors that I am aware of were declared by the government. The member for Mandurah has already gone over the first one, which was in respect of education. I pursued this with the Treasurer during the estimates committee. A corrigendum was released by the Under Treasurer on 21 May 2010, the day after the budget was delivered, with the correct page. The difference is not huge; it is \$500 000, so it is not huge when one considers the entire amount being appropriated, but that is absolutely irrelevant. I put that to the Treasurer, and his response was that it was bad luck, that it did not impact on the entire amount appropriated and that he therefore did not see it as an issue. To be perfectly frank, that is not for him to decide. When the budget is tabled in Parliament on budget day, 20 May, and an error is made and identified within 24 hours, it is the Treasurer's obligation to inform the Parliament at the next day's sitting, which was the week after, during budget reply speeches. The Treasurer made the point that it was on the website and that he did not consider it to be a significant error. He went even further and said that it was not part of the budget, but in the notes for the budget. If the member for Cottesloe were sitting on this side of the house and a Labor Treasurer advanced that argument, he would be furious, and quite rightly so. However, the problem is that this seems to have been a government strategy. The member for Murray–Wellington, during the estimates committee for the Department of Transport, confessed to another error, which was the name of a road. That was the extent of the error; it did not even involve money. He was asked when this error was picked up and the parliamentary secretary replied that he had found out 30 seconds earlier, but it was clear that the minister whom the parliamentary secretary was representing had known about it for a considerably longer time.

It is not good enough to drop errors on the opposition, particularly in education. The government cannot just drop these errors on the opposition during the estimates hearings. I know that if the Treasurer were sitting on this side, he would expect errors to be brought to the attention of the house very soon after being identified, not during the estimates process two weeks after the budget has been tabled.

**MR J.R. QUIGLEY (Mindarie)** [5.03 pm]: I rise to support the comments made by the member for Mandurah and the member for Victoria Park in relation to the estimates process. I was a bit concerned, when we were looking at the division for the Department of the Attorney General, that there were so many substantial agencies, such as the Director of Public Prosecutions and the Corruption and Crime Commission. We could have spent a couple of hours on just those two agencies, the Equal Opportunity Commission and the Office of the Inspector of Custodial Services. This is quite apart from the Attorney General and his superintendence of the courts. On behalf of the public of Western Australia, I feel that some of these agencies were simply not scrutinised during the estimates process. Once again, it comes down to time constraints, although three or four hours were set aside. The agency heads came to the Legislative Council chamber, which is where the Estimates Committee B hearings were held. That is not "B" as in "B-grade"; it was actually an A-grade team, but in the committee B hearings. The head of the Corruption and Crime Commission was never questioned about anything; the public might find that a bit surprising, given that the Corruption and Crime Commission has a budget of a little more than \$30 million this year, as does the Director of Public Prosecutions. One could say that the Corruption and Crime Commission's results for the amount of money expended—equivalent to the entire budget for the Director of Public Prosecutions—have been, at best, a bit patchy. There are certain areas of expenditure that one would perhaps like to have had a closer look at, but it just was not possible. The Director of Public Prosecutions, of course, is another big area of expense for the state—more than \$30 million—but the examination was almost perfunctory, given the depth of detailed questioning one would expect for that budget allocation. I therefore rise to join my colleagues in voicing my concern at the insufficient scrutiny of some of the biggest and most powerful agencies in Western Australia. I realise that the Department of Health might be a bigger agency in terms of budget, but one cannot deny that agencies such as the Corruption and Crime Commission, the Director of Public Prosecutions and the Equal Opportunity Commission have a greater impact on the lives of ordinary Western Australians, in respect of the ways in which those agencies can constrain and examine people's lives and have them charged before the courts. The criminal justice system is supported before the courts by the Director of Public Prosecutions, but we have had insufficient time to scrutinise the appropriation of taxpayers' funds to run these agencies.

Another agency of great concern was the Legal Aid Commission. It was reported in *The West Australian* today that the legal profession had concerns, and well might it be concerned. During the last year of the previous Labor

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government, 78 per cent of eligible applicants for legal aid received a grant. That percentage is now down to 65 per cent of eligible applicants. That means that access to justice in Western Australia is receding. It is becoming a more difficult and problematic experience for the citizens of Western Australia. However, the opportunity to scrutinise the reasons for this, in the hope of being able to come up with some explanation for the people of Western Australia, was very constrained. Any remedies that this chamber and the Premier can bring about for an improvement in the scrutiny of these agencies would be helpful. That is not to attack the government; we really need to critically and objectively examine some of these very big and powerful agencies that play a crucial role in law and order, on behalf of the taxpayers of Western Australia, and that process fell somewhat short of what should be required.

**MR P. PAPALIA (Warnbro)** [5.08 pm]: I intend to speak for only a very short time. On this occasion it is true, Mr Whip! I support the contributions made by the member for Mindarie and the member for Victoria Park. The member for Mindarie and I sat on the estimates committee that considered the Attorney General's portfolios. He has an extensive range of portfolios that are of great interest to public life in Western Australia. I take this opportunity to record my thanks to the Attorney General. He is absolutely professional on these occasions. He goes out of his way. I am sure that the massive trolley load of documents that he wheeled in here would have been used were they required but the Attorney General's recollections were generally satisfactory. He always gives members of the opposition every opportunity to convey their questions. The problem is that such is the extent of his portfolio responsibilities, it is not possible to cover the range of questions that we wanted to cover. The Attorney General very generously offered the opportunity to take a number of the questions on an informal basis. I look forward to his chief of staff, who is very helpful, providing some of those responses in due course.

Whether this member has responsibility for these portfolios the next time we have estimates committees or whether it is someone else, we need to allocate more time to them if possible. For instance, the Inspector of Custodial Services, as mentioned by the member for Mindarie, is clearly an individual with onerous responsibilities in Western Australia during this time of unprecedented overcrowding in our prison system. As a result of having to cover a number of other issues, we were able to ask him only one question. Did he say one word? I think he began to answer the question and he was cut off. Apart from the fact that that is embarrassing from our perspective because we contribute to that to some extent because we are driving the direction of questions, it did not give him the opportunity to convey in an adequate fashion his observations about the prison system and his role in it at the moment. That was very disappointing and very unfortunate from the public of Western Australia's point of view. Other agencies and commissioners did not get to respond at all. As we have heard, one of those was the Corruption and Crime Commissioner. I share the member for Mindarie's concerns on that specific issue. It is essential that all these individuals and authorities not only get the opportunity to be questioned by the opposition, but also have the opportunity to convey their concerns to the public of Western Australia via the estimates process. Anything that the Premier and the Leader of the House can do to achieve that next year would be greatly appreciated.

Question put and passed.

*Estimates Committee B Report — Adoption*

**MR M.W. SUTHERLAND (Mount Lawley — Deputy Speaker)** [5.13 pm]: I move —

That the report of Estimates Committee B be adopted.

**MR J.C. KOBELKE (Balcatta)** [5.13 pm]: I want to make a few remarks about Estimates Committee B and the committee system generally with respect to estimates. The estimates process is one of the very important procedures within this chamber. It provides some measure of accountability for the government budget. After all, over \$20 billion of taxpayers' money is in the recurrent budget. There should be an opportunity to ask questions of the responsible ministers with respect to the expenditure of that money. The estimates procedures provide a means by which we can seek to understand what the money has been spent on and to ask searching questions to make sure that the money is being well spent.

The few comments I wish to make relate to how Estimates Committee B and committees generally this year functioned. On the whole, I thought it was a good process. I went in with a list of questions for the various agencies and was able to ask about half of them. There was a level of frustration. I would have liked to get answers on certain areas but there was no time. That is the nature of the arrangement. Not everyone is able to ask all the questions they want. The few comments I want to make relate to how we can potentially get more value out of the estimates committee. These comments are directed to all members. Although some of the pointed matters that I will raise are directed to government members, opposition members also have a responsibility to ensure that they have prepared their questions well and they are able to ask their questions succinctly because, on occasion, both government and opposition members have perhaps taken far too long to ask their question rather than get right to the heart of the matter. If those members wishing to ask the questions are disciplined and know

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what they want and go straight to it, that will reduce some of the time and allow for more questions to be asked. It may also help to change the culture so that ministers will not go on and on and waste time. That is a subjective judgement. In answering a question, when is a minister giving a full and detailed background and when is a minister simply taking up time because he or she wants to answer as few questions as possible? In my view, some ministers simply want to go on about things that could be said in a media release or by way of a short ministerial statement, in a way avoiding the best level of accountability that we could hope to achieve.

Some of the procedures within Estimates Committee B—other members have already mentioned this—relate to the issue of whether we could ask supplementary questions if we had not asked the original question. In one of the committee sessions I attended, I found that government members asked what I thought were very good questions. I wanted to follow up and get more detail on that same issue because further down in my notes I could see that I wanted details on a matter about which a government member asked a question. From my perspective, that was very positive and made it a good process. But some of the Chairs of the committees ruled that if members did not ask the first question, they could not ask a subsequent question. It was not enforced in a rigid way and on occasions I was therefore able to ask a follow-up question. It comes down to what someone said earlier about the Chairs managing the estimates committee to ensure that it is productive. The whole point of the estimates committee is the accountability of the government. Any suggestion that a Chair is biased in protecting the minister, which again is subjective and we think we see that at times, is totally against what the estimates committee is supposed to be about.

Putting aside any potential bias by Chairs, there is the issue of good management of a committee. That is a skill that some people have learnt and others are still learning. My very clear view on this is that the management is a matter of give and take. There will be times when a supplementary question just drags the matter out into an area of diminishing return and therefore the Chair should quite rightly ask the member to wait his or her turn. There is a management issue in both sharing the opportunity to ask questions and trying to ensure that there is effective questioning with reasonable and good responses. The Chair of the committee cannot direct ministers as to what they might say, but they can step in if they believe a minister is going on at great length and is not answering a specific question or is going around and around a question. Similarly, are the questions being asked building on from the questions that were just asked and are therefore productive or are they really leading the committee down a road that does not look that productive? That is a judgement that the Chairs will make, and we might not agree with it but it is important that Chairs make that judgement so that we have an effective committee. My experience generally was that Chairs did allow that to take place.

We could come in with supplementary questions and ask follow-up questions. If we are dealing with issue 3 in committee B and a question is asked by another member and I have a question I want to ask, I do not want to come back with a supplementary question 15 minutes later. That is not a productive use of the committee. It is good if we can ask another question on that same area after a question has already been asked by a member. As I said, generally I saw that working well but there was a suggestion by some Chairs that we could not do that. That is a matter for the Chairs. As I am acknowledging, in some cases they will need to make that call if their judgement is that the line of questioning excludes other members from getting their questions up and they need to get that balance. There should be no standard rule that supplementary questions cannot be asked by another member to follow on from a member who has asked a question on a specific point within the budget papers.

The next issue is that there was a suggestion by some ministers that we could not ask a question unless it corresponded to an item in the budget papers. That is a total nonsense. The estimates committee is about querying government expenditure. What we have seen in the way that the budget papers are now presented is that the amount of information provided has shrunk. If an agency has \$300 million and we know that it runs a program, the fact that the program is not mentioned in a line item should not exclude a member from being able to ask about the program. The practice has been for members to mention a page number, line item or dot point before asking a question. That is very good because the minister, the minister's staff and all the members of the committee can focus on what the question is about. The encouragement of members to give a page number, dot point or line item is very good. However, that is not to say that members should be excluded from asking a question because they cannot designate a particular dot point on a particular page. In managing the committee in a productive way, the Chair should exclude a question if it is totally outside the budget of a particular division. When dealing with the division on the Department of Water, a question might sit wholly and solely within the division on the Water Corporation. Clearly, a member should not be able to ask a question that relates to neither the portfolio nor the division that is before the committee. It is a waste of time—as some ministers tried to do—for a minister to say that members cannot ask a question of the minister because the opposition member could not provide the minister with a page number or line item when the question was clearly related to expenditure that was controlled by that budget. When it is a matter relating to a policy issue that is being developed, the Chair might have to rule on whether expenditure is provided directly for that and on how appropriate the

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question is. Anything that falls within the expenditure of the agency is a matter about which a member should be able to ask a question of the minister.

The Leader of the House made a contribution earlier. Hindsight must colour one's impression of the estimates committees because I have a very different impression of the estimates committees under the four years of Labor because I know from my own experience —

**Mr R.F. Johnson:** It was seven long years.

**Mr J.C. KOBELKE:** It was eight very productive years that saw this state go ahead in leaps and bounds.

The point is that during those eight years, I remember that the toughest questions asked were asked by Labor government members, not by Liberal opposition members, who often came in not even having read the budget papers. That is not the case for all of them, but a number of them came in, picked up the budget papers and looked for a question they could ask. They had not even read it. As a result, on numerous occasions the estimates committees finished early. We did not even use all the time that was allocated. I have expressed my frustration that I had a lot of questions written out that I could not ask in either estimates committee A or B this year. The fact is that the estimates committee cannot expand the time to meet everyone's demands, and I accept that. As I said, it is up to members on both sides to ask questions concisely and to not waffle. Similarly, ministers should not waffle and waste time because they do not want to answer more questions.

In conclusion, I thank and congratulate all the Chairs of the committees, who put in long hours. I also thank all staff. On the whole, the committees worked quite well, but we can always seek to improve them. We should all address the minor frustrations that I and other members had so that we can make the very important estimates committees work even better in future years.

**MR M. McGOWAN (Rockingham)** [5.25 pm]: I will speak only briefly on estimates committee B. I made some comments about estimates committee A, which I stand by. A number of members, including the member for Balcatta a moment ago, expressed the idea that the estimates committee should be predominantly an occasion for teasing out and getting information from ministers and should not be an occasion for asking dorothy dix questions. That is the correct and fundamentally right procedure; that is how this process should work. In his comments on the member for Mandurah's address, the Premier raised the subject of holding a joint estimates committee process with the upper house. The idea behind that would be either for lower house ministers to appear before an upper house committee or for upper house members to appear before a lower house committee, or that a joint committee of lower and upper house members would be held.

**Mr C.J. Barnett:** I was suggesting that one option would be to treat estimates as a joint sitting.

**Mr M. McGOWAN:** I can see the merit behind that. Members must bear in mind that there are only four or five ministers in the upper house. Therefore, ministers in this house have to deal with portfolios that are not their responsibility. I had to do it on one or two occasions. It is not easy to answer questions on matters that are outside of a minister's day-to-day responsibility. It would be easier if the relevant minister appeared before this chamber. Of course, the way it is handled is that the minister's departmental staff appear before the committee. The reason I would be sceptical about the process is that I have an old-fashioned view of Parliament that the lower house has primacy over the upper house. The lower house is the house of government; it is the house in which governments are formed. We are the ones who either make or break the government of this state. To provide a level playing field and to remove the primacy of the lower house either in form or substance would not be a good direction for our Parliament. I recall that 10 years ago there was a significant article written in *The Australian*, followed by a significant follow-up article, in which the Premier was on the record as, to an amazingly large degree, calling for the abolition of the upper house.

**Mr C.J. Barnett:** People often quote that article. I remember it very well. I suggest that you actually read what I said in the article if you are interested in knowing what I said.

**Mr M. McGOWAN:** I read it at the time but I have not read it recently.

**Mr C.J. Barnett:** The heading was dramatic but if you actually read the comments —

**Mr B.S. Wyatt:** What was the qualification?

**Mr C.J. Barnett:** Read the article. I have not re-read it but I know exactly what I said.

**Mr M. McGOWAN:** I am not having a dig at the Premier in the slightest.

**Mr C.J. Barnett:** I know you are not. The headline was something like "Barnett wants to abolish the upper house". What I was taking about was that if we were going to have two houses of Parliament, in my view, they should be elected on a different basis and be functionally different in what they do. The point I was making at

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the time was that it seemed they were a mirror image of each other. To its credit, the upper house has distinguished its role over the past decade and is now operating differently. At that stage, in my view at least, they were virtually operating as a mirror of the lower house.

**Mr M. McGOWAN:** My recollection is that subsequent to the publication of the article, a pile of abuse was poured on the then Leader of the Opposition, largely from members on his own side; we were relatively silent. I recall that a large torrent of abuse was poured on the current Premier by people who he ordinarily would have thought were his allies at the time. I recall that the journalist who wrote it might have been one Roger Martin, who I think had left *The West Australian* to head up *The Australian's* Western Australian office when it started a Western Australian page, which disappeared from the pages of *The Australian* some years ago. I think that was his big start.

**Mr C.J. Barnett:** It was the first issue.

**Mr M. McGOWAN:** I had it right. The torrent of abuse started subsequently. I remember the then Leader of the Opposition walking around the building in a slightly dazed state looking for his friends and allies around the place or for anyone who would speak to him at that time. I think he received a receptive audience from Labor members, who had some sympathy with what he had to say. In any event, I do not want Parliament to remove the idea that the houses are different and that the Legislative Assembly is where governments are formed. If we start to indicate that both houses are the same by having a joint estimates process, that would send the wrong message, particularly to the upper house. I also think that the process might degenerate somewhat into a competitive environment between lower and upper house members as to who is the smartest or the most aggressive or who can come up with the best questions. Some members would try to prove themselves above others. Broadly, I do not think that that would be a good idea. Although I believe that the current process is unsatisfactory, for the reasons I outlined before, I think that the suggested change is not one that we should implement.

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

**Mr C.J. Barnett:** The moment of consensus is gone!

**Mr M. McGOWAN:** The member for Mandurah agreed with the Premier, but he often says things in this place that are a little bit unusual and outside the ball park! Fortunately, one of my numerous research people has brought to my attention, through an internet research site, a copy of *The West Australian* article to which I referred. The article is titled “Barnett calls to abolish Upper House”. It reads —

A call by the Western Australian Liberal Party Opposition Leader, Colin Barnett, to abolish the upper house has met party resistance. Some Liberal parliamentarians have spoken out against Barnett’s proposal. Barnett said parliament would work more effectively with one, bigger house. However, the party’s leader in the upper house, Norman Moore, said few Liberals would support the call. The Western Australian Premier, Geoff Gallop, said the conservative parties had controlled the upper house numbers for more than a century, and now, as for the first time they were a minority, Barnett wanted to abolish it. ...

It goes on. The internet research page has an Olay Professional advertisement on the side. I thought it happened when the Liberals were in government. It was obviously when the member for Cottesloe was in opposition in 2001. The date of the article is 12 August 2001. I think it was more a call for the abolition of the upper house—I can dig it out and we can have a debate about it at some point—as opposed to a call for reform.

**Mr B.S. Wyatt:** It was not in the forward estimates.

**Mr M. McGOWAN:** That is right—so it does not exist! I note that the Liberal Party is now firmly in control of the upper house. I recall the then member for Avon had a similar view to that of the member for Cottesloe—look where he is now!

Question put and passed.