

Mr David Templeman; Mr Sean L'Estrange; Dr Mike Nahan; Acting Speaker; Mrs Liza Harvey; Ms Margaret Quirk; Mr Colin Barnett; Mr Dean Nalder; Mr Tony Krsticevic; Mr Bill Marmion

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Assembly's Resolution — Council's Concurrence

Message from the Council notifying that it had concurred with the Assembly's resolution, and had appointed as members Hon Jim Chown and Hon Alison Xamon, now considered.

Consideration in Detail — Appointment of Members

Mr D.A. Templeman: I move —

That the member for Girrawheen and the member for Kalamunda be appointed as members of the Joint Standing Committee on the Corruption and Crime Commission and that the Legislative Council be acquainted accordingly.

Amendment to Motion

Mr S.K. L'ESTRANGE: I will move an amendment to the motion moved by the Leader of the House. I move —

To delete "Kalamunda" and substitute —

South Perth

The Joint Standing Committee on the Corruption and Crime Commission is a significant and important committee of this Parliament. It is a committee that should be above politics. Therefore, because of the nature of the committee itself as a corruption oversight committee, it must be bipartisan. The Joint Standing Committee on the Corruption and Crime Commission has always had two nominees of the government and two nominees of the opposition. Today this government has changed that. For the first time in the history of the Joint Standing Committee on the Corruption and Crime Commission there are three government nominees and one opposition nominee. That is indisputable. The committee has three government nominees—two from the Assembly and Hon Alison Xamon from the Legislative Council.

Mr D.A. Templeman: She is not a government member.

Mr S.K. L'ESTRANGE: She was nominated by the Leader of the Government in the Legislative Council. One must ask why the government wants to politicise the Joint Standing Committee on the Corruption and Crime Commission and has chosen to move away from convention. Ever since this committee was created, the convention has been that two members of the opposition were on that committee. By virtue of the government's nominees to this four-person committee, there will now be only one opposition member on that very important committee.

Ms A. Sanderson interjected.

Mr S.K. L'ESTRANGE: She is not a member of the opposition; she is a nominee of the government. She was nominated by the Leader of the Government in the Legislative Council.

Mr D.A. Templeman: And agreed to by the leader of the Liberal Party in the upper house. He agreed to it!

Mr S.K. L'ESTRANGE: The Leader of the Opposition in the Legislative Council nominated an opposition member from the Legislative Council, because the convention since the start has been that the committee comprises two opposition members and two government members.

Mr D.A. Templeman: And we will have two government members. The motion will allow for two government members.

Mr S.K. L'ESTRANGE: But we will not have two opposition members. Lord Acton was a great nineteenth century politician. All members have heard of Lord Acton. He warned us that absolute power corrupts absolutely. It is a slippery slope when the government, three months after being elected, decides to not abide by the convention of this place in the appointment of members to the committee that oversees the integrity of government and of public office bearers. This government has the will to decide that it does not need to stand by convention and can say to the opposition that it will get only one member on this committee. That has never happened before.

All members of this place—Labor and Liberal—need to look at what that committee was created for. We need only look at the Corruption, Crime and Misconduct Act 2003 for guidance on what constitutes bipartisanship. Section 3 of the act states —

bipartisan support means the support of —

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- (a) members of the Standing Committee who are members of the party of which the Premier is a member; and
- (b) members of the Standing Committee who are members of the party of which the Leader of the Opposition is a member;

It is very clear in that act. The inference from that act to the creation of this committee is clear, and that is why this has never been done differently before. There are two members of the committee from the government and there are two members of the committee from the opposition.

[Member's time extended.]

Mr S.K. L'ESTRANGE: We are only three months in, and this new Labor government has achieved the biggest majority of a government in this Parliament's history. That is an achievement that Labor members are all proud of, but I warn members that if they decide to use that power to usurp a standing convention based on the Corruption, Crime and Misconduct Act 2003—that the parliamentary committee that oversees the Corruption and Crime Commission is to have two government members and two opposition members—they will be setting themselves up for failure. It will be a failure that the people of Western Australia cannot afford, because they have seen it before, back in the 1980s, which was the genesis for an anti-corruption commission —

Several members interjected.

Mr S.K. L'ESTRANGE: Backbench, I am not going to be political here.

Several members interjected.

Mr S.K. L'ESTRANGE: Members need to listen; I will try to educate them if I can!

In the 1990s an anti-corruption commission was created. In the 2000s the then Labor government created the Corruption and Crime Commission and a committee for the oversight of the Corruption and Crime Commission. It did so because it understood the need to ensure there was integrity in the oversight of the behaviour of government and the public sector. That is why it did it, and that is why it appointed two members from the opposition and two members of the government to the committee.

Backbenchers, in their newfound joy of being parliamentarians, can decide to badger me on this point. The fact is that this is a serious matter that will be looked at carefully by the wider Western Australian community because people will ask the question: why are we going away from convention under this new government? That is the question the community will ask, and the government better have a good answer. I can tell members that I have served on that committee —

Ms M.M. Quirk interjected.

Mr S.K. L'ESTRANGE: The member for Girrawheen has served on that committee, I have served on that committee, and both of us have a very good understanding that that committee is bipartisan and professional, and that it looks very carefully at the matters it deals with. I have sat in committee hearings together with my Labor parliamentary colleagues, and we have been forensic in how we dig into the detail to do what is right. That is what makes that committee a very esteemed committee to be a member of. It is a committee that really does get to the heart of what good government is; it makes sure it is watching. It is not only watching the commission to make sure that it is doing what it needs to do; it is also watching the commissioner and the parliamentary inspector, and it is making sure that there is good governance on behalf of the people of Western Australia. It is an outstanding committee, but to go against convention and usurp this committee's bipartisanship is very, very dangerous indeed, and I strongly recommend that the government think against it.

I do not want to sound political and talk about the Burke era; we all know what happened there. But when ministers start to become overtly influenced by external operators, if it is not nipped in the bud, there will be problems. This is no secret; this is not me being a party political Liberal and having a crack. It is on the record that four ministers fronted the CCC and were investigated during the last Labor government. It is no secret that the Labor Premier of the day had to deal with that. If the government is saying to the Joint Standing Committee on the Corruption and Crime Commission that it is going to be weighted with government members, it will run the risk of those members coming under undue pressure in the future from people of influence. I hope that never happens, but the government will run that risk. What will save it from that risk is having a bipartisan committee with two members from the government and two members from the opposition, because they will work in a bipartisan fashion to make sure that committee does what it is supposed to do, which is to hold the integrity of government to account.

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DR M.D. NAHAN: We are dealing with an extremely important issue here. Most of us know the history of the Corruption and Crime Commission. It is an important body that independently oversees the behaviour of government, Parliament and others and is a vital aspect of our democratic system.

Mr P. Papalia interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Minister, I will call you if you continue to interject. I also warn you, member for Girrawheen, that if you start interjecting, I will call you too.

Dr M.D. NAHAN: As the member for Churchlands said, this was extremely relevant to our body politic 10 or so years ago under the previous Carpenter government. Its activities were a major issue affecting us getting elected in 2008. If we look at New South Wales and Queensland in the past, similar bodies have played vital roles in keeping crime and corruption out of the body politic of those states. Back in the 1980s and 1990s, there was a stain on the body politic of Western Australia, and we do not want that to happen again. Successive governments have put in place bodies for the oversight of that, including the Corruption and Crime Commission. When the Corruption and Crime Commission was first set up it also had an oversight committee because the CCC does not report to a minister. Appropriately, the CCC has a great deal of independence, so a bipartisan committee of Parliament was set up to oversee it. The government is defined as the party that holds the majority in this house, so that is well defined, but there is also a definition of what the opposition is. The opposition has certain criteria for being in opposition, including a certain number of members. Do members know what? The Greens are not members of the opposition. They are not a member of the government, either, but the Leader of the House in the upper house chose to put a Green on the committee. Why? That was her choice and that was the government's choice. It was not our choice. We put forward a nominee, as per tradition—Hon Jim Chown. The government put forward a member of the Greens. Fair enough; that is the government's choice. That is the Labor government's representative on that committee; we accept that and we did not resile from it.

Now, in this house, the government is trying to break with tradition. The tradition is that each house puts forward a nominee—one from the government, and one from the opposition. The opposition is the Liberal Party, in both the upper house and lower house. The tradition is that we put forward a nominee—the member for South Perth is the person we put forward—and the government puts one forward. The government is trying to breach that. Why? This is no slip or accident; this was planned. The government did not put Hon Alison Xamon forward by mistake; she was the government's nominee. The government wanted to have two of its own and one from a party that is generally aligned to the Labor Party—that is, the Greens—and it did so purposely. It is trying to stack one of the most important standing committees in this Parliament. Why? We can only speculate on that, but as the member for Churchlands said, this is very dangerous ground for the government to get onto. That committee oversees a very powerful body that, as history has shown, examines some of the most sensitive issues in this state. If there is a lack of confidence in the committee, there will be a lack of confidence in the CCC, and the government will undermine the whole process. As the member for Churchlands said, it is a matter of record that the last Labor government had four senior ministers appear before that committee, and three of them had to resign as ministers. That is a statement of fact.

Mr W.J. Johnston: That's not true.

Dr M.D. NAHAN: Well, it is. Four went before the committee, three left—Tony McRae, Norm Marlborough and John Bowler. Those three left. Why is the government trying to stack the committee? Against convention, the government is trying to stack one of the most important committees in this place that oversees crime and corruption. There has to be a reason for it. That Alison Xamon was put forward by the Labor Party in the upper house as its nominee does not absolve that. It is an attempt to stack and to limit the bipartisan approach of this committee. There is no explanation for this.

The ACTING SPEAKER (Mr I.C. Blayney): Deputy Premier.

MRS L.M. HARVEY: Thank you, Acting Speaker.

The ACTING SPEAKER: Sorry, Deputy Leader of the Opposition. I beg your forgiveness.

Mrs L.M. HARVEY: I have a few points to make on this matter. The leader of government business in the upper house put forward a nomination for this committee in Hon Alison Xamon. None of us have a problem with Hon Alison Xamon. We have a problem with a proposal to amend what has been a vote in this chamber on committee members in response to actions taken by the leader of government business in the upper house with a nomination for this particular committee. I sat on the government benches for eight years listening to opposition members lecture about transparency, accountability and the importance of good governance. We have a Premier, who, by his own undertaking, has said that he would apply a gold standard of transparency to his government. His first act of treachery to the people of Western Australia is to try to stack the oversight committee of our most important crime and corruption watchdog. It is unacceptable. Most concerning is the

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interjection I heard earlier from the member for Midland, who is now Minister for Police; Road Safety—police officers are also overseen by the Corruption and Crime Commission—that they should have got more members elected. Apparently, when a government has a landslide election win it gives them the authority to mess with the transparency mechanisms put in place and endorsed by both sides of politics over many, many years. It concerns me because, evidently, the attitude is that if the government has the numbers, it can barrel this through and to hell with transparency. To hell with the commitment to the community about gold-standard transparency as part of a record-breaking election win, let us overturn —

Mrs M.H. Roberts interjected.

The ACTING SPEAKER: Member for Midland, I warn you that I will start calling you if you continue to interject.

Mrs L.M. HARVEY: I thank the Acting Speaker for his protection.

This house has already voted on the membership of this committee. We put our nominations forward and discussions have been made on both sides of the chamber, but now the agreement reached between the leader of opposition business and the leader of government business about committee membership has changed because of an action taken by a government member—the most senior member in the other place—to place a Green on that committee in lieu of a Liberal representative. They want to make sure that the most important committee overseeing the Corruption and Crime Commission and its activities, and potentially making recommendations to this Parliament about changes to the act, whatever they may be, is going to be stacked with Labor members and its partner in government, the Greens. The Liberal opposition, which from the beginning of time has always had two members on this committee, along with two members of the Labor government or opposition at the time, will be denied the opportunity for oversight of our most important corruption watchdog.

I put to the Acting Speaker that members opposite who may not have acquainted themselves with the activities of the Corruption and Crime Commission should go and look at the reports. They are good quality reports that look at standards in the public sector, police corruption, the actions of government ministers, and leaks from cabinet to lobbyists so that lobbyists can provide a benefit to the people paying them money. That is what this corruption watchdog does. Members opposite do not like it; they lecture on transparency, but this is their act of treachery. I implore members opposite to stand today for transparency.

Several members interjected.

The ACTING SPEAKER: I will have to start calling people. This is very important and I would rather that members are heard in silence.

Mrs L.M. HARVEY: Stand today for transparency and vote to ensure that there is equal representation on this very important parliamentary committee from the Liberal opposition and the Labor government. That is the right thing to do; it has been the convention from day one. It is why that parliamentary committee has worked and why our crime and corruption watchdog has been very effective in ensuring transparency and that misconduct is watched.

MS M.M. QUIRK: A number of members will be familiar with that great Australian movie *The Castle*. What we have heard from the opposition is the vibe argument! Members, it is not the vibe; it is the law. I am very surprised that the member for Churchlands is not aware of the provisions in the legislation. Section 216A requires two members of the Legislative Council and two members of the Legislative Assembly. The member is arguing about convention when there is black letter law and an express provision that does not require two members of the Liberal Party to sit on that committee.

Mr S.K. L'Estrange: There's a convention negotiated between the two sides before the formation of this committee at the start of every Parliament, and it has been the case since this committee was created.

Ms M.M. QUIRK: It is law. Why bother with the convention when there is an express provision in the act? There obviously were not enough pictures in the act for the member to get up to section 216A!

Mr S.K. L'Estrange: This is a serious issue.

Ms M.M. QUIRK: It is a serious issue. That brings me to my second point: those who have sat on parliamentary committees know that they work in a co-operative and bipartisan way. I think that those who have been nominated for the committee have been impugned by the member for Churchlands, who has made it very clear he thinks the members of that committee will be overly influenced by members of the executive. I draw members' attention to the provisions of the act, and I suggest that they look at them before they feign outrage.

MR C.J. BARNETT: This is an extremely serious issue and I am dismayed that some new members think that this is something to laugh at. I will remind members about a little of the history. Yes, the member for

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Girrawheen is right, the act specifies four members—two from the upper house and two from the lower house—and, as the member for Churchlands outlined, absolutely accurately, the convention has been that there will be two members of the government and two members of the opposition. As it is structured today, the opposition is the Liberal Party. If the opposition—Liberal Party—chose, for example, to invite the National Party to nominate one member, that would be its decision, because we have governed together. But, strictly, it is two government members and two opposition members. Members opposite do not like to go back into political history.

Ms M.M. Quirk interjected.

Mr C.J. BARNETT: I am not talking to the member for Girrawheen.

I remind members again that during the term of the Gallop–Carpenter government five ministers resigned from cabinet. That is unprecedented in Western Australian history and probably in Australian history.

Mr W.J. Johnston interjected.

The ACTING SPEAKER: Members, from now on I will start calling people, because on this issue members should be heard in silence.

Mr C.J. BARNETT: One of those five ministers resigned over a serious conflict of interest. He did the proper thing; he resigned. The other four either resigned voluntarily or were forced to resign by the then Premiers because of investigations by the Corruption and Crime Commission, not because of debates or activities of the then opposition. None of those investigations were instigated by the then Liberal–National opposition. They were investigations independently carried out by the Corruption and Crime Commission under the secrecy provisions it provided. Those four were forced to resign. For that reason alone, I would think it absolutely imperative that members of the Labor Party do all they can to make sure the integrity of the whole corruption and crime commission process is kept. It is in the government's interest because it is the party of which four ministers were forced to resign because of CCC investigations. I would have thought the government would be arguing never to change the convention. It is quite extraordinary that it is going down this path.

I point out another little thing that is a bit tangential to this. The government has an Attorney General who, at a ministerial level, has oversight of the Corruption and Crime Commission, and who has himself been investigated by the Corruption and Crime Commission. Three matters relating to the Attorney General have been before the Corruption and Crime Commission. They are matters not instigated by the then opposition, but by the Corruption and Crime Commission itself and due to complaints by the legal fraternity. They perhaps were not the most serious matters but how extraordinary it is that under a Westminster system a Labor government is trying to escape scrutiny from parliamentary oversight of the CCC, when its record is four ministers being forced to resign under independent investigations by the CCC. The Labor government is, to some extent, vulnerable given its own Attorney General, who has ministerial oversight, himself has been subject to CCC investigations. I would have thought—indeed I was amazed when the McGowan government announced its cabinet—that no-one in Western Australia questioned the appropriateness of the now Attorney General to hold that position with the CCC. No-one in the media even thought of it.

Mr W.J. Johnston: Because he is talented and effective.

Mr C.J. BARNETT: With the standard I would have put in place, I would have thought that someone who had been subject to a CCC investigation should not be Attorney General. However, that is my standard; it is not that of members opposite. I do not criticise him other than to remind people of the history. How extraordinary it is —

Ms M.M. Quirk interjected.

The ACTING SPEAKER: I call you for the first time, member for Girrawheen.

Mr C.J. BARNETT: New members come in here and sit and giggle. If they had been in here and seen one of their former ministers standing over where the member for Bunbury is sitting, crying in this chamber through the humiliation and shame he felt —

Mr S.K. L'Estrange: I would like to hear more from the member for Cottesloe.

Mr C.J. BARNETT: In all my years in Parliament I have never seen a member, a decent person in all other respects—a popular member of Parliament—break down in this chamber because he had failed investigations by the CCC and was suspended by this Parliament. That is the history and members opposite should be doing absolutely everything they can to make sure that history is never repeated by any person or party in this Parliament, yet they come in here to vote to have this chamber, the chamber of government, represented on that committee by two people from the one party. It is entirely inappropriate and I make this speech because no-one else in Western Australia is prepared to do so.

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Mr D.C. NALDER: I rise in support of this amendment moved by the member for Churchlands. I find it somewhat interesting that people tend to treat this place a little like theatre on an issue such as this. This strikes at the heart of the integrity of Parliament and it is something that we should be taking extremely seriously. The whole purpose of setting up the Joint Standing Committee on the Corruption and Crime Commission was to have oversight of Parliament. The government over-ruling and trying to bully by using its numbers to force changes to what has been convention should not be tolerated in this place by any party at any time. It is disgraceful for the government to suggest that because it nominated a person from the Greens in the upper house, it can nominate two Labor people in the lower house, and take away the convention of a member of the Liberal Party from this house being on the committee. It is disgraceful and something we should stand up and fight against. This strikes at the heart of integrity and of transparency of government. While in opposition, the Leader of the Government continually reminded this house about the need for transparency of government and this strikes at the heart of it. We should cry foul; we should not accept this at all. Members opposite standing by and laughing at the members in this house who are raising concerns on this issue, trying to make a joke of it, when the convention has been that a government member and an opposition member in this house have been on this committee from the outset, and trying to break away from that convention, should not be tolerated by anyone.

Like my colleagues I call on the members of this house to seriously consider this nomination of two Labor members and suggest that this is not right and we should adopt the member for Churchlands' proposed amendment to appoint the member for South Perth as the opposition's member of this committee. This is something that was discussed before it went to the upper house and had general agreement. To see it go through the Legislative Council where the Leader of the Government in the other place nominated a member of the Greens saying that because that person is not a member of government it is justification for appointing two Labor members from this house, which means that three out of the four nominations are Labor members, is plainly wrong and should not be accepted.

We hear objections, interjections and laughter because members opposite have the numbers and they think they can ram their motion through while we sit here and accept it. Members opposite have to seriously reconsider this. This is a very serious matter and we will continue to fight for transparency, honour and integrity in this parliamentary process and not let the government use its numbers and think it can barge its way through these types of processes.

Mr A. KRSTICEVIC: I am absolutely amazed to hear this from the leader of the government. I thought he was a much better man than this.

Several members interjected.

Mr A. KRSTICEVIC: I am serious. Members opposite can laugh.

Mr W.J. Johnston: Are you going to explain what happened to you in the CCC?

Mr A. KRSTICEVIC: Please; give me a break. Member for Cannington, you are as dodgy as they come when it comes to making those sorts of statements.

Withdrawal of Remark

Mr D.A. TEMPLEMAN: That comment impugns the reputation of the member and I ask that it be withdrawn.

The ACTING SPEAKER (Mr I.C. Blayney): Member, I ask you to withdraw that.

Mr A. KRSTICEVIC: Sorry; I withdraw that.

Debate Resumed

Mr A. KRSTICEVIC: I want to focus on a few things. Ever since this committee has existed, two government and two opposition members have always been on it. This is the first time this has changed. What reason has been given? If I ask the member for Southern River whether he knows why this is happening, he does not have an answer. Does the member for Kingsley know why this is happening? Nobody has an answer so no reason was given to government members let alone opposition members. The Parliament of Western Australia provides the composition of these committees. We are talking about changing something that has always been in place. Is it not pretty obvious that we should know why this is happening? I will not ascertain that it maybe because —

Ms J.M. Freeman interjected.

The ACTING SPEAKER: Member for Mirrabooka, I will call you if you interject again.

Mr A. KRSTICEVIC: Maybe the previous work of the Corruption and Crime Commission under two Labor governments is why this is happening—so that this government will have more control over the Corruption and

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Crime Commission. I do not know. May be it does not like the way the CCC is doing its work. I am not sure whether that is behind the reasoning or whether there is some other reasoning.

I want to reflect on the committees very quickly. In 2008, 2013 and obviously now in 2017, we have shared committees and shared chairs of committees across this Parliament. In 2013 we were in government and we gave the Labor Party the chair of two committees—not the two committees it wanted, but we did give it two committees to chair. One committee was chaired by the member for Maylands and I cannot remember who the other chair was. Two committees were chaired by the Labor Party in that term and prior to that in the previous term of government from 2008, two committees were chaired by the Labor Party as well. In 2013 we changed the committee that the Labor Party chaired, taking away the Public Accounts Committee and giving it the Joint Standing Committee on the Commissioner for Children and Young People. This did not even change the number of committees that the Labor Party controlled. It was still in control of two committees in 2013, but just not the two committees it wanted. At that time the now Premier said —

This is a change for the worse with these committees and the less scope they have to examine the arrangements and the performance of government, it is a lessening of accountability in this state. Whilst the Premier might not like it, oppositions are important. A good opposition is important to the state; it is good and proper that the opposition have an important role in Parliament and an important role on the committees. Allowing —

In this case —

one out of four committees to have opposition control and removing opposition control from the most important committee is a backward step.

He was referring to the Public Accounts Committee. That was the now Premier saying that it is important for oppositions, in this case, to have control of the committee, and in that case he was talking about the Public Accounts Committee. Now, there is only one Liberal Party member on the Joint Standing Committee on the Corruption and Crime Commission—that is all, no-one else. We are not even talking about controlling the committee; we are just talking about having fair representation. That has always been the case in this Parliament. I think it is a real concern that most people on the government side have no idea why this is happening. That is my guess. They have no idea. It was not discussed or explained to them, and they were not told the reasoning for it. If they were told the reasoning, we were not. All we know is that we went into negotiations, as at the start of every other parliamentary session, and we explained exactly what we wanted. We did not want anything more than what we had looked for in the past.

Mr W.R. MARMION: I would like to hear more from the member for Carine.

Mr A. KRSTICEVIC: I cannot believe that this is coming from a Premier who has campaigned on the gold standard of accountability and transparency. This has to be looked at above politics, and unfortunately that is not happening in this Parliament. People are not raising the bar above the political control of their masters. They are not saying, “You know what, I’m here representing the people of Western Australia. I am here representing my constituents.” I dare every government member to go to their constituency, hold a public meeting and tell people what the convention has been in this Parliament and what the government proposes to do here and why—just tell them the facts. Government members do not need to embellish anything or make up things that are not true. They just need to tell people that this is what the government is proposing and that they will not give reasons and they do not have a rationale apart from the fact that they want to control the CCC committee. In 2013 the new Premier said that that was unacceptable. He said during the establishment of committees in 2013 that it was important for the opposition to have control of some committees and for it to have a say in Parliament, but we cannot even have that. We cannot even get fair representation. We are not even asking to control the committee. We are not even asking to chair committees like the Labor Party did in the last Parliament.

Mr W.J. Johnston: We did not.

Mr A. KRSTICEVIC: The opposition shared chairing the Public Accounts Committee and the member for Maylands chaired the Joint Standing Committee on the Commissioner for Children and Young People.

Mr W.J. Johnston interjected.

Mr A. KRSTICEVIC: I am looking at the paperwork for the thirty-ninth Parliament right here, so if the government knows something more than the record —

Mr W.J. Johnston: I was on that committee. Who was the chair?

Mr A. KRSTICEVIC: It was the Joint Standing Committee on the Commissioner for Children and Young People.

Mr W.J. Johnston: It was the Public Accounts Committee.

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Mr A. KRSTICEVIC: We are not talking about the Public Accounts Committee; we are talking about the Joint Standing Committee on the Commissioner for Children and Young People, which was chaired by the member for Maylands, Lisa Baker. She was the chair of that committee. It was a joint standing committee and she was chairing it. Do not tell me that there were not two people from the Labor Party chairing committees in this Parliament in 2013 when we got elected. The other committee that the Labor Party chaired was the Community Development and Justice Standing Committee. We gave the Labor Party two committees to chair when we were in government. What has the Labor government given us in return? It has given us one committee to chair. We gave the Labor opposition two committees to chair; the Labor government has given us one. We gave the Labor opposition equal representation on every committee as per convention and what is the Labor government doing? It is withdrawing that as well.

Not only has the government taken one committee away from us, but it is also limiting our membership on the CCC committee. We know that the Labor Party has a strong relationship with the Corruption and Crime Commission and it does not want it to be overseen by Parliament in a bipartisan way. The government wants to have control. It wants to run the agenda of the CCC. The Premier of Western Australia—gold standard transparency—has said previously in this Parliament, in 2013, that he stands for something. Today the government has the opportunity to show whether it stands for something or whether it stands for nothing. I can tell members one thing: changing the way this committee is run is probably the line in the sand that will determine whether this government stands for something or nothing. The people of Western Australia should judge the government on the merits of what is going on here—not on the politics, not on what the government is trying to manipulate, but on the merits of what it is doing. This is a real disgrace and I am very, very disappointed, and not just in the Premier, for this being allowed to take place. I am not even sure whether the Premier made this decision or whether the union leaders or someone else made decisions on how these committees will be staffed and who will be on them—whether other people are lurking in the shadows making these decisions. I want the Premier to live by his words, the words he put in *Hansard* in 2013. I would like the Premier of Western Australia to explain this to us. I know that the leader of opposition business wants to jump up and stop the debate. He does not want the Premier to get up and speak and say why he is going back on his words of 2013. I want the Premier to at least give respect to this Parliament, give respect to the people of Western Australia, and show that he has some character, that he has a level of transparency and accountability and that he is prepared to state on the record why this is happening. I do not think he will. I do not think he has the backbone for it. I think that the leader of opposition business knows better —

Mr D.A. Templeman: I know he does!

Mr A. KRSTICEVIC: Sorry, the leader of government business. The leader of opposition business does know better. That is why he was speaking. He was talking about what has happened in the past and what should continue to happen in the future. I said I would also like to hear the Premier explain to us why this is happening. I think it is a real disgrace and I think the people of Western Australia should know that this state has been taken backwards.

Mr S.K. L'ESTRANGE: I would like the government to consider an alternative to what we are debating today. I would like it to first consider agreeing to this amendment so that the convention can be maintained. We are then willing to work with the government to come back to this place with a new piece of legislation—its legislation—whereby if it chooses to amend it to increase the membership of the parliamentary oversight committee into the CCC, we will agree to it. Obviously, the legislation would need to be drafted and the details worked through, and debate would need to ensue. An example of committee membership could be two government members and two opposition members from this place and a crossbench member, and likewise from the other place. That is an example of what could ensue. First and foremost, we recommend that the government agree to this amendment so that the conventions that have been abided by this place ever since the CCC committee was created are abided by today. These are the first things we want.

Ms M.M. Quirk interjected.

Mr S.K. L'ESTRANGE: Member for Girrawheen, we know what the act says. It says two members from the Assembly and two members from the Council—we get that. The government also fully understands that the convention has always been to have two government members and two opposition members on that committee. The government knows that. We are now suggesting that the government agree to our amendment and that the member for South Perth —

Mr K.M. O'Donnell: There is only one opposition member.

Mr S.K. L'ESTRANGE: That is correct. The government is proposing that only one opposition member can be a part of this committee under the Westminster system, and that is Hon Jim Chown. That is what the government is proposing. We are saying that we need the member for South Perth on that committee as well so there are two

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members of the opposition on it, which has always been the convention. That has not changed. That is the amendment, and it is sticking to the convention. We are offering an olive branch. We are saying put that amendment through, and then bring the legislation back to this place and we will work with the government to increase the size of that committee if it wants crossbench membership on it. That is what we suggest. It is an amicable agreement that we could come to here. It is a situation that would be in the best interests of the Parliament of Western Australia. It is a situation about which the people of Western Australia who will read the newspapers if this gets into print will say it is a good suggestion. We want open, transparent and accountable government. Having a parliamentary oversight committee looking over the Corruption and Crime Commission is important, and that is why there has always been bipartisan equal representation on that committee—two opposition; two government. We extend an olive branch to allow the government to say, “Okay, we’ll agree to your amendment. We mucked up in the upper house. We shouldn’t have put forward a crossbench member; we should have put forward a Labor member. We didn’t do that; that was our mistake. We’ll allow you to have your member in this place, which is right and proper, and we’ll review the legislation. We’ll bring back a change to increase the size of the committee with your concurrence.” That is what we are offering. I put that suggestion to the government, and I again implore it to seriously consider our amendment and accept it.

Mr D.A. TEMPLEMAN: I want to make a few points so that the house is very clear on process, and also address some comments in this debate. First, one of the things we need to understand is that the other place makes decisions. The current composition of the other place is very different from that of the previous Parliament. The representation as it currently stands is that there are 14 Labor members of Parliament, nine Liberal members of Parliament, four Greens members of Parliament, four National Party members of Parliament, three One Nation members of Parliament, one Shooters, Fishers and Farmers member of Parliament, and one Liberal Democrat in the 36-seat house. They, of course, are 13 non-Liberal members. If we add to them the Liberal members of Parliament, a substantial majority of members are non-government members. That is the current composition of the upper house.

I understand discussions were had in the determination by the Legislative Council of its motion that was passed, I understand unanimously, by the upper house, moved by Hon Sue Ellery as Leader of the House. The Leader of the House moved both nominees; they were not moved separately. There was no separate nomination of one member following the other; they were moved together. The motion was that Hon Jim Chown and Hon Alison Xamon be representatives from the Legislative Council for this committee. I understand that the Leader of the Opposition in the upper house, Hon Peter Collier, agreed to that. Then the Council supported the motion.

Mr S.K. L'Estrange: He agreed to your nominee. It was your government nominee.

Several members interjected.

Mr D.A. TEMPLEMAN: No, the motion was that Hon Jim Chown and Hon Alison Xamon be the nominees of the Legislative Council.

The leader of opposition business and I have had some conversations on this matter, but he knows that the process of the formation of all our committees is that names are put forward—and that is what happened. Names were put forward, as has happened with previously determined standing committees of this house, and that is the case for joint standing committees. The opposition puts some names up and the government puts some names up. Of course, in this case, as the member for Girrawheen has quite correctly highlighted, legislation establishes and determines the composition of this very important committee. There is no doubt about that. This is a very important committee; no-one disagrees with that. The legislation states that there be two Legislative Council members and two Legislative Assembly members. It is up to the Legislative Council to determine its representation, as it has, and now there is a motion before the house to determine the Legislative Assembly’s representation. I will be very interested to hear what the opposition has to say. I agree with the member for Girrawheen: I do not know what members opposite have against Hon Jim Chown or Hon Alison Xamon—I do not know whether they have some personal issues with those members—but they need to remember —

Mr J.E. McGrath: Transparency in our chamber.

Mr D.A. TEMPLEMAN: Exactly, but, member for South Perth, you, yourself—there has been talk today about the stain of being —

Mr J.E. McGrath: Come on, go ahead and say it! Come on!

Mr D.A. TEMPLEMAN: No, I am not going to attack you. No, I am not going to attack you. Just listen.

Mr J.E. McGrath: I’m going to get up and speak in a minute.

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Mr D.A. TEMPLEMAN: That is good, and you can have that, but just listen. The fella sitting behind the member for South Perth —

Mr J.E. McGrath: You messed up.

Mr S.K. L'Estrange: You are better than this. You knew the arrangement.

Mr W.J. JOHNSTON: I am very keen to hear further from the member for Mandurah.

Several members interjected.

Mr D.A. TEMPLEMAN: The member behind the member for South Perth has a track record of standing in here and inferring that anybody who is referred to the CCC has broken the law.

Mr J.E. McGrath: Yes, you've got a few over there!

Mr D.A. TEMPLEMAN: Yes, yes—well you were!

Mr J.E. McGrath: Yes.

Mr D.A. TEMPLEMAN: You were yourself!

Several members interjected.

Mr D.A. TEMPLEMAN: There are many members of Parliament —

Several members interjected.

Mr D.A. TEMPLEMAN: No, you are missing the point, member for South Perth!

Several members interjected.

Mr D.A. TEMPLEMAN: It does not matter! The inference made by the member for Cottesloe is that if you are referred to the CCC, you must be guilty and you must be stained. Well, if that is the case —

Several members interjected.

Mr D.A. TEMPLEMAN: — he has been before the CCC! I do not know even whether I have been referred to the CCC; I do not know. But that is the inference he makes all the time. The guy behind the Leader of the Opposition is waiting there, consistently and continuously pecking away at his credibility. I saw the Leader of the Opposition looking behind and trying to wind him up earlier when he was making a contribution because he did not want him to keep going.

The fact of the matter is this and it remains very clear: if you are going to keep making those inferences, you cannot avoid the fact that numerous members of Parliament have been referred to the CCC.

Dr M.D. Nahan: How many were sacked?

Mr D.A. TEMPLEMAN: But the comments of the member for Cottesloe are always —

Mr W.J. Johnston: So was the member for Cottesloe.

Mr D.A. TEMPLEMAN: Yes, he was as well. For goodness sake!

The fact of the matter is that this house—according to the law, which is two Legislative Council and two Legislative Assembly members—is now required to make a determination. Members need to understand that this is a serious process and matter for this house to consider. Of course it is. The determination by the leader of opposition business in the other place, which I am not privy to—I was not privy to the conversations that went on with honourable members there —

Mr D.C. Nalder: Slippery slope.

Mr D.A. TEMPLEMAN: I hope the member is not referring to his own Leader of the Opposition up there?

Mr D.C. Nalder: No, I am referring to your processes and practice.

Mr D.A. TEMPLEMAN: Whose process?

Mr D.C. Nalder: Yours with this bullying; this is a disgrace.

Mr D.A. TEMPLEMAN: Whose process?

Mr D.C. Nalder: It's disgraceful.

Mr D.A. TEMPLEMAN: We have a problem we face. Let us look at the nominees —

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Mr M. McGowan: There is completely no communication.

Mr D.A. TEMPLEMAN: No; that is right. There was no communication, and that is not an uncommon thing between the two places of course. They are separate entities and they have determinations.

Mr S.K. L'Estrange: We put forward our two nominees—Hon Jim Chown up there and John McGrath down here. We put forward our two nominees.

Mr D.A. TEMPLEMAN: You put through a list of names; that is right.

Several members interjected.

Mr D.A. TEMPLEMAN: And the upper house has made a determination, which Hon Peter Collier agreed to.

The member for Churchlands keeps saying that there has been a convention. I need to remind members that Hon Alison Xamon is not a member of the ALP; she is not a member of the government. In fact, it could be argued that she represents some of the 13 collectives, because we now know that the National Party has nothing to do with the Liberal Party. It has totally divorced the Liberal Party. It sees the Liberal Party as a total stain on its history. It has totally disregarded the Liberal Party's circumstances.

I am going to adjourn this matter. We will have a conversation over the coming week or so about processes and we will also look at some of the circumstances that occurred in the upper house in regard to positions and discussions.

Several members interjected.

Mr D.A. TEMPLEMAN: No, no—we will have a look. Opposition members are very quick to jump to their feet, beat their chests and argue about accountability, transparency and all those matters when they have not looked very closely at their own navels.

Mr W.J. JOHNSTON: I would like to hear further from the leader of government business.

Mr D.A. TEMPLEMAN: I understand that I am not able to adjourn officially, but I am going to highlight this to the house: if the Acting Speaker allows him the call, the member for Cannington, the minister for numerous portfolios, will rise when I have concluded and move to adjourn this matter, and we will have some discussions about it. That is what we will do. We will have that debate and discussion at a future time.

Debate adjourned, on motion by **Mr W.J. Johnston (Minister for Mines and Petroleum)**.