

**ECONOMICS AND INDUSTRY STANDING COMMITTEE —  
FRANCHISING BILL 2010 INQUIRY**

*Appointment of Member for Southern River — Motion*

Resumed from an earlier stage of the sitting.

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [10.02 pm]: In bringing this motion back before the house, I have kept my word. When I moved to adjourn the debate to a later stage of this day's sitting, I assured certain members that I would do that. If there had been money on it, I would be winning money from the member for Cockburn who thought I would not do it. He said, "I bet you won't do it." He did not want to further that bet by advancing any cash up-front.

**Mr M. McGowan:** I think it is contrary to standing orders to do that.

**Mr R.F. JOHNSON:** He offered the bet, not me.

**Mr M. McGowan:** You seem to be enticing him.

**Mr R.F. JOHNSON:** No, not at all. I would dissuade him from breaking standing orders, as I do any member of this house. I will be moving a very small amendment to the motion moved by the member for Mandurah. In doing so, I want to ensure that members of this house are fully aware that I have discussed this with the member for Southern River. The member for Southern River, for very good reasons, has agreed with the amendment.

**Mr D.A. Templeman:** Did you discuss this with him in the corridor this morning?

**Mr R.F. JOHNSON:** No. I discussed it with the member for Southern River this evening. The member for Southern River may well make a statement in this place tomorrow at an appropriate time.

*Appointment of Member for Southern River — Amendment to Motion*

**Mr R.F. JOHNSON:** I move —

After "Assembly" — To delete "appoints" and substitute —

co-opts

I have a signed copy of the amendment. The reason for that, quite frankly —

**Mr D.A. Templeman:** You're afraid!

**Mr R.F. JOHNSON:** I am not afraid of anything, I can assure the member—least of all him.

The reason the member for Southern River agrees with this amendment—in fact he favours this amendment—is that he recognises quite clearly that he has for some time now had a lot of consultations and has been at the forefront of certain groups of franchisees. He does not want to put himself in a position in which he can be accused of voting on something about which he may have a preconditioned view. The member for Southern River thinks it is very important that he be on that committee, and so do I, because he has a particular interest in this area. It gives him the opportunity to witness and indeed to ask questions of anybody who appears before the committee. He does not want to be able to vote on that committee for reasons that he may well outline in the house tomorrow. I do not think I am saying anything other than what is the truth, member for Southern River. He acknowledges that. It is something we have discussed at length. Certainly there has been no persuasion and no coercion. The reason I have moved that amendment is I think it is in the best interests of the member for Southern River. I do not trust as much as he does that lot that sit over there. I have explained that in great detail—never trust Labor Party members because they are out to get you every time! They will set you up and then they will hack you down! I do not want to see one of my good, friendly colleagues in that position.

**Mr D.A. Templeman:** It is a government-dominated committee!

**Mr M. McGowan:** He is an evil genius, minister.

**Mr R.F. JOHNSON:** He is evil, I will agree with that part of the description of the member for Mandurah. He is certainly evil; I would not say he is a genius! He is a genius at being evil, yes, but I think it is a slightly different context.

**Mr M. McGowan:** He is a comic genius!

**Mr R.F. JOHNSON:** He certainly is.

I do not intend to keep the house any longer because I think everybody is probably getting a bit tired and would like to go home. I intend to get this motion and this amendment through the house, not for anybody's benefit over here, but for the benefit of the member for Southern River. The member for Southern River said that he does not want to speak to this motion but he wants members opposite to know he is very keen for this

amendment to be agreed to. If the opposition means what it says about supporting the member for Southern River, it will agree to the amendment and get this amended motion through the house as quickly as possible so that the member can sit on that committee.

With those few words, I have outlined the reasons the amendment has been moved. I hope I have outlined enough. I could go on for ages, obviously. I know, and I have known for 18 years, the way the Labor Party plays its games in this place. This is no different from any of those other times. It does not matter whether the Labor Party is over there or over here, it plays these sorts of games and will set a member of the opposite party up if it can. I believe that was the intention behind the motion moved by the member for Mandurah. I am really sorry to have to say that. I realise it is politics, but I think it is dirty politics. I do not believe in setting somebody up to take a fall. As I say, the amendment is for the benefit of the member for Southern River. It is something that he wholeheartedly supports. He will have every opportunity to take a very active part in that committee. That is what he wants more than anything. I trust that members opposite will not try to put another member in this house in a position that could be compromised. With those few words, I will sit down.

**MR D.A. TEMPLEMAN (Mandurah)** [10.10 pm]: I have not been called evil before. I think I was called Baldrick once by the member for Riverton. My cunning plan has been found out. Thank goodness all the members who have escaped tonight to cultural events are rapidly entering the building now so that when we go to a division we will outnumber government members and carry our motion. I will not keep the house for much longer. I find it absolutely remarkable that the Leader of the House is now the mouthpiece for the member for Southern River. The Leader of the House has told us tonight that the member for Southern River does not want to speak on this amendment to the motion. Although the Leader of the House tells us that the member for Southern River has indicated his support for the amendment, he does not want to speak about it. I am pleased that he is in the chamber tonight. I find it absolutely remarkable that he does not want to speak.

**Mr P. Abetz:** Will you take an interjection?

**Mr D.A. TEMPLEMAN:** I do not understand why the member does not just stand and tell us that he agrees with the amendment and with being railroaded. The opposition will not delay the house any further.

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

**Mr D.A. TEMPLEMAN:** The Leader of the House does not know whether some of our members are here. If we went to a vote, government members might be surprised. I was texted earlier this evening by one of our members who is at a cultural event who informed me that the member for Vasse was also there having a good time. I do not know whether the member for Vasse is paired, member for South Perth. He is not paired, is he?

**Mr J.E. McGrath:** He has a special dispensation because it is a cultural event.

**Mr D.A. TEMPLEMAN:** It is a very important cultural event. I can imagine that the member for Vasse is singing along with Leonard Cohen's *Hallelujah*.

The opposition will not oppose the government's amendment because Christmas is coming.

**Mr R.F. Johnson:** I tell you what—I will put you back on my Christmas card list.

**Mr D.A. TEMPLEMAN:** Is the Leader of the House putting me back on it?

**Mr R.F. Johnson:** Yes.

**Mr D.A. TEMPLEMAN:** Good. It is just weeks before Christmas. At some stage tomorrow evening we will rise and hopefully not come back here until early next year, but we never know and will see how we go. In the spirit of Christmas and conciliation, we will not oppose this. It will be interesting to see what priority the committee puts on the bill. The member for Southern River should not ask us to help him again. We extended the olive branch of help and assistance but the member bit our hand. Do not ask for our help again. The member is off my Christmas card list. I have bent over backwards for him and I drafted a motion of great importance —

**Mr D.T. Redman:** It must have taken you a week.

**Mr D.A. TEMPLEMAN:** It did, and even then it was wrong; I had to get the Clerk to help me fix it! I am sorry, but I cannot help the member for Southern River any more. You can lead a horse to water but you can't make it drink. We will not oppose this amendment. The amendment deletes "appoints" and substitutes "co-opts". That means the member will not have the capacity to be a voting member. I find that surprising given that the committee is government-dominated. If it was dominated by the opposition or the numbers were even, I could understand. There must be something about the member for Southern River that the government fears. Obviously the government fears him. The member for Southern River is like one of those cannonballs that rolls around and no-one quite knows when it will go off. If the government encourages him more, he might keep popping up his head and rolling around further. Without further ado, because I have a very long drive back to my electorate —

**Dr M.D. Nahan:** I thought you caught the train.

**Mr D.A. TEMPLEMAN:** I could have today but the Leader of the House told us that we would finish at about midnight and the last train to Mandurah leaves the station at about 11.30 pm. I would have missed it and would have had to camp somewhere. Maybe I could have stayed at the member for Southern River's house since I offered him an olive branch of love and sufferance and the member smacked me in the face as I reached out to him at Christmas time. I know the Speaker is happy that I will sit down shortly. I assume that the house will rise after the motion has been passed.

**Mr M. McGowan:** I will make a speech.

**Mr D.A. TEMPLEMAN:** I am looking forward to the member for Rockingham's speech. When the Leader of the House stands, I might leave. Do not ask me for any more help or support, member for Southern River. I have offered that and the member has slapped me in the face. I have slapped-cheek syndrome from the member's response. In the interest of love, friendship and Christmas, I will sit down.

**MR M. MCGOWAN (Rockingham) [10.15 pm]:** In case members did not decipher the member for Mandurah's contribution, the opposition will be supporting the amendment moved by the Leader of the House and the overall motion. I will help members understand what a cunning plan it was from the opposition, which was put together by the evil genius Baldrick, otherwise known as the member for Mandurah. To advance the cause of Labor in Western Australia, we put together this cunning plan to put a Liberal member onto a government-controlled committee so that the government would have another vote. That is cunning. With that sort of cunning behind us, members opposite can see why we are in the position we are in.

**Mr R.F. Johnson:** In opposition; and long may it be.

**Mr M. McGOWAN:** Has the Leader of the House ever heard of self-deprecating humour?

We tried to put a Liberal member onto this government-controlled committee so that the government would have another vote on the committee. Apparently that was too cunning and the Leader of the House has said, "We cannot give the Liberal Party another vote on this committee. Instead, we will ensure that the Liberal Party has one less vote on the committee because otherwise that would be advancing the cause of social democracy in this state, and we will not have that." The Leader of the House has worked us out. It was a very cunning plan. The 18 years the Leader of the House has spent sitting here have obviously developed that steel-trapped mind of his and he has worked out these things. I look forward to hearing the member for Southern River's explanation tomorrow. We tried to give the member an opportunity to vote on the committee but that has been denied to him by his colleagues. The member for Southern River will have the right to sit on the committee and express his views without having an opportunity to vote on the committee. That is what the member's colleagues are doing to him, just so that he understands.

The Leader of the House indicated that this was all a bit of a shock and a surprise to the member for Southern River. The Leader of the House said that we brought this on without notice and without telling the member for Southern River. Last week the member for Mandurah indicated that he would move his motion. He put it on the notice paper yesterday and apparently it came as such a surprise to the member for Southern River that he was having lunch at the time and had no idea that it was on. It was only the number one item on the notice paper: "Economics and Industry Standing Committee—Appointment of Member". That member is the member for Southern River. It was only the number one item on the notice paper that was listed to go first and was also the number one item on the pink slip agenda that sits before the member each morning. It was another cunning plan of ours to put it on the top of the notice paper in the expectation that the member for Southern River would have lunch and not realise it was coming on for debate. That is another part of the jigsaw which we put together and which the Leader of the House has worked out how cunning it was. Just so the member for Southern River knows, it is due to us, having moved this motion, that he will have the right to serve on the committee; however, it is due to his colleagues that he will not have the right to vote on it.

**DR J.M. WOOLLARD (Alfred Cove) [10.17 pm]:** I am very pleased that the government has co-opted the member for Southern River onto this committee. A precedent has been set in the past when members have introduced private members' bills into this house. I am a bit surprised by the comments of the member for Rockingham. In 2008, I introduced a private member's bill on body piercing into this house. The member for Rockingham has been saying that this bill should go to the second reading stage before we discuss sending it to a committee.

The Children and Community Services Amendment (Body Piercing) Bill 2007, for which there was general support across the house, did not go through the second reading stage. The bill was referred to a committee. When members opposite were in government, they sent it to a committee. I was allowed then to be co-opted onto that committee.

Several members interjected.

**Dr M.D. Nahan:** Did you get voting rights?

**Extract from *Hansard***

[ASSEMBLY — Wednesday, 24 November 2010]

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Mr Rob Johnson; Mr David Templeman; Mr Mark McGowan; Dr Janet Woollard

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**Dr J.M. WOOLLARD:** I was co-opted onto that committee with no voting rights.

**Dr M.D. Nahan:** That wasn't a cunning plan!

**Dr J.M. WOOLLARD:** Is this not a case of the pot calling the kettle black?

Several members interjected.

**Dr J.M. WOOLLARD:** I know that the member for Southern River will do a wonderful job on that committee. The precedent, member for Southern River, has been set; this is the way things are usually done in this house. It is nothing unusual for the member for Southern River not to have voting rights on that committee, but I am sure he will make a very major contribution to that committee and I look forward to seeing the report from that committee.

Amendment put and passed.

*Co-opting Member for Southern River — Motion, as Amended*

Question put and passed.