

JAMES LARSSON AND JAKE SMITH — RESIGNATION PAYOUTS

Standing Orders Suspension — Motion

MR B.S. WYATT (Victoria Park) [10.03 am] — without notice: I move —

That so much of standing orders be suspended to enable the following motion to be moved forthwith —

That this house condemns the Barnett government —

- (a) for misleading the house in relation to the amount Mr Jake Smith and Mr James Larsson were entitled to upon their resignations;
- (b) for the secrecy surrounding the payments; and
- (c) for the excessive nature of the payments.

DR K.D. HAMES (Dawesville — Leader of the House) [10.04 am]: I have to say that this side is not very happy with doing this. Clearly, the Premier is absent. He is on a pair, and for very good reason, as we will point out. Nevertheless, we have agreed that we will suspend standing orders to allow a brief period of time to debate this matter.

Standing Orders Suspension — Amendment to Motion

Dr K.D. HAMES: Therefore, I move —

To insert after “forthwith” —

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion to suspend standing orders, I will need to satisfy myself that an absolute majority is present; and there is. Further, members, before I put the motion, if there is a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR B.S. WYATT (Victoria Park) [10.05 am]: I move —

That this house condemns the Barnett government —

- (a) for misleading the house in relation to the amount Mr Jake Smith and Mr James Larsson were entitled to upon their resignations;
- (b) for the secrecy surrounding the payments; and
- (c) for the excessive nature of the payments.

In moving this motion, I want to deal with the issue of the Premier’s absence from the Parliament. The Deputy Premier has already made the point that the Premier has gone to a conference in Sydney. When we look at the program for the conference in Sydney, it is worth noting that the Premier is not due to speak until 1.30 pm tomorrow. Certainly the Premier, quite rightly, could have been here at least for this debate. I flagged it on radio this morning, and in question time yesterday, questions were put to the Premier. After lunchtime today, there are three separate Qantas flights and two separate Virgin flights that all get into Sydney either late this afternoon or early this evening. So, the Premier could well have been here, bearing in mind that the last time the Premier was absent from the chamber, on 16 August, he was not paired. In three months, the Parliament has sat for nine days, and the Premier has absented himself for two of those days.

This is an ongoing saga of secrecy, cover-up and what is clearly nothing more than corrupt payments to people who were not entitled to those payments. It is interesting to note the double standards of this government already. Not 20 minutes ago I received a call from a journalist, saying, “Mr Wyatt, Jessica Strutt has just given me the payout figures for those staff who were paid out when they left when Mark McGowan took over from Eric Ripper as Leader of the Opposition.” I said to that journo, “Did any of those people get money they weren’t entitled to?” The answer was, “I don’t know.” Interestingly, did Ms Strutt do what the Premier said, which I will go through in a minute? Did Ms Strutt get permission from those people? She has breached, as the Premier said, the longstanding convention, apparently, of this government to not disclose the financial details of people who have left the public service. Has Ms Strutt sought permission from those people or has she breached the

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Premier's daily standards that seem to evolve? I will be writing to Mr Wauchope to see whether Ms Strutt has indeed breached the Premier's standards.

This issue arose out of a Public Accounts Committee document that was released yesterday; namely, a letter from Peter Conran telling us all that Mr Larsson, it was agreed—I note that Mr Conran does not actually say that these are his entitlements—was paid what we now know was up to five times his entitlement, and Mr Smith up to two times his entitlements.

I want to make the point that in his answer yesterday the Premier pointed out that —

He was paid his entitlements. He was paid out rather than serve a period of notice.

When a person on a contract resigns, they are entitled to their pro rata annual leave and a one-month payout; that is their entitlement. Yet we now know from Mr Conran that Mr Larsson received not only that, but also pro rata long service leave, plus another three months on top of the month, to make it four months, plus \$7 000 to send him back to Brisbane, none of which he was entitled to under his contract of employment.

This has been ongoing for some time. On 1 March I asked the Premier the first question about this matter, and he made the point that, yes, Mr Larsson crossed the line. The Premier also said —

He had entitlements and his payout, if we like, was negotiated ...

He went on to say again —

He still had entitlements; ... He received his pro rata accrued leave entitlements.

The Premier said that was entirely proper. In my supplementary question on 1 March, I asked whether his relocation expenses were included. The Premier did not answer that but, interestingly, he did tell us to go off and use freedom of information, and that information would be provided then. Interestingly, the Premier said —

... apply to the FOI commissioner and he can make the decision. But the one thing I will not do as Premier is reveal details of the salaries and terms and conditions of individuals working in our public sector.

The Premier will not disclose information of not only people who have left the public sector, but also those people who are still within the public sector. I wonder whether Ms Strutt is aware of the Premier's standards. On 7 March, a question was asked in the upper house and again the Premier responded —

... as per the Premier's responses to questions without notice in the other place, the government encourages the honourable member to submit a freedom of information application to ensure that the appropriate privacy protections can be pursued.

Again I ask whether Ms Strutt pursued those privacy provisions. I duly put in an FOI application, as instructed by the Premier on 8 March. Despite the Premier's statements in the Parliament that I should have gone to the department, I put that application in on 8 March and I got a letter from the Department of the Premier and Cabinet stating that it was received by the Department of the Premier and Cabinet on 12 March 2012. Interestingly, there was a series of email exchanges between the brains trust in the Premier's office to sort out their lines. An email from Ms Strutt to Peter Conran, Dixie Marshall, Brian Pontifex, Narelle Cant, Richard May and Jean Perkins states —

Hi all,

Slightly amended response as approved by the Premier.

This was to the media, which have been taken for a ride on this as well —

Neither the Premier or his office were involved in negotiating the payment. The parties agreed to a figure which took into account pro rata leave, pro rata long service leave, —

To which he was not entitled —

and various entitlements.

The point is that the government has always made the point that he was paid his entitlements. The government would not tell us what they were. It has spent eight months not telling us what they were. But he was always paid his entitlements. Again, there was no luck through the FOI process, as instructed by the Premier. So at the budget estimates hearing on 29 May, I bowled it up again to the Premier. I asked whether he would provide the payout figures for both Mr Larsson and Mr Smith. The Premier replied —

I will provide further information on the payouts to Mr Larsson and Mr Smith—is it Jake Smith; I do not know him?—as supplementary information.

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The supplementary information arrived on 31 May. The answer states —

The Government has a long standing practice of not relating personal financial details, especially for persons no longer in the Public Service.

The answer stated “especially for persons no longer in the public service”, but Ms Strutt and Ms Marshall are now spinning furiously and giving out exactly that information. I look forward to Mr Wauchope’s response to the breach of that apparent longstanding practice. It goes on to say —

The Member is encouraged to submit a Freedom of Information Application so that the consultation and decision making processes —

Yadda yadda yadda. He referred us to the FOI process, under which he refused to provide us with that information. Finally, on 14 August, I again asked the Premier what were the payout figures. The Premier replied —

Members should bear in mind that Mr Larsson is no longer an employee of this government, so any release of information requires his approval.

I certainly hope Ms Strutt got the approval of those people whose information she gave out this morning. The Premier said that she should have, because apparently that is a longstanding practice of government. I could never suggest that this government has double standards! The Premier went on to usefully suggest that we ask the Public Accounts Committee, because the Premier made the point that the person has rights. Thankfully, the Chairman of the Public Accounts Committee pricked up his ears at that suggestion from the Premier for a referral, so away we went.

Finally, we got the letter from Mr Conran. On 14 August, in response to my supplementary question referring to Mr Larsson, he stated that Mr Larsson was entitled to his right to make that information available or not and that it was something between the government, the employer, the Department of the Premier and Cabinet and Mr Larsson. It is interesting that Mr Larsson and Mr Smith seem to be the only two people who have worked for governments in the past two years whom the Premier will not tell us information about. I have previously referred to Deidre Willmott. We have a list of 20 employees of the former government and this government was happy to tell us exactly what they were paid out. The issue is: what were they paid to which they were not entitled? I am not interested in what Mr Larsson and Mr Smith received as per their entitlements under their term-of-government contract. They were entitled to it; they can take the money. Good luck to them. We know that when people resign, they are entitled to accrued leave and to one month’s payment, and that is all. This was not a section 72 termination; this was a resignation, as pointed out by the Public Sector Commissioner in his—it was not an investigation—assessment report. There were two resignations. Mr Larsson received \$56 000, while the opposition has assessed that he was entitled to about \$12 000. Mr Smith received \$30 000 for less than 12 months’ work. Included in those figures was the cost of transfers back to their employment in Brisbane. Mr Larsson spent \$6 900 and Mr Smith spent \$1 700 on those transfers.

It is worth noting that when the Public Sector Commissioner did his assessment report—as I said, it was not an investigation—he referred it to Peter Conran to do, as pointed out at page 10 of his report. He asked the director general to do it, as he was the right person to assess whether anything went wrong. We know from the freedom of information application that Mr Conran was involved in this. Why would the Public Sector Commissioner send it to Peter Conran when he was involved in it? The Public Sector Commissioner needs to revisit this himself. He is the independent person to undertake these investigations, not the Director General of the Department of the Premier and Cabinet, who was involved in and assisted in getting the spin together between Dixie and Jessica to ensure that the words were correct—“He was paid his entitlements.” The Deputy Premier knows that that is not the truth. We know—I think everybody knows—that Mr Larsson was not acting alone. That is the key. Mr Larsson was not acting alone when he distributed the photograph of the Leader of the Opposition’s private residence. That was the issue that crossed the line and made the Premier ensure that Mr Larsson resigned. He was not acting alone. As the Treasurer likes to conduct question time based on rumours, we know, because we have been told, that Dixie Marshall told the chief spin doctors of those ministers, “The Leader of the Opposition ain’t a family man. He’s got this big house on the beach; you go and unpick that.” We know that Mr Larsson was not acting alone; he was acting under authority of a higher source within the Premier’s office. That is why he had a strong bargaining position. That is why he could say, “If I’m going to resign, you better make sure I don’t have any interest in saying anything about what went wrong and what happened.” Suddenly, four months of taxpayer-funded pay was given out and he then spent seven grand getting home to Brisbane. Both Mr Larsson and Mr Smith knew what was going on. They knew where the instructions had come from. They had a very strong bargaining position with the Premier when they were negotiating the terms of their departure. After eight months of delay, secrecy and cover-up, we have finally got that information, not from the

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Premier, but through the Public Accounts Committee, which demanded that information from the Director General of the Department of the Premier and Cabinet.

I know the response we will get, because both Dixie and Jessica Strutt are out there spinning furiously and giving out reams of information about payout figures of former employees of the opposition's office, despite the Premier on a number of occasions saying that the government does not do that and it is a longstanding policy of government that it does not release the financial information of people both in the public service and who have left the public service.

I am looking forward to seeing exactly why these corrupt payments were made to Mr Larsson and Mr Smith when they were clearly not entitled to those payments. At no point has the Premier sought to say, "They were entitled to the extra four months' pay." I dare say that staff members of ministers—no doubt the Leader of the Opposition's own staff—are thinking, "Well, things aren't so bad if I lose my job. I'm going to walk away with four months' pay, because apparently that is the precedent that has been set." The only thing is, they had better have something to tell; they had better have a strong bargaining position if they are to convince the Premier of Western Australia that they should get payments well above and beyond what they are entitled to. That is what this issue is about. I am not interested in what Mr Larsson and Mr Smith were entitled to—not interested in the slightest. I am interested in any one dollar of taxpayers' money paid to Mr Larsson and Mr Smith to keep them silent.

Mr R.H. Cook: Absolutely.

Mr B.S. WYATT: If, in the sort of controversial circumstances that led to the departure of Mr Larsson and a couple of weeks later, Mr Smith, that sort of money is paid above and beyond what people are entitled to, I think people can draw the conclusions that hush money was paid to ensure they left town with a healthy relocation package so that we never saw them in Western Australia again. I look forward to the Deputy Premier standing up and explaining exactly why those amounts were paid to Mr Larsson and Mr Smith. He should not rely on the fact that the Premier is not here; he is rarely here. The reasons he has been giving for seeking a pair, or not seeking a pair and simply not turning up for Parliament, are utterly inexcusable. A third of cabinet sits in the other chamber and the accountability of this government is, "Well, I am back in August." He went to Albany for the day without a pair and now he has taken the day off to fly to Sydney for a speech he is giving at 1.30 tomorrow afternoon.

Mr T.R. Buswell: Taken a day off?

Mr B.S. WYATT: Yes, that is right. The Parliament is the priority. The Treasurer is a member of Parliament; the Premier is a member of Parliament. The Parliament is the priority. The Premier has been elected to turn up here. Even more so as Premier he has a higher duty to ensure he is here to answer questions in question time, to answer suspensions of standing orders motions and to respond to the issues of the day so that, at the very least, not just the opposition but the people of Western Australia can have some vague faith that the government is being open and accountable. We have seen payments made above and beyond entitlements—corrupt payments—to Mr Larsson and Mr Smith. The Deputy Premier can get to his feet and explain exactly why those people were entitled to those payments.

MR T.R. BUSWELL (Vasse — Treasurer) [10.21 am]: Mr Speaker —

Several members interjected.

The SPEAKER: Member for Cockburn and member for Pilbara, I formally call you both to order for the first time today. A motion has been moved; it has been accepted. The call has been given to the Treasurer. I presume some people want to hear what the Treasurer has to say.

Mr J.N. Hyde: The ethical compass of the Barnett government!

Several members interjected.

Mr B.J. Grylls interjected.

Mr P. Papalia: Mr Standards!

The SPEAKER: I know the member for Victoria Park moved this motion and I know the member for Victoria Park expects a response to the motion he has supported. I hope other people in this place also expect that response. The response at this point is the responsibility of the Treasurer.

Mr T.R. BUSWELL: I think we need to go through a couple of issues, firstly, to deal with the criticism of the Premier's absence today. The member for Victoria Park has made much of the Premier's absence and, indeed, it is unusual for a Premier to be absent from Parliament. I can remember only a handful of times when the Premier

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has been absent from Parliament over the term of this government. I will make a couple of points to the member for Victoria Park. The Premier's absence is under the mechanism of a pair.

Mr B.S. Wyatt: Last time he left without a pair.

Mr T.R. BUSWELL: I am not talking about the last time; I am merely reflecting on today's debate. The Premier went through a proper process; namely, he informed the opposition that he was seeking a pair. My understanding—perhaps the opposition Whip can correct me if I am wrong—is that the opposition approved the pair. I assume the opposition approved the pair because members opposite are of the view, as am I, that the Premier's attendance tomorrow at the Australia in China's Century Conference in Sydney is important to the state of Western Australia.

Mr D.A. Templeman: That's why we gave him the pair. The problem is, the Premier doesn't tell all the information about when he's attending certain events. We weren't to know it was 1.30 tomorrow afternoon. Why couldn't he leave after question time today?

The SPEAKER: Thank you, member!

Mr D.A. Templeman: That's a simple fact. We also know the Premier goes to Lionel Ritchie concerts under the guise of going to a function. How can we trust him?

The SPEAKER: Member for Mandurah!

Mr J.R. Quigley: Lionel Ritchie! Who goes to a Lionel Ritchie concert?

The SPEAKER: If members want the motion to proceed, I suggest a little more silence. Member for Mandurah, I formally call you to order twice. You knew what you were doing, member for Mandurah; you absolutely knew what you were doing. Member for Mindarie, I formally call you to order for the first time today as well.

Mr T.R. BUSWELL: Thank you, Mr Speaker. I nearly got blown off my feet!

Mr M.P. Murray: It wouldn't be the first time.

Mr T.R. BUSWELL: That was from the front though!

Let us go back. The opposition approved the Premier's pair. The Premier is attending what I think —

Dr A.D. Buti: Get onto the substance.

Several members interjected.

The SPEAKER: Member for Armadale, I formally call you to order for the first time today. I would have thought that some members in this place would like to hear a response to the motion moved by the member for Victoria Park. It appears that some members do not want that to happen.

Mr T.R. BUSWELL: Thank you, Mr Speaker. I will repeat to the house that the opposition approved the Premier's absence today, so to come in here and criticise him for being absent on a pair that the opposition has approved astounds me.

Mrs M.H. Roberts: Is he at the conference today? No.

Mr T.R. BUSWELL: I do not know, member for Midland, what the Premier's schedule is for tomorrow morning when he is in Sydney. I suspect that he is doing more than simply presenting at the conference. The one thing I know is that this Premier has done more than any other Premier has done to nurture and build this state's relationship with China. That has been a very important focus of this government, and that will yield significant long-term benefits for the people of Western Australia. That is what he is about doing—building the platform for the long-term future of this state. Members opposite have approved him going and have then come in here and criticised him for doing it. It is a ridiculous aspect of the member for Victoria Park's argument.

Let me move onto the other matters. The member for Victoria Park's motion claims that the Premier has misled the house, but he has not presented any evidence whatsoever. He has not presented any evidence —

Mr B.S. Wyatt: I gave about five examples. Were you listening?

Mr T.R. BUSWELL: You saw me. I sat here quietly and listened.

Mr B.S. Wyatt: I know you were listening, but I don't know what goes on behind those eyes.

Mr T.R. BUSWELL: The member for Victoria Park has not presented one shred of evidence to support that claim. I think we have here, again, an opposition quick to hide behind the grassy knoll. We have seen it before on issues on which members opposite have pursued the Premier. For example, there is the issue of The Cliffe

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when they came in here full of bravado and gusto about how terrible, how wrong and how inappropriate it was. Not one thing was ever found. My understanding —

Mr E.S. Ripper interjected.

Mr T.R. BUSWELL: It was bluff and bluster, member for Belmont, and wide-ranging accusations with no element of truth or substance to them. I recall the commentary of members opposite around something that became the staff-for-votes fiasco. It had to be investigated by the Corruption and Crime Commission. Nothing. The Corruption and Crime Commissioner made the unusual step of coming out and saying so very quickly. Members opposite have form when it comes to coming into this place and levelling accusations at the Premier that are not based on fact.

Let me deal with the matters about Mr Larsson and Mr Smith. The fundamental assertion is that there was a top-secret matter and that it was top secret because, when Mr Smith sent photographs of the Leader of the Opposition's house to the media, which action the Premier said was inappropriate, and it was, Mr Smith acted on, I think the member said, the authority of a higher source. That is a ridiculous statement. He then worked through the elements around his departure from government. He had what the member for Victoria Park called a strong bargaining position. That is ridiculous. There is one part of Mr Conran's letter that the member did not read out. I will read what he said. I will read two paragraphs of Mr Conran's letter. It states —

Mr Larsson tendered his resignation with effect from 30 January 2012. It was agreed Mr Larsson would be paid accrued and pro rata annual and long service leave and four month's salary including waiver of working through a notice of resignation period. The total payment was \$46,847.96 gross. Mr Larsson was recruited from interstate and following a request from Mr Larsson, it was negotiated and agreed that the Department would pay removal costs of personal belongings and air fare to Brisbane ... These costs totalled \$6902.37.

The second paragraph states —

There were no secrecy or non-disclosure provisions included as part of the separation process.

Let me read it again —

There were no secrecy or non-disclosure provisions included as part of the separation process.

It is there in black and white. The advice from Mr Conran completely dismembers the argument that the member for Victoria Park has put.

Mr W.J. Johnston: This is rubbish. It proves it. Read it.

Mr T.R. BUSWELL: I am reading it to members. Let me read it again. I will read it slowly. It states —

There were no secrecy or non-disclosure provisions included as part of the separation process.

A government member: Who agreed?

Mr T.R. BUSWELL: I can only assume that it was Mr Conran.

Several members interjected.

The SPEAKER: Member for Pilbara and member for Cannington, I know you have some enthusiasm for the motion. I suggest that both of you curtail that enthusiasm somewhat at this stage.

Mr T.R. BUSWELL: There were no secrecy or non-disclosure provisions. The fundamental premise of the member for Victoria Park's argument is that Mr Larsson received money to which he was not entitled because he had information about which he needed to be silenced. No provisions were put in place.

The other thing that the member for Victoria Park has neglected to focus on as part of this process is the mechanism by which the government dealt with the departure of Mr Larsson. It is important. The Premier did not get involved in the departure of Mr Larsson. The Premier made the decision that Mr Larsson's ongoing employment would not happen. I happen to know what that feels like. Anyway, he has done that. It is not the most pleasant meeting to have with the Premier. One knows one is in strife when one gets in the lift and the little security card does not let one up to his floor.

The Premier set up a process, which I think was entirely appropriate, whereby the Director General of the Department of the Premier and Cabinet, Mr Peter Conran, handled those negotiations.

Mr T.G. Stephens interjected.

Mr T.R. BUSWELL: It was done at arm's length from the government.

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Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn, I formally call you to order for the second time today. Member for Pilbara, I call you to order for the first time today.

Mr T.R. BUSWELL: The Premier appropriately set up a process whereby the mechanics of Mr Larsson's departure from government were handled not by him, not by his office but by the Director General of the Department of the Premier and Cabinet, and that is entirely —

Point of Order

Mr D.A. TEMPLEMAN: Mr Speaker, I understand that the clock has stopped. Therefore, I ask you to check on what has occurred.

The SPEAKER: I am informed that it is running.

Debate Resumed

Mr T.R. BUSWELL: Let me go back so we are clear. It is important to understand this. The process that was set up following Mr Larsson's employment was unacceptable. The Director General of the Department of the Premier and Cabinet was asked to handle those matters. I think that is entirely appropriate. Clearly, the Director General of the Department of the Premier and Cabinet has entered into a process of negotiation with Mr Larsson to settle those matters. That information was appropriately provided, as requested, not hidden, to the Chairman of the Public Accounts Committee. How can one be accused of hiding information when the appropriate person in government who handled those negotiations provides information to the Chairman of the Public Accounts Committee when requested? The fact that the FOI went to the Premier's office, as opposed to the Department of the Premier and Cabinet, highlights the argument that I am making.

Let me say again that we have an opposition that has come into this place today —

Several members interjected.

The SPEAKER: Can I just say again, members, that a motion has been moved by the member for Victoria Park. I expect that he and other members to my left would want some response to that motion but there are enough members in this place—I would observe mainly to my left again—who are making quite a lot of noise so the answer being provided by the Treasurer perhaps is not being heard by some people who want to hear it. Members, if you want to move a motion, I would expect that you would want to have a response to it.

Mr T.R. BUSWELL: The last point I want to touch on is the fact that the shadow Treasurer has come in here and made all sorts of comments about Jessica Strutt. She was simply letting people know that from time to time payouts are made to people who leave government. That is what she was doing. We all know that from time to time payouts are made to people who leave government —

Several members interjected.

The SPEAKER: Member for Cockburn, you might want to focus on the motion that is in this place at the moment. I formally call you to order for the third time today.

Mr T.R. BUSWELL: Payouts are made from time to time when people leave the employment of government. It happened when the opposition was in government, it has happened during our time in government, it will happen again when we are in government and it happens when opposition leaders change. These are things that happen as part of the process by which we employ people. All Jessica Strutt has done, if what the shadow Treasurer is saying is accurate, is let people know that this thing happens from time to time in government. Just to reflect, we have not seen one shred of evidence to suggest, as the member for Victoria Park has asserted, that Mr Larsson had the good oil on the government. There is nothing at all to suggest that. The suggestion of a secrecy or non-disclosure provision was completely rejected by Mr Conran. Let me read his letter again. It states —

There were no secrecy or non-disclosure provisions included as part of the separation process.

Let us get back to the point we started with—a grossly unfair attack on the Premier for taking an absence from Parliament which the opposition approved. How dare they come in here so sanctimoniously and so full of self-importance, asking, “Where is he? We've approved his absence, but where is he?” The opposition knows damn well where he is. He is speaking at the Australia in China's Century conference tomorrow. It is a very, very important forum for this government to be involved in, and no Premier has done as much as this Premier in building this state's relationship with China—the fundamental economic foundation for the twenty-first century economy —

Several members interjected.

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The SPEAKER: Member for Willagee, I am tolerating a certain volume in here, but I formally call you to order for the first time today. I am going to suggest to some members in this place that their behaviour does not do any credit to the motion that has been moved. I am sure that the mover of the motion did so with great and serious intent. Some of the behaviour of other people in here would not seem to endorse the seriousness of that intent.

Mr T.R. BUSWELL: I will just conclude with some remarks and observations on the critically important role our Premier has played in building relationships between this state and China. The member for West Swan may laugh, but we think it is important that he attend these conferences, and the opposition does, too; that is why it agreed to his going there. It is grossly unfair of the opposition to come in here and criticise him for doing that.

MR J.M. FRANCIS (Jandakot — Parliamentary Secretary) [10.41 am]: I just want to make three points in the six minutes remaining.

Several members interjected.

The SPEAKER: Thank you, members!

Mr J.M. FRANCIS: I will make three points in the five minutes remaining, firstly on the issue of the pair request. I will place on the record what the pair request for 13 September actually stated. The request was made on 7 August and, according to my notes, reads —

Premier will be travelling to Sydney to speak at the Australia in China's Century Conference

That pair was, in fact, approved and confirmed by the opposition on 31 August.

Secondly, I want to make it crystal clear to the member for Victoria Park —

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro!

Mr J.M. FRANCIS: This is an important issue; if the member wants to interject, that is fine.

The member for Victoria Park suggested that someone from the Premier's office actually disclosed the names of the former Leader of the Opposition's staff. Is that what he was suggesting?

Mr T.G. Stephens: Was Dixie involved?

The SPEAKER: Member for Pilbara, this is the third time I formally call you to order.

Mr J.M. FRANCIS: I asked the question; let me make perfectly clear what the reply from the Premier's office was to the question about payments made to former staff of the former Leader of the Opposition. It was that it was not appropriate to provide names of individual staff but that a total of \$544 000 was paid to staff —

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan, I formally call you to order for the first time today.

Mr J.M. FRANCIS: A total of \$544 022.26 was paid to staff who left the former Leader of the Opposition's office following the change of leadership; these things happen, as the Treasurer pointed out—more than half a million dollars, just because the opposition changed leaders. This is an issue, but most importantly —

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington!

Mr J.M. FRANCIS: The point is that it is not appropriate to provide the names of individual staff, and they did not do that, so I think the member for Victoria Park has drawn a bit of a long bow. It is interesting that the member for Victoria Park raised what I would call the sins of the person involved in this matter, Mr James Larsson. I have always believed that members' private lives and private residences are absolutely off-limits, and I will always stand by that. Let me make this perfectly clear. What did James Larsson do? He texted to a journalist a publicly available photo of another member's house.

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro, I formally call you to order for the first time today.

Mr J.M. FRANCIS: I do not think that was appropriate; it absolutely was not appropriate. It was a publicly available photo, but I just do not think it was appropriate. Here is a question for the member for Victoria Park: on a scale of one to 10, how would he rate that as a political sin? If he were to give it a one or two, it still would not compare with the time the vice president of the Labor Party turned up at my house and blockaded my wife and family in my private residence.

Let us talk about standards. What happened to James Larsson? He lost his job because of what he did. What happened to the vice president of the Labor Party, who turned up at my house and blockaded my family in my private residence? On the scale of political sins, that is much greater than what James Larsson did, and the opposition rewarded that clown with a safe Labor Party seat. He was not sacked as vice president of the Labor Party. He ran a union, and he still has not apologised for his actions. The opposition should stop sticking up for its union mates.

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington, I formally call you to order for the first time today. Member for Jandakot, if you are going to get to your feet again, I request that you return to the substantive motion that is in front of this place at the moment.

Mr J.M. FRANCIS: I am pointing out that a river of hypocrisy flows through the Labor Party on this issue. It has double standards. The government took the right action with James Larsson.

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro, I formally call you to order for the second and third time today. Member for Jandakot, if I hear any more off-topic comments with regard to this motion, you will be sitting down.

Mr J.M. FRANCIS: The point I am making is that the government's action with regard to James Larsson was obviously appropriate. The last point I want to make to the Leader of the Opposition —

Several members interjected.

The SPEAKER: Member for Willagee, this is not a game. I formally call you to order for the second time today. Member for Midland, I do not need to hear any conversation, either. What I want to hear at this point is silence.

Mr J.M. FRANCIS: The last point I will make is that if the Leader of the Opposition has any integrity on this issue whatsoever, he should not, in the division that will happen in a few minutes, take the vote of the member for West Swan.

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [10.48 am]: I want everyone to pause for a moment. I want everyone assembled here—those above, those behind me, those in front—to look at the government benches. If, perish the thought, this government is re-elected, this is what it will look like: the Treasurer defending the government; his deputy, loyal to the end, sitting in silence. Minus the Premier, this is what they will look like.

This is a straightforward case that has been set out by the member for Victoria Park: was Mr Larsson paid his entitlements? On no fewer than four occasions, including yesterday, the Premier in this place said that Mr Larsson was paid his entitlements. That is untrue. The Premier misled the house. That, on a dispassionate analysis, is what is going on here. Whether the Premier chooses to front today to deal with the developments in terms of these revelations is irrelevant; what is relevant is whether he misled the house. He did just that. Mr Larsson was engaged in a soft little negotiation, a nice little backhander, to go out the back of the Premier's door, for one very important reason: this sleaze campaign was essentially sanctioned and ordered by the Premier's office. This was not a filing clerk in the Premier's office; this was a senior media adviser acting on orders from Dixie Marshall and Jessica Strutt to go out with their little sleaze campaign to attack the Leader of the Opposition. It has not stopped there; it has happened again today.

Several members interjected.

Mr R.H. COOK: What we have here is an exposition of a culture in the Premier's office, which is corrupt. It goes further. It is to do with this corrupt payment —

The SPEAKER: Take a seat, member for Kwinana. Member for Swan Hills, I have not given you the call and I do not want to hear from you. I formally call you to order for the first time today. I do not want to hear from other members on my right who wish to interject; I want to hear from the member for Kwinana.

Mr R.H. COOK: Thank you, Mr Speaker. Was Mr Larsson entitled to this payment? No. Did the Premier on a number of occasions, both inside and outside this chamber, attempt to hide that payment to expose —

Government members: No!

Mr R.H. COOK: Yes! What we have here is a cover-up of a corrupt payment from the Premier's office to Mr Larsson. As we can see from the freedom of information documents, at every step of the process the Premier was sanctioning these actions. He sanctioned the four-month payment. He sanctioned the \$6 000 to Mr Larsson to move back to Queensland. This is essentially corruption. It is a dishonest payment to Mr Larsson for personal

Extract from Hansard

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Mr Ben Wyatt; Dr Kim Hames; Speaker; Mr Troy Buswell; Mr David Templeman; Mr Joe Francis; Mr Roger Cook

and political gain—to make sure that he got out of the state. He did not need a hush clause; he was embarrassed by the payment itself—over \$50 000. This is essentially corruption. It is a corrupt payment from a corrupt government from a corrupt Premier.

Several government members interjected.

Mr R.H. COOK: What they were doing to Mr Larsson was trying to bring him out —

Withdrawal of Remark

The SPEAKER: Member for Kwinana, you cannot indicate that somebody is corrupt. I am going to ask you to withdraw that comment.

Mr R.H. COOK: The member for Victoria Park has made the case. It is a corrupt payment.

Several members interjected.

The SPEAKER: Member for Kwinana, I am going to direct you to withdraw the reference to a member being corrupt. I am asking you to do that; I am giving you that opportunity.

Mr R.H. COOK: The payment is what it is. I will not withdraw.

Mr T.R. BUSWELL: Point of order!

The SPEAKER: Take a seat. Member for Kwinana, I formally call you to order for the first time. I do not want to follow this any further. My advice to you would be for you to also not follow it any further and that you simply withdraw the reference that the member was corrupt. That is what I am asking you to do in this place. If you want this motion to proceed, that is what you need to do at this point.

Mr R.H. COOK: I withdraw the imputation on the member involved.

Several members interjected.

Debate Resumed

The SPEAKER: Thank you, members; I am not taking any points of order.

Mr R.H. COOK: Let the case state for itself. This is a corrupt payment from a corrupt government. This was dishonest and it was not what Mr Larsson was entitled to. The Premier on more than one occasion—on four separate occasions and in particular yesterday—said Mr Larsson received his entitlement. He did not. He received an extraordinary payment to get him out of the Premier's office and out of the state.

Several members interjected.

Mr R.H. COOK: The Premier says that Mr Larsson has rights. Well, Mr Speaker, the taxpayers have rights; they have the right to know that their taxpayer money has not been used corruptly.

Several members interjected.

The SPEAKER: I struggled to hear you, member for Kwinana, because members on both sides of this place were shouting. Am I to presume that you have concluded your speech?

Mr R.H. COOK: I want to reiterate: the Premier says that Mr Larsson has rights to his entitlements. WA taxpayers have rights.

Several members interjected.

The SPEAKER: Thank you, member!

Question put and a division taken with the following result —

Extract from *Hansard*
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Mr Ben Wyatt; Dr Kim Hames; Speaker; Mr Troy Buswell; Mr David Templeman; Mr Joe Francis; Mr Roger Cook

Ayes (22)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J.M. Freeman
Mr J.N. Hyde
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Mr J.R. Quigley

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

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

Noes (26)

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

Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day
Mr J.M. Francis
Mr B.J. Grylls
Dr K.D. Hames
Mrs L.M. Harvey

Mr A.P. Jacob
Dr G.G. Jacobs
Mr A. Krsticevic
Mr W.R. Marmion
Mr J.E. McGrath
Mr P.T. Miles
Ms A.R. Mitchell

Dr M.D. Nahan
Mr C.C. Porter
Mr M.W. Sutherland
Mr T.K. Waldron
Mr A.J. Simpson (*Teller*)

Pairs

Mr J.C. Kobelke
Mr M.P. Whitely
Mr C.J. Tallentire
Mrs C.A. Martin

Mr C.J. Barnett
Mr D.T. Redman
Mr P. Abetz
Mr R.F. Johnson

Question thus negatived.