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(HANSARD)

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LEGISLATIVE COUNCIL

Wednesday, 14 October 2020

Legislative Council

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THE PRESIDENT (Hon Kate Doust) took the chair at 1.00 pm, read prayers and acknowledged country.

HON THOMAS (TOM) McNEIL

Condolence Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [1.01 pm] — without notice: I move —

That this house expresses its deep regret at the death of Hon Thomas McNeil, a former member of the Legislative Council for the Upper West Province, and places on record its appreciation for his long public service and tenders its profound sympathy to members of his family in their bereavement.

I want to start by acknowledging the many family, friends and colleagues of the honourable member who are with us today in the public gallery.

Hon Thomas McNeil was born on 9 June 1929 in Glasgow, Scotland. He was the son of Thomas and Elizabeth and was educated at Mont Albert State School, Camberwell High School and Hampton High School in Victoria. Thomas had an unusual arrival in Australia. During the height of the air raids on Britain during the Second World War, he and his sister, along with several hundred children, were evacuated to Australia on the ship *Batory*. The *Batory* first docked in Perth—perhaps that was a sign for his future—but Melbourne was its destination. For a couple of years, Thomas and his sister were fostered out amongst other families before they moved in with a family in Hampton. Eventually, his parents immigrated to Australia.

It was during this early period in his life that he would come to play and excel at Australian Rules football. An extract from “Sporting Traditions: the journal of the Australian Society for Sports History” notes that McNeil learnt to play Aussie Rules at Hampton High School and remembers being fascinated by the oddly shaped ball. In 1951–52, he would go on to play in the Victorian Football League for St Kilda Football Club—we cannot blame people for their choice of football team!—and was paid £5, which is around \$200 in today’s money. During the same period, he also coached football and successfully formed an early version of what is now known as the AFL Players’ Association. I want to talk a bit about that.

On a trip back to Scotland in 1955, Thomas had learnt of the round ball players union in Scotland and England and decided that he would attempt to start a players union in Australia. He declared this intention to the immigration officials on the ship back to Australia and on arrival in Melbourne he was greeted by a number of journalists. He held the position of secretary of his newly formed Australian Football Players’ Union until the early 1970s when, unfortunately, it failed due to low membership. But his dream would eventually be realised and, as we know now, the AFL Players’ Association is a strong players union in Australia.

During the 1950s and 1960s, Thomas moved around to several locations in Australia and held a number of jobs, most notably as a tyre salesman. He lived in country Victoria, New South Wales and Queensland before settling in Western Australia. He opened a tyre business in Geraldton before entering the Parliament of Western Australia in 1977 as a Country Party member. History records that he had a short stint as an Independent before joining the National Party in 1979. His time as a member of this place saw him serve on several committees, including the Standing Committee on Government Agencies, the Joint House Committee, the Select Committee on Burswood Management Ltd, the Select Committee on Charitable Collections and, true to his other passion in life, the Select Committee on Sport and Recreation. During his time in this place, he introduced a private member’s bill to stop players in country leagues from transferring to the east. It was a great idea but it did not succeed. He also held a number of official positions within his party. He was National Party Whip, secretary of the National Party and spokesperson for the National Party on sport, recreation and youth affairs.

I was struck by two points that Thomas made in his valedictory speech. First, he said —

I am one of the more fortunate—or unfortunate, as the case may be—members who got into this place probably by accident ... I was minding my own business and doing quite well when I was approached to stand ... I thank the Labor Party for all those sweet preferential votes which got me over the line ...

The second point was an interesting reflection. He said —

My attitude in this place has been never to speak at any great length. I consider it to be one of the downfalls of this House that we get permission to go on for unlimited periods.

A man after my own heart! On leaving the Parliament, Thomas continued to serve Western Australia by going on to chair the Racecourse Development Trust of Western Australia, which allocated money back into the industry.

On behalf of the government and the Parliamentary Labor Party, I express my sincere condolences to the McNeil family for their loss.

HON JACQUI BOYDELL (Mining and Pastoral) [1.07 pm]: I rise this afternoon to contribute to the condolence motion for Hon Thomas McNeil, a former member of the Legislative Council for the Upper West Province from 22 May 1977 until 21 May 1989.

I take this opportunity to welcome and extend our sincere sympathy to Tom's family, who are with us. Unfortunately, they are not in the chamber due to our COVID restrictions on the floor of the house, but they are in the public gallery. We thank you for being here. I also welcome those members of his family who reside in the eastern states and are watching our contribution today. I note that due to the COVID-19 pandemic restrictions, unfortunately, we have had to wait a long time to move this condolence motion. Tom actually passed in March of this year, at the beginning of this terrible global event, and it is only now, six months later, with those restrictions lifting that we are able to have Tom's family with us to acknowledge his incredible life and long parliamentary career.

I want to go into a bit of Hon Thomas McNeil's history and background as supplied by his wife, Helen, and former Deputy Premier Hendy Cowan. In preparing for this motion today, he very kindly contributed some of his recollections of having served with Hon Tom McNeil in this place.

As reflected by the Leader of the House, Tom McNeil was born in Glasgow, Scotland, on 9 June 1929. He and his sister were evacuated to Australia during World War II and they arrived in Melbourne in 1940, when he was just 11 years old. Here they stayed with host families until their parents joined them in 1947. It was an incredible start to a long and fruitful life. I am sure that he and his sister reflected on what a disruption that was to the McNeil family at that time many times during their childhood and as they became adults and had families of their own. It is interesting to compare Tom's early life and that upheaval with our current situation in which some families are overseas and have been separated for long periods, but certainly not for that length of time. It is my heartfelt hope that no-one in our current situation faces a separation of the same magnitude that the McNeil family faced at that time.

Before his career as a member of Parliament, he had a career playing Australian Rules football, as the Leader of the House said, and he was quite renowned for that career. Having originally started playing soccer during his childhood, he was introduced to Australian Rules by a mate in his early schooling life in Australia. He obviously showed some promise and made his debut for St Kilda in 1951 at the age of 22. After a short playing career, by today's standards at any rate, he moved on to coaching and administrator roles for many years across various metropolitan and country leagues. One of Tom's early aspirations, which was sparked on a trip to Scotland, was to form a collective body to represent players' interests. Tom was very passionate about this issue. He saw that many times players were taken advantage of by the system that was in place. It was perhaps this project that sparked a theme that was present throughout his life, and that was championing the underdog. He faced both enthusiasm for and opposition to this idea, as members can imagine, as it was a very new concept at the time. Collaborating with a few others who shared his vision, he created a constitution and on 13 May 1955, the constitution was ratified and a players union was formed. Union membership grew to almost 20 per cent of players in the following year, although it faced strong opposition from the Australian Rules football league at the time. At the end of that year, registration of the union was refused by the Australian Rules football league on technical grounds and Tom chose not to appeal the decision, citing a lack of support amongst players. It was, however, a cause that remained close to his heart, and improving conditions for professional football players was something that Tom strove for and championed whenever the opportunity arose.

I will now reflect on a couple of specific points about different aspects of Tom's life that came up while talking to his wife, Helen, in preparing for today. Tom was not a career politician. When he was approached by the then Country Party to run for the seat of Upper West Province, he was not necessarily aspiring to lead the life of a member of Parliament. However, he chose to stand and subsequently won the seat, and so began his life as a member of Parliament, which was over a long period. He had a strong understanding of regional life and was a good representative for his country constituents. He was here because he wanted to enact change and make life better for regional people. Suffice to say, in researching this contribution today, many different aspects of his life in this place have been remembered but can be summed up by saying that he was a passionate member of Parliament who liked a level of independence and disliked some of the bureaucratic and public aspects that a member of Parliament is exposed to, and I think we can all understand that.

Helen McNeil, his wife, who is with us today, remembers some of the proudest moments of his parliamentary career and thankfully is happy for me to share some of those with members. I will paraphrase some of those stories, so, hopefully, Helen, I can cover the important parts.

The first aspect I will cover is a win that Tom had for the Lancelin crayfishermen. This is an incredible story. Tom was very proud of his success in helping crayfishermen in Lancelin after a large number of their pots were destroyed. The United States Navy was undertaking some practice exercises off the coast of Lancelin and due to a miscommunication around measuring depth in fathoms rather than metres, the US Navy mistakenly fired on, and subsequently destroyed, a large number of crays off the coast. That is quite an extreme mistake by the US Navy. Obviously, the fishermen were not happy about that, so they sought financial compensation to allow them to replace those damaged pots. The fishermen approached all levels of government and were firmly told that there was nothing that anybody could do. They were going to have to wear the cost of the US Navy's mistake themselves. When Tom heard of this, he thought that was mighty unfair and decided that he was not going to take no for an answer,

so he wrote to the American ambassador and, as a result of his intervention, the fishermen were finally recompensed. That was a fantastic result for those fishermen and is evidence of Tom's willingness to fight for what he believed in until he got the result that he felt was right and just—as every member of Parliament should do.

Another issue that Tom was involved in was television coverage of football in regional areas. I can attest to this: having grown up in Carnarvon, there was no football on TV when I was a child. I cannot cover everything that Tom was proud of, but sport and his connection to it was one of them, so it would not be a condolence motion without remembering that aspect of his life. Members who have lived in the regions will understand this, but those who have not may not. Around 40 years ago, the only way to be connected to Australian Rules football was to listen to it on the radio. It was absolutely nothing like it is these days, as we know. Tom felt that this situation should be rectified, so, once again, he went into action. Advocacy started, conversations were had with the right people, letters were written and a petition was created. Tom and Helen travelled to New South Wales at their own cost to personally deliver the petition and at last the change was made and people in country areas were able to watch football on TV. Generations forever will be thankful for that, Helen and Tom, because where would we be without our AFL football?

The other thing that can be reflected on about Tom's time in Parliament is that many people, even those outside the National Party, have reflected that he was probably one of the most honest people in Parliament. The last of Helen's recollections during our conversations about Tom's proudest moments in Parliament that I will mention today is about him being recognised as an honest person and representing his constituents in this place. In fact, in a radio interview, a former Premier was asked who he thought was the most honest member of Parliament of the day and his answer was Tom McNeil. That is a pretty high accolade and one that was well deserved.

Hon Hendy Cowan is the other person I contacted ahead of this contribution today to gather some more memories of Hon Tom McNeil, and I would now like to read some of Hendy's recollections of that time. He writes —

The late Tom McNeil ran a delicatessen in Geraldton with family members when he was approached by the then Country Party President Jim Fletcher, to nominate for a seat in the Legislative Council. He was identified by local Party stalwarts as the only man capable of wresting the seat back for the Country Party.

Tom was a well-known identity in the Geraldton area. When he transferred to Geraldton from Bunbury he brought not only his family, but a reputation as a quality country footballer. In a region that takes its football very seriously, Tom's prowess as a footballer guaranteed he would be a popular newcomer to the city. He represented the Great Northern Football League at several country championship carnivals and I am advised he played very well. This is not surprising as in his youth Tom played a number of games in the VFL for the St. Kilda Football Club.

Tom's sporting attributes were well known in the mid-west region and when combined with the fact that many Geraldton residents were delicatessen customers, it gave him a very good base around which to build a campaign through the whole of the regional province and to win a seat in the Parliament.

After a successful campaign Tom finally arrived at Parliament House. For a person who had worked all his life in "hands-on" projects he found it difficult to adjust to the more ordered and bureaucratic style of the Parliament or the Party. Notwithstanding his difficulty with the system, Tom was able to adjust and made a significant contribution in the Parliament and to the Party.

Two characteristics stood out. Firstly, if Tom gave you his word on any matter, then he followed through to the letter. Secondly, before giving a commitment Tom maintained a set of personal principles that had to be met and he invariably thought about the people he represented. It was never a matter of "what is in it for me?" It was more "how will this impact upon the people I represent". Whichever way matters were couched, if it did not comply with Tom's own personal beliefs, then we were wasting our time trying to convince him.

Tom was very committed to his children. While he would never elaborate, Tom often claimed that he migrated from Victoria, firstly to Queensland and finally Western Australia in order to keep his family intact. You only had to visit the delicatessen to witness his devotion to family. Most of the children worked there when time permitted and anybody could see the special relationship that existed between the father and his children.

My fondest memories of Tom are not associated with the work we did as members of Parliament. It is built more around those times we had relaxing after a hard day in the House. Tom was always good fun to be with. When you could get him started he had a lot of good stories to tell and he kept everybody entertained for long periods of time."

I actually met Hon Tom McNeil in 2009 when I first came to work in the Parliament. For the first couple of years that I worked here, he was a former member who utilised the house often, still working on issues and still engaged and energetic. He would certainly give me advice in the times I met him in the corridor, or when he was downstairs I would go and say hello. He was always a lovely, exceptionally polite man, and he will always be remembered by the Nationals WA. In the National party room, our hallowed ground, his legacy will live on forever on our honour board. We thank him for his time as a member of this house and as a member of the National Party.

Tom McNeil embodied the grassroots values of what was then the Country Party and is now the National Party. We pride ourselves on being here to truly represent our regional constituents, and that is what Tom did. We pride ourselves on having high moral standards. We pride ourselves on advocating to make life better for regional communities and we pride ourselves on standing up for what we believe is right, even if it means we lose some skin in the process. There is no doubt that Hon Tom McNeil did that in his time in Parliament and in his time representing his community throughout the rest of his life. I am proud to stand here today and celebrate one of our members who exhibited every single one of those values. May he rest in peace. We thank his family for being here.

Members: Hear, hear!

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [1.24 pm]: I stand on behalf of the Liberal Party to support this motion. In doing so, I recognise members of Tom's family and some of his friends in the chamber.

Tom McNeil was a successful small business man and a stalwart of country football who represented a most competitive Legislative Council province for 12 years. He was born in Glasgow in Scotland into a small business family and, like many other British children, was evacuated overseas in 1940, arriving in Melbourne. After leaving Hampton High School, Tom McNeil became a salesman and commenced a notable career in football, playing for Hampton juniors and a total of eight games for St Kilda in the 1951–52 Victorian Football League season. He coached successful teams in metropolitan and country Victoria and in southern New South Wales. Concern that the welfare of players was being neglected led him to attempt to create a union for VFL and Victorian Football Association players in 1955. Working for Beaurepaires as a tyre salesman led him to move to Queensland, where he played in two premierships teams for Sandgate in Brisbane. After working as a supervisor for the Olympic Tyre and Rubber Company in Townsville, Tom McNeil moved to Bunbury in 1969 as a sales representative with Beaurepaires. He played and coached at South Bunbury Football Club. He moved to Geraldton as the branch manager for Dunlop. In 1974, he worked as an insurance broker, before going on to open his own tyre business. He coached the Geraldton country football team, was the secretary of the Great Northern Football League and founded the WA Players' Association.

Tom McNeil had not been involved in politics when he was approached by the National Country Party to contest the Upper West Province of the Legislative Council at the 1977 state election. Comprising the Labor-held seat of Geraldton, the Liberal seat of Greenough and the National Country Party seat of Moore, it had been won by the Liberal Party at both the 1971 and 1974 state elections. The Liberal Party had been favoured to retain the seat being vacated by Hon Jack Heitman, MLC. In a classic three-cornered contest, Tom McNeil polled 6 142 votes, which was 27.1 per cent—crucially, 51 votes ahead of the Labor candidate. The distribution of Australian Labor Party preferences gave him a majority of 289 votes, or 50.6 per cent. It was the only seat gained by the National Country Party at the 1977 election.

Making his first speech in August 1977, Tom McNeil stressed the need for government assistance for community sport, which was over-reliant on player contributions and affiliation fees. He highlighted the unfairness of the country football zoning that had been in place since 1971, whereby country players could go to only one Western Australian National Football League club, with only \$300 paid to their local club. Moreover, the players needed permission from their WANFL club to transfer to the VFL. Later, he was to move an unsuccessful private member's bill to enable country footballers to be able to transfer interstate. In his valedictory speech, he noted with satisfaction that this freedom had been obtained so that players were better treated. He also acknowledged that he had been elected on a "sports vote". As MLC for Upper West Province, Tom was noted for presenting oval-shaped honour boards to all local premierships clubs. In 1988, he chaired the Midwest Games Management Committee, which involved 3 000 athletes from 19 shires competing in 34 sports.

In 1979, when the NCP split, Tom McNeil joined the National Party, led by Hendy Cowan, as its only Legislative Council member, until 1984. At the conclusion of his six-year term in 1983, he was opposed by both Liberal Party and National Country Party candidates, who were exchanging preferences. He polled strongly in Geraldton and gained 11 061 votes overall, or 46.3 per cent. After the distribution of NCP preferences, he retained his seat by 715 votes, or 51.5 per cent—his second hard-fought success.

Tom McNeil chose to leave Parliament prior to the 1989 election when proportional representation absorbed the Upper West Province into the far larger Agricultural Region, which was successfully contested by two fellow National MLCs. In his valedictory speech, he expressed regret that the personalised representation of the former province system would be lost. He said —

Perhaps my approach to politics has been different from that of a lot of people. I got in without any branch structures and I have not put in any while I have been here. It is extremely difficult to have to get over two elections where one must convince the delegates representing areas covered by other members of Parliament within one's own structure, and one has not got any delegates. When proportional representation comes in the Tom McNeils have to take a walk. Maybe that will work out for the better, but one of the downfalls will be the loss of the personal touch.

After leaving Parliament in 1989, Tom served as chairman of the Racecourse Development Trust, the Northern Demersal Scalefish Managed Fishery in Broome and WA Demersal Net and Hook Fishing.

We extend our sympathies to Mrs Helen McNeil; his sons, Ross and Tommy; his daughters, Lisa, Karen and Andrea; his stepson, Wayne; and his 12 grandchildren and two great-grandchildren.

HON SIMON O'BRIEN (South Metropolitan) [1.29 pm]: I would very much like to join in offering my condolences to Tom's family and to reflect briefly on some matters at a personal level, which I hope will give members a richer understanding of this quite colourful character and help me to extend my condolences to his family, because I am not acquainted with Tom's family, but I was acquainted with him. We have heard about a very illustrious fellow who was prominent in supporting a range of endeavours throughout a very productive and long life. Of course, we are here today because he served for 12 years as a member of this chamber, making a strong contribution not only within these walls, but also on behalf of his constituency. That is something that needs to be celebrated on this occasion, as well as remembered, and I would like to do so with some affection.

From my point of view, Tom McNeil was perhaps one of the old school. In the lead-up to the 1989 election, the method of election to this place changed very dramatically from dual-member provinces with the members elected alternately to the current arrangement of multi-member electorates. The Leader of the Opposition referred to some of the circumstances surrounding that. I recall being a keen, enthusiastic, aspiring political participant in the 1980s and having a close association with the then President, Hon Clive Griffiths. Some years later, I succeeded Clive in his seat of South Metropolitan Region. I never had the privilege to serve with Tom McNeil, but I tell you what, I knew him, and a lot of people of my era around this place knew him as well, because he would always greet us warmly, almost as old friends. He had a very cheery disposition. We would see him around the place and he was always offering encouragement no matter the political circumstances of the day.

In the 1980s, during my political apprenticeship, leading up to the changes in the form of election, it became clear to me that there was a new party that I had not heard of before. I was keen to find out about it. I had been brought up hearing about the Country Party and the National Party. Like me, Clive was not a country member. As a metropolitan member, over the years I have had great associations with all my National Party associates—I love them all to bits—but Clive introduced me to this new group that was known, I am sure, with great affection as the “bloody Nats”. At that time, there was a proposal to go to multi-member elections, which has been alluded to already, but of course Tom McNeil was a casualty of that process. It amazed the Liberal members of this chamber in the day when contemplating that the Nats, which had four members under the old system, were only guaranteed getting about three members tops under the new system, and Clive was asking why the party would give away 25 per cent of its representation. That debate was held back in the day. I will refer to *Hansard*. It seems as though I am going to almost a sacred text; indeed, perhaps in some ways I am! On page 6404 of the *Hansard* of Thursday, 15 December 1988, Hon Tom McNeil referred to that debate. Hon Peter Collier talked about his valedictory speech, but I want to recite some other contributions today before we round out this motion, Madam President. I never witnessed this, because it was prior to all of our days in this place, but coming through in these words is the same man who greeted me warmly—I was a new member and he was a former member—and wished me so well and gave me such encouragement as I embarked on my career. I particularly want to note a couple of very human passages. On page 6404, he said —

I have to acknowledge the part played by my family. My wife is one of the people in the world who did not want me to go into politics, and cannot wait for me to get out. I have six children, and only one still at school. My position here has affected my home life, if only for the enormous amount of travelling I have had to do. In that respect it will be quite a relief to get out of Parliament.

For some of us, that is an encouraging note! In relation to the electoral matter, he said —

Mr President, my sentence is up in this place. I do not agree with Hon Des Dans in that at this juncture we cannot say who will be returned. I think we have a good idea of who will be returned because of the positions they will occupy on the ballot paper. I have always liked the situation where one was running for a seat, competing against one, two or three people, and had the chance to go out and do battle on one's own mettle. That will be lost here because, while it may be retained in the Assembly, we will just become a party number, and the people who decide who is to be at the top of the ticket will be the people who decide who is elected.

That was a great issue of that day. He closed in this manner —

I close by saying thank you to all in this House whom I look upon as friends. If anyone wants to have a drink with me at any time, after they have bought me one I will be happy to reciprocate.

What a guy! My condolences to the family and thank you, Tom, for the great memories and the great service that you have provided to everyone else that remains.

THE PRESIDENT (Hon Kate Doust) [1.37 pm]: I am going to add a few words to this motion and offer my condolences to the family of Hon Thomas McNeil. These occasions are very important for us in this house to celebrate the lives of former members, and today I think we acknowledge that Hon Thomas McNeil had a very active, full and satisfying life prior to his entry to Parliament, during and, indeed, from what we have heard, after he left this

place. We want to acknowledge the contribution he made to his constituents in his electorate over that period and certainly to his community after his time in this place, and his contribution in this chamber, which, from what we have heard today, was active and significant. He obviously pushed as many envelopes as he could to get the outcome he needed. I offer my condolences. We thank you very much. We are very pleased to have the former member's family and friends in the gallery, given we have been through a very difficult period with the COVID-19 pandemic. We are pleased that we have the opportunity to acknowledge this member's contribution in this place.

I ask members to rise and support this motion by observing a minute's silence in memory of the late Hon Tom McNeil, our esteemed former member of this Council.

Question passed; members and officers standing as a mark of respect.

The PRESIDENT: I advise that in accordance with our custom and practice, a copy of the *Hansard* of this condolence motion will be forwarded to Hon Tom McNeil's family in due course.

PARLIAMENTARY PRECINCT — CURTIN UNIVERSITY DESIGN PROJECTS

Statement by President

THE PRESIDENT (Hon Kate Doust) [1.39 pm]: Members, I have a brief statement that I want to share with you about the Curtin University planning graphics and design students and the Parliament of Western Australia. The Parliament of Western Australia connects with our tertiary institutions in a variety of ways. Recently, the Parliament assisted the first-year planning graphics and design students from Curtin University in developing a graphic presentation and design for connecting the Parliament and the city. The priorities were to create a new public open space that acknowledges and is representative of all aspects of the history of Western Australia and its peoples, together with providing additional accommodation space for the Parliament—something our recently opened fountains project has gone some way to achieve. The design brief given to the students was for them to use their imagination and their learnt design principles with only a few conditions.

I would like to acknowledge the contribution of our Executive Manager Parliamentary Services, Mr Rob Hunter. His knowledge of the building and reserve is unsurpassed. His briefing of the students and the answering of many of their questions, I am sure, assisted in the very excellent result that was achieved.

The posters judged the best by representatives of the Parliament, industry, tutors and the students themselves are now on display in the Lee Steere Foyer for members to view until Friday, 23 October. I note that we had a function last Friday and a number of our members were also present to observe and celebrate that particular occasion. As most of you are aware, this is not a new idea but one worth pursuing. I encourage all members to take a little bit of time to view the display. I am sure that you will agree that these first-year students from one of our leading universities have done a fabulous job with these design projects.

MUNDIJONG DISTRICT STRUCTURE PLAN — FREIGHT RAIL LINE REALIGNMENT

Petition

HON DONNA FARAGHER (East Metropolitan) [1.41 pm]: I present a petition containing 470 signatures couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned are opposed to the altered freight rail line realignment south of Mundijong Road as proposed by the Shire of Serpentine Jarrahdale in its Mundijong District Structure Plan 2020. This new route drastically alters the freight line realignment from previous published designs without prior consultation with the impacted landowners and residents. Existing landowners purchased their properties on the basis of the Shire's district structure plan that was current at the time of their purchase. The route proposed in these plans were consistent between the years of 2008 to 2018.

The new proposed route from Mundijong Road to Wright Road will now impact newly built homes and has already had an adverse impact on the properties values and saleability. The impacted properties are blighted by the proposed route. The affected landowners have no security and face an uncertain future until such time as the matter is resolved. For many affected landowners, time is of the essence in seeking a mutually acceptable resolution.

We therefore ask the Legislative Council to recommend that the Department of Transport, Main Roads and Arc Infrastructure work with the Shire of Serpentine Jarrahdale to investigate options that will see the rail delivered as per the previous realignment.

And your petitioners as in duty bound, will ever pray.

[See paper 4467.]

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

McGOWAN GOVERNMENT — PUBLIC SECTOR MANAGEMENT*Motion***HON TJORN SIBMA (North Metropolitan)** [1.44 pm]: I move —

That this house —

- (a) expresses its concern about the Premier's comprehensive mismanagement of the Western Australian public sector;
- (b) notes the failure of the McGowan government to deliver on its promise to improve the accountability and performance of senior executive service level officers;
- (c) notes the failed voluntary targeted separation scheme;
- (d) acknowledges the failure of the McGowan government's rushed machinery-of-government—MOG—changes and the consequential negative impact that these MOG changes have had on service delivery in Western Australia; and
- (e) acquaints the Legislative Assembly accordingly.

The state of the Western Australian public sector should be of interest to every member of this chamber for the sheer fact that it is the engine or the mechanism by which services are delivered to the public of this state that cannot be provided by the private sector or the not-for-profit sector. Furthermore, the quantum of yearly public expenditure by government running to the many billions of dollars signifies that the expenditure and performance of the public sector should be a focus of the ongoing attention of this chamber—a focus that has been disrupted, obviously, by the COVID-19 pandemic and the urgency of that matter. Nevertheless, over the course of the pandemic, we have seen in this chamber a variable degree of responsiveness to COVID-19 by government in respect of policy settings or policy changes, program delivery changes and, in fact, the concoction of new regulatory and legislative responses that has put a lot of pressure on the public sector. The public sector has been able to deliver under these very constrained circumstances only to the degree that it has been permitted to do so by government. I will put it to members that in the lead-up to March 2020, nearly three years since this government was sworn in, the government has undermined to some degree the public sector's capacity to respond to this crisis and undertake its other business-as-usual settings.

It is important to judge the government's management of the public sector by the ambitions and targets that this government has set itself. I am not seeking to hold the government to any special standard—no special “Sibma standard”, no parliamentary Liberal standard, no other standard—or target other than that expressed, articulated repeatedly, by the Premier and his government while in opposition and in the first few months of forming government. The government was elected effectively on a public sector mandate that can be categorised as the 20–20–20 rule: a 20 per cent reduction in the number of departments of state, a 20 per cent reduction in the headcount of the senior executive service and a 20 per cent performance component, which was effectively a means by which to hold directors general or CEO equivalents responsible for the achievements of certain whole-of-government targets. If they failed to do so, they potentially forfeited up to 20 per cent of their salary. That was effectively the rule of thumb that the government applied to the public sector when it won government. It was repeated in different formats for a variety of means, but I will refer to the source campaign document: Mr McGowan's fresh ideas manifesto from 2016. I will quote from page 11 of that document because it provides the rationale for the government's public sector policy. Effectively it was there to find savings, reduce expenditure and free up funds for reallocation or reprioritisation. It was reasonably explicit as an election policy goes. The document states —

Reduce the number of Senior Executive Service positions by 20 per cent; —

With the objective of —

saving \$20 million each year.

WA Labor will cut government advertising by \$20 million each year.

WA Labor will reduce the number of agencies by 20 per cent delivering savings in excess of \$100 million each year.

Stop the excessive use of external consultants and outside contractors.

I will not make my focus the entirety of that, but I will focus on some specifics. That promise very clearly articulated savings targets. My challenge to the government is to prove whether they have been achieved, because my thesis is that they have not been. In fact, every measure that has been designed and implemented across public sector policy has been thwarted or undermined by other decision-making of the government. I will allege that the government's machinery-of-government and broader public sector policies have cost enormous sums of money that cannot yet be fully quantified, but I will go to some effort to pinpoint where the government has failed to one degree, although we are probably some months away from appreciating the full consequence of the cost.

I have quite deliberately framed this motion in the terms that I have because I want to concentrate on the micro level and the macro level. My micro-level target is the voluntary targeted separation scheme. Members might recall that in this government's very first budget the VTSS, as the acronym holds it, was a key budget repair measure. I quote from the 2017–18 Treasurer's budget speech —

- a Voluntary Targeted Separation Scheme for 3,000 full-time equivalent public sector employees, with priority given to agencies subject to the recent Machinery of Government changes. Importantly, 20 percent of the savings from this scheme will be retained by participating agencies to invest in workforce renewal, with a focus on digital transformation, frontline services, and the recruitment of entry-level employees ...

A status report was included in the subsequent budget of 2018–19, again, in the Treasurer's speech. This indicated that perhaps the program was not going as well as had been hoped. I quote —

- our Voluntary Targeted Separation Scheme, while not concluding as quickly as originally anticipated, is still on track to achieve the full 3,000 separations target, with over 2,000 separations expected to be finalised by 30 June 2018 and estimated gross savings of \$1.1 billion anticipated over the forward estimates period ...

These are quite explicit, unambiguous targets. The government has deliberately pointed to them. One might have then anticipated that in the 2019–20 budget, which was the one previous to the one that has just been read in, there would be a further update. There was no specific reference to the progress and achievement of the VTSS in the Treasurer's speech, budget paper No 1, of the previous budget. One might ask why that was. I did ask myself why that was, and a subsequent revision of the entirety of the budget papers gave some indication of why the government might not have held the VTSS up in lights as a successful public policy measure. Embedded in those papers was information that the VTSS had fallen short of its separation target by around 500 positions, and there was a separation target of 2 500-odd. To be perfectly frank, we could charitably say that that was not too bad.

Also embedded in those papers was the admission that around 6 300 public servants had been employed across that time, so effectively \$300 million or thereabouts had been paid to separate or encourage the redundancy of some 2 500 public servants, but although all those savings were made on the one hand, there was a gross increase in wages bills derived through re-employing 6 300 employees. That effectively means that the government doubled the amount of expenditure on the VTSS because \$300 million was paid out to separate, but if we then take a very conservative estimate of the more than 3 000 employees who were rehired and we applied, for example, a \$50 000 per annum base-rate salary and spread it across the two subsequent financial years, we are at least looking at a hiring cost of an additional \$200 million. Therefore, the government spent \$300 million to separate on the basis that it would reinject savings that it would renew, but it would probably have spent another \$200 million over another two years in rehiring more staff than it began with. To me, that is not indicative of a successful targeted separation scheme, and I have every reason to suspect that it might arrive at that particular outcome, because during the 2017–18 and 2018–19 financial years when I sought information or guidance from the government in the annual report and budget estimates hearings about whether there had been some targets ascribed to agencies, I was rebuffed. When in the course of one hearing I asked the Under Treasurer whether it would be logical that Treasury would apply a hiring freeze to effectively lock in the policy ambition of the VTSS, there was a lot of looking down at shoes and fumbling away. This was not designed to work, and I do not know why that is. It was an absolute policy failure in its own terms. Again, I am holding the government to no other standard than what it has applied to itself.

This is problematic, but more problematic is the rushed manner in which the machinery-of-government changes were introduced. Over the period of at least April to June 2017, the Premier issued a number of media statements speaking to machinery-of-government changes and his generalised approach to public sector management. I want to quote from at least one or two of them just to reinforce and remind ourselves of the ambitions and justifications the government provided. My very simple challenge to the government is this: prove that this has worked; prove that it has saved a single dollar. At this point, I do not think there is a single estimate of the full cost of the government's MOG changes. There has certainly been no evidence provided, tangible or otherwise, to suggest that it has been a success. I want to remind the government of why it went into this process. I quote here from a media statement from the Premier of 28 April 2017 entitled "Major changes introduced to create a more efficient public sector". One of the quotes is —

The changes announced today —

Which were to reduce the number of departments —

are the first step in driving cultural change and delivering multi-million-dollar cost savings across government to assist with much-needed budget repair.

We will test whether those savings have actually been realised. I suggest that they have not.

On 6 December 2017, there was again a media statement from the Premier. These were remarks made on the final service priority review report that the government commissioned in parallel with its own machinery-of-government changes, and the wisdom of that might be borne out by the results that the government has delivered. I quote —

"The Government supports the overall direction of the report and will move to begin an implementation program starting next year.

I jump ahead —

“As promised, the State Government will now move forward to introduce whole-of-government targets and CEO performance-based pay to drive outcomes for Western Australians.

“This was a major election commitment and something I want to see built into the ... sector.

Indeed, whole-of-government targets and priorities have been established. They were established with the help of KPMG. I look at external consultants’ reports that have been tabled to date, the most recent of which is from December 2019. We do not have the six-monthly report up until 30 June—still some three or four months late—but at least \$400 000 was spent on KPMG’s consultancy practice to assist the government to establish its own priorities. That a government would seek to offshore or outsource that fundamental job is a damning indictment of any government. Nevertheless, the government did that. However, what is missing, and what there is no clear evidence of, is the last bit. This was a key Labor Party election platform—it would introduce CEO performance-based pay to drive outcomes for Western Australians. That is not to say that has not happened. However, no evidence has been provided to this chamber or, to the best of my knowledge, the other chamber to indicate that that has been achieved.

To some degree, the government has over-delivered on the 20 per cent reduction in the number of departments. The number of departments was reduced from 41 to 25, and the government actually claimed, “We’ve delivered a 40 per cent reduction. Well done us.” One might think through the wisdom of that. That decision was predicated on the basis of savings. I want to read in a comparison of the general government operating statement from the last four budgets. I think we have a problem. In 2016–17, the actual amount of money spent on general government sector salaries was \$11.6 billion. In the most recent budget, 2019–20, the expenditure on general government salaries was \$12.887 billion. Over the last four budgets, there has been an increase in the public sector wages bill of \$1.2 billion. This has happened in parallel with the machinery-of-government changes. The savings have not been delivered. In fact, the government has ramped up the cost of running government, for no tangible benefit to the public of Western Australia.

It was always likely to end up like this. That is because there was no justification for these machinery-of-government changes. One might be uncharitable and think that these changes were drafted on the back of an envelope. I think that is probably an overly fair analysis. It was very clear 18 months after the changes came in in July 2017 that they were not proceeding well. In around November 2018, there was an Auditor General’s state financial update, and a subsequent annual report hearings process. I will quote from a Paul Murray column dated 28 November 2018 that encapsulates all this. I am not quoting from it just because yours truly is mentioned in the document. I want to read in what the Auditor General was quoted as saying —

“Progress with amalgamating systems of the various constituent entities —

These are the departments that were merged together —

is slow, with most departments continuing to operate on several financial, human resource and administrative systems ...

“This is impacting the realisation of cost savings that can be achieved by rationalising systems.”

The article also contains some interesting quotes from the two agencies that I think have been the most significantly affected by the MOG changes—namely, the Department of Communities and the Department of Primary Industries and Regional Development. It is clear from the transcripts of hearings, and it is repeated in this article, that the then CEOs of those two departments, Mr Grahame Searle and Mr Ralph Addis, were struggling with the integration and bringing together of these agencies. I do not have the time available to reflect on that, other than to direct members to the *Hansard* as appropriate if they feel so minded. Mr Murray reflected on the evidence that was provided, the Auditor General’s report, and concluded —

It’s too early to call the MoG policy a flop, but this is an inauspicious start ...

Indeed, that was a pretty balanced and fair assessment at that time. I think the evidence has now come in because if there are two agencies that seem to cause headaches for government, it is the Department of Communities—this monolithic entity that is designed, I submit to members, not to work; it cannot possibly work with the structure that it has—and the Department of Primary Industries and Regional Development, which is failing regional communities. It is absolutely abysmal. I have no vested interest in this, other than to report on what I hear from members of the community and disaffected bureaucrats.

The responsibility for this disaster lies with the Premier, as well as with his original director general of the Department of the Premier and Cabinet, Mr Foster, who is largely credited for this—or now potentially discredited, considering his unexplained transfer of responsibilities from the Premier’s department to the Department of Treasury, I think at around the same salary, lucky man. The Premier must wear it and so, too, must the ministers. I feel sorry for the ministers. However, the directors general who have been appointed under this regimen have also been responsible for driving the changes.

I will concentrate on the Department of Communities dimension. I believe that my friend and colleague Hon Nick Goiran will have more to say about this. Yesterday, I asked a question without notice, through Hon Peter Collier, about

the number of functional reviews and the like that Treasury has had to undertake since the MOG changes were implemented on 1 July 2017. Other than the Department of Training and Workforce Development, the only agencies that have come in for this special attention are the Department of Communities and the Department of Primary Industries and Regional Development—these two problematic ones. Those reviews would not have needed to take place had the MOG changes been clearly designed and properly implemented to begin with.

HON SUE ELLERY (South Metropolitan — Leader of the House) [2.05 pm]: I rise to indicate that the government will not be supporting this sad and sorry motion, and I am happy to set out the case for why. The machinery-of-government changes were instrumental in helping Western Australia return to a surplus in 2018–19. They also played an ongoing factor in reducing expense growth. The reduction in the number of departments enabled the creation of a smaller, more agile and better coordinated public sector leadership council. This group of directors general was integral in coordinating the sector's response to the pandemic. The machinery-of-government changes also had a positive impact on our capacity to mobilise public sector staff across and during the pandemic. Approximately 161 staff were mobilised across the sector at the pandemic's peak on 4 May 2020.

If we accept the premise of the motion before us, the proposition put in the member's own words that there has been a variable degree of responsiveness to the COVID-19 pandemic and the language in paragraph (d) of the motion that there has been a consequential negative impact on service delivery in Western Australia, that would have been clearly, starkly and immediately apparent during the public sector's response to the pandemic. Never has there been a greater test of service delivery by the public sector than during the pandemic. If in fact the so described negative impact on service delivery was real, it would have been quickly, blatantly and starkly obvious, but nothing is further from the truth.

I will start at the top with the Public Sector Commissioner, Sharyn O'Neill, who became the coordinator of the public sector and then the state recovery controller as a consequence of a position she assumed from the start of the pandemic. She has led the public sector outstandingly through its biggest test. Commissioner Dawson, who holds positions in an emergency, is an outstanding public official. I will share with members that I sit on the State Disaster Council. I also sit on the State Emergency Management Committee. At times, we were meeting daily to deal with the pandemic. I have observed at close quarters the leadership of the public sector. If what the honourable member put before us was true and the machinery-of-government changes had had a negative impact on the service delivery of the Western Australian public sector, we would have seen it during the course of the pandemic. In fact, what we saw was the opposite. Regardless of whether it was the leadership in Health through the Department of Health or the Chief Health Officer, those people who did the outstanding public health contact tracing, or the nurses and doctors in our hospitals, or whether it was those in Police on our borders, managing the quarantine system, or whether it was Lisa Rodgers in the Department of Education, managing schools during the pandemic, if there had been a serious negative impact on the capacity of the Western Australian public sector—which is the proposition in paragraph (d) of this motion—we would have seen it during the course of the pandemic.

On 16 March, the State Health Incident Coordination Centre was stood up. It is a fantastic example of the interagency collaboration that occurred. The fact that the leadership was as mobile as it was is testament to the machinery-of-government changes and the establishment of the Public Sector Leadership Council. SHICC consists of multiple agencies, including the Australian Defence Force; the Australian Red Cross blood service; the Department of Biodiversity, Conservation and Attractions; the Department of Communities; the Department of Education; the Department of Fire and Emergency Services; the Department of Foreign Affairs and Trade; the Department of Justice, particularly Corrective Services; the Department of Local Government, Sport and Cultural Industries; the Department of Primary Industries and Regional Development; the Department of the Premier and Cabinet; the Public Transport Authority; Main Roads Western Australia; the Royal Flying Doctor Service; St John Ambulance; the Water Corporation; the Western Australian Local Government Association; and the Western Australia Police Force. For the past six months, SHICC, including the Public Health Emergency Operations Centre, has prevented the escape of COVID-19 into the Western Australian community through excellent cross-agency partnerships. If we accept the premise of the motion moved today—that somehow the machinery-of-government changes have had a negative impact on the capacity of the public sector to deliver to Western Australia—those partnerships would not have been possible.

There are thousands of examples of how the leadership of the Western Australian public sector and everyone below them have stepped up and been able to manage the response to the pandemic, from hotel quarantine to all the logistics, planning, liaison, intelligence, non-health operations and public information. The diverse team at SHICC, which includes representatives from 18 state and commonwealth agencies, including police—I have listed some of the others already—led by Deputy Chief Health Officer Dr Robyn Lawrence, who is the incident controller, are coordinating a wide range of duties, such as rapid planning and all manner of other things that need to be done in the course of the pandemic. That could not have been done with the success with which it has been if we accept the premise of the motion put by Hon Tjorn Sibma. We can look at one example—the remote Aboriginal communities complex task team, which was led in no small part by the Department of Communities and made up of Communities, DPC and a range of other agencies. It was organised into regional leads for the Kimberley, Pilbara, desert and midwest to

manage daily communication and engagement on issues affecting a wide range of Aboriginal stakeholders and local governments. Key issues that they had to deal with included the return to community program for remote residents, food security, the supply of essentials, exemptions for travel arrangements into and out of biosecurity regions, state directions, ongoing engagement with the communities on issues of service provision, and urgent health and safety matters that arose in communities as a result of increased populations going into those communities because of their fear of the pandemic. If we were ever going to see a public sector fail because it was under so much pressure as a result of the machinery-of-government changes, that is when it would have failed, but we did not see that.

Hon Peter Collier: We created that!

Hon SUE ELLERY: I listened to the honourable member in silence and I would ask for the same.

The proposition of the motion is really clear; it is explicit—that there has been a negative impact on service delivery by the WA public sector. That is the proposition set out in paragraph (d) of the motion. If that were the case, the leadership of Sharyn O’Neill, Chris Dawson and Chief Health Officer Andy Robertson would have failed and the public sector would not have been able to carry out its duties because of the negative impact of the machinery-of-government changes, but there is no evidence of that. In fact, it is the opposite. When the Western Australian public sector was confronted with the biggest test that any public sector could be confronted with, it stepped up and provided exemplary service. If nothing else, that alone shoots the proposition in this motion to the ground. If the proposition were correct, those agencies and the leaders would not have been able to do the job they were required to do.

Part of the motion also refers to the voluntary targeted separation scheme. This was not unlike the measures put in place by the previous government, but this was not an FTE freeze. Without the VTSS, there would be some additional 3 000 FTE. That program was able to deliver savings that the Liberals could never achieve. As was made clear when the program was announced, gross savings from the VTSS will be \$1 billion. The VTSS is projected to save around \$527 million in net terms. A total of 2 556 separations of the 3 000 target have been achieved to date and a further 390 separations will be achieved in the future. Under the previous Liberal government, there were five rounds of voluntary redundancies at a cost of some \$393 million. Despite that, the number of FTE grew by 12 547. As part of our commitment to provide a strong public sector, we make no apology for the growing number of nurses, doctors, teachers and school cleaners, who continue to deliver better services to Western Australians. We do not apologise for hiring more staff in response to the COVID-19 pandemic. The government is providing more secure employment for Western Australians by bringing more workers back in-house into the public sector, and providing more permanent opportunities for those on part-time, casual or temporary contracts. We make no apologies for providing greater job security for more Western Australians and reducing the government’s reliance on labour hire. What can we compare that with? We can compare it with what was identified in the findings of the special inquiry. We inherited a public sector that had been left in disarray following the chaotic decision-making of the previous government. The special inquiry into government programs and projects outlined the former government’s incompetent performance in managing the public sector. Those findings include —

... Ministers worked to advance their individual agendas and often coerced public servants into applying significant resources to ideas and programs that they knew were unlikely to be approved. Ministers were very focussed on their individual priorities and did not advocate a whole-of-government agenda.

That is on page 15 of the report. The report states on page 80 —

Not all of the fault for this deterioration in standards and discipline should rest at the feet of public servants. Many practices occurred at the encouragement, if not insistence, of Ministers.

On page 45 it states —

The importance of Ministers and Cabinet supporting the efforts of their public service leaders is critical to effective government. Regrettably this was not always apparent during the years of the Barnett Ministry.

On page 41 it states —

There were ... many instances of poor process and decision making which can be sourced back to the lack of consistently good governance practices.

It continues on page 42 —

There was no documented, collective or strategic plan or vision that the Cabinet worked to. The Government’s strategic whole-of-government focus or strategy was not known to any officer who appeared before the Special Inquiry. Many said that such guidance would have been valuable.

The report states on page 43 —

Government lacked a shared and clear whole of government strategic perspective. This lack of a coherent vision of what the Government was seeking to achieve precluded agencies from developing cohesive plans by which policy and actions were coordinated. This was also likely to have been a contributing factor to the development of a culture across agencies that lacked a binding common purpose.

I also go to the disclosure of information and accountability. The Barnett government invoked commercial confidentiality as a reason for not answering questions either in the Parliament or from the media on at least 30 occasions, raising questions about its claim to be an open and transparent administration. The refusals were across a range of portfolios and included details relating to some of the state's most high-profile projects, reports commissioned for government departments or ministers, payouts to private companies and others, annual payments to the Westadium consortium and all financial details of the deal regarding the stadium, and the value of the performance bond to be paid by the Perth Stadium operator. I could go on and on but I will run out of time to go through that list, but I have tried to make the point to demonstrate what we inherited. The machinery-of-government changes and the special inquiry into government programs and projects were done deliberately to ensure that we had agile and coherent public sector leadership and a degree of accountability and governance arrangements in place to address the mess that we had inherited.

One of the most important pieces of work we did early after being elected to government was to address the issue of workforce management and job security. We demonstrated our commitment to building a stable and strong public sector by converting fixed-term and casual employees to permanency, reducing the reliance on labour hire, insourcing functions that were previously contracted out, launching the "Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020–2025" and providing additional service delivery. I will talk about converting fixed-term and casual employees to permanency.

Better job security matters to people. It means that they can get a bank loan to buy a house. This included a commitment to convert existing employees to permanency, including contract and casual employees with more than two years' employment. A total of 13 173 fixed-term and casual contractors were converted to permanent appointment between 10 August 2018 and 30 June 2020. No significant costs were incurred because all those employees were already on the public payroll. The proportion of permanent full-time equivalent employees in the Western Australian public sector has been trending upwards from 75.1 per cent in March 2017 to 77.5 per cent in June. The special inquiry that I have already referred to reported that between 2012 and 2016, the state government spent \$536 million on temporary personnel. It also identified noncompliance with buying rules and policies, and a lack of transparency. The Public Sector Commission and the Department of Finance are leading work to ensure appropriate engagement and deployment of contracts for service, including temporary personnel. Under this government, the value of temporary personnel under the common-use arrangement has decreased to \$87.2 million in 2019–20, which is a 25.2 per cent fall from \$116.6 million in 2015–16. A total of 757 employees have been provided secure employment as a result of moving away from labour hire arrangements. At Fiona Stanley Hospital, about 650 jobs are in the process of being returned to the public sector at because key non-clinical and patient support services will no longer be run by Serco. Cleaning, patient catering and internal logistic services, which includes hospital orderlies, domestic assistants and cleaners, will be operated by the South Metropolitan Health Service from 2 August 2021. The former Melaleuca Remand and Reintegration Facility was returned to public sector management following an early end to private operator Sodexo's contract in April 2020. Melaleuca Women's Prison now provides the government with more rehabilitative opportunities and greater flexibility for prisoner management. More than 400 staff from two private alliances have transitioned into the Water Corporation's water and wastewater network operations.

If we accept the proposition in the motion that the machinery-of-government changes have had a negative impact on service delivery by the Western Australian public sector, either we are delivering a worse service—that is not the case and it was tested during the pandemic and we were not found wanting—or additional services. Between June 2017 and June this year, the number of FTEs, excluding police—but I would love to talk about the 800 new police as well—has grown by 5.6 per cent. The majority of growth in FTEs has been frontline services, including some 997 FTE cleaners. Never have cleaners been more important than during the course of the pandemic. The Chief Health Officer's advice was that we needed to do more cleaning in schools, playgrounds and all sorts of other places. That accounts for 16 per cent of the increase. Nurses and midwives make up an additional 901 FTEs and account for 14 per cent of the increase. Medical practitioners, doctors and specialists make up an additional 498 FTEs and account for eight per cent of the increase. Education assistants make up an additional 669 FTEs, accounting for 11 per cent of the increase, while teachers make up an additional 587 FTEs, accounting for nine per cent of the increase. In addition, the government released its "Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020–2025". It includes a range of aspirational employment targets for Aboriginal and Torres Strait Islander people; people with a disability, with that work lead by my colleague Hon Stephen Dawson; women in the senior executive service; culturally and linguistically diverse people; and youth. Those targets were developed through benchmarking across Australia and our workforce in Western Australia. The targets are higher than previous goals to ensure that we make our public sector workforce more diverse.

I will not have time to canvass the range of other things in the material that I was provided, but I make this point: the opposition needed to demonstrate—it has had no better example than the course of the pandemic—where there has been failure, reduction or negative impact on service delivery in the Western Australian public sector. Hon Tjorn Sibma failed to do that. There is no greater test than the test that we are still living through—the pandemic. If the things that Hon Tjorn Sibma said were true and if the proposition he put in his motion were true, we would have seen that in the course of the pandemic.

HON NICK GOIRAN (South Metropolitan) [2.25 pm]: I rise to support the motion moved by Hon Tjorn Sibma. I hope that the Leader of the House listens attentively, given that she accuses the opposition of not having made its case for the motion. In particular, I want to focus on the fourth of the five limbs in the motion, which reads that the house —

acknowledges the failure of the McGowan government's rushed machinery-of-government—MOG—changes and the consequential negative impact that these MOG changes have had on service delivery in Western Australia ...

For the edification of the Leader of the House, I will provide one example. The Leader of the House spent 20 minutes talking about the previous Barnett government and asking for one example, so I will tell the Leader of the House a story about the former Department for Child Protection. That has been nothing but a debacle, caused by this government's decision to collapse the former Department for Child Protection into the mega Department of Communities.

Why is it that I and many other people with a passion for child protection have reminded the McGowan government repeatedly over the last three and a half years about the need for child protection to be a standalone department? Why is it that we keep banging on about that? The reason is the tragic story of Wade Scale. I will refer to an article in *The Weekend Australian* of 26 August 2006 so that we might be further educated about this tragic circumstance in Western Australian history. The article is titled "Wade died because no one listened" and reads —

ALMOST four years ago, an unassuming but increasingly desperate Perth grandmother wrote to then West Australian premier Geoff Gallop, pleading for his help to protect her two grandchildren.

Margaret Jakins told him the children were in danger. In the letter—dated November 20, 2002—she said she was writing to him only after exhausting all other avenues.

The article goes on to say —

Jakins's letter rang alarm bells about the safety of Wade Michael Scale and questioned the Department for Community Development's plan to return Wade's brother into the custody of the boys' drug-addicted mother, Angela Jakins, and her de facto husband, Kriston Scale, a known drug user and convicted child-basher.

...

... The full extent of the horrors that faced baby Wade and his brother became known to the public only three weeks ago, when state Coroner Alastair Hope released a 24-page report on Wade's death, a chilling summary of the events that continue to defy explanation.

On July 30, 2003, at 4.44pm, aged 11 months and 10 days, Wade was pronounced dead after frantic but futile efforts by ambulance officers and later hospital staff to revive him.

He had drowned in a bath left filled from the previous evening. His body contained the adult prescription drug diazepam.

The article goes on to say —

There is absolutely no doubt the Department for Community Development knew the danger Wade and his brother were in. It was warned repeatedly by extended family members.

The department knew Kriston Scale had an appalling history of violence.

He was convicted and jailed in 1999 for three separate assaults on toddlers. Two of the victims were Wade's sisters. All were hospitalised with extensive bruising to the face and head.

In one case, the child's eyes were so swollen he was unable to see. The department knew this, yet allowed Wade and his toddler brother to live with Kriston Scale.

The department knew both parents were drug users. Urinalysis tests before and after Wade's birth tested positive for amphetamines and opiates.

A few months before his death, Wade was briefly removed from his parents but was quickly returned.

This took place in August 2006. The last Labor administration's response to that happened very quickly a few days later. The minister in charge of that was none other than the same minister who is now in a fair degree of pain from a different portfolio fiasco, and that is Hon David Templeman. His media statement of 29 August 2006 states —

The State Government has ordered a major review of the Department for Community Development to firmly entrench child protection as its number one priority.

Community Development Minister David Templeman said the review, to be completed by January 2007, would recommend an organisational structure and funding model to ensure child protection was the department's primary focus.

"I am determined to reaffirm child protection as the defining role of the department," Mr Templeman said.

“I want the protection of children to be the over-riding consideration in every single decision this department makes.

...

“The department oversees a range of important functions, but none are more vital than the safety of our children.

“I want to be reassured that the department’s other roles and responsibilities are not diverting the focus from child protection, and the community wants to be reassured that the lion’s share of the money is being spent there.”

The Minister said the review would examine:

- how best to achieve a clear and better focus on child protection;
- whether the current functions, activities and structure of DCD ensure the delivery of effective services consistent with Government policy and priorities;
- whether alternative organisational arrangements would be more effective and efficient in delivering services;
- whether resources are properly allocated to achieve the Government’s objectives for improved child protection;
- opportunities for, and barriers to, improved coordination, collaborative planning and monitoring of service delivery across the State;
- progress towards the achievement of recommendations pertinent to DCD arising from any recent reviews; and
- any other specific matters identified in consultation with key stakeholders.

Mr Templeman said the review would be conducted by a committee chaired by Prudence Ford, a former senior State and Commonwealth public servant. It would report to the Premier and its report would be made public.

This was in August 2006. What has been known as the Ford review was very speedily provided in a highly competent fashion in January 2007. At page 8 of a 148-page report, the Ford review sets out what is outlined in chapter 3. It says —

Most of the report is devoted to the way forward. This is the third and most important section of the report. It is clear that a significant re-alignment of the Department’s functions is needed.

The Ford review made a series of recommendations. The first recommendation states —

A new Department of Child Safety and Wellbeing ... be created by refocusing the Department for Community Development on identifying and supporting vulnerable children and young people in the context of their families and the community.

The second recommendation states —

A Department of Communities be established to provide the Government and the community with a focal point for the development of an over-arching social development framework, policies and programs for population sub-groups with special needs and for the strengthening of communities.

This was in January 2007, after the tragic story of Wade Scale. When we look further into the Ford review, we find in an eerily similar fashion comments that could be made about the mega Department of Communities that the McGowan government has established. The Ford review refers to the department reporting to two ministers—the then Minister for Community Development; Seniors; Youth, and the then Minister for Women’s Interests. It also refers to the fact that the department had the Office for Children and Youth, the Office for Seniors Interests and Volunteering, the Office for Women’s Policy and the director of the family and domestic violence unit, which all had direct contact with their respective ministers.

Members may be aware that this government, not to be outdone by the Gallop government having a megadepartment that reported to two ministers, thought it would be a good idea to have a megadepartment reporting to five ministers. Five ministers! In the Ford review in 2007, this eminent author said that the system was facing increasing complexity. Keep that in mind for a moment. In 2007, an expert looked into the debacle that was the then department and said that the system was facing increasing complexity. Just park that for a moment. The review goes on to say that the then Department for Community Development’s role was too broad and caused confusion. The reviewer supported this by saying —

Staff in the Department reported that an increasing number of families coming to their attention had complex and multiple problems. These might include poverty, inadequate housing, mental illness, drug or alcohol abuse and family and domestic violence.

Children and young people are also presenting more often than previously with multiple issues ...

There is universal agreement that the situation is already dire for larger numbers of Aboriginal children and their families.

The reviewer goes on in this report from January 2007, during the time Hon David Templeman was in charge in the previous Labor administration, to say —

The Department's mandate appears to be all encompassing as seen by its vision, "...Improved social wellbeing for all Western Australians..." and by its mission "...To strengthen, support, protect and promote the well being of individuals, families and communities".

It goes on to say —

... the Department appeared to have "lost its focus" since 2001 with the creation of a Community Development portfolio, which was implemented in response to the Government's desire to achieve the objective of responding effectively to the needs of all Western Australians and help individuals, families and communities to shape their own lives positively.

This concern was also addressed in a number of submissions with people voicing their frustrations about the "confusion that has plagued that Department as to its role and client".

"The current name of the Department gives the impression that child safety and supporting positive family function are not the primary goals of the organisation's business ..."

"... it has been an impossible task to blend together both the statutory responsibilities for child protection requiring too often family supervision or removal of a child, with the supportive, educative and positive intervention for families in need. These two tasks are not compatible and the distrust and fear of the former requirement negates the effectiveness of the preventive and supportive intentions ..."

All of this was in January 2007, more than 13 years ago, yet these poor students of history who make up the cabinet of the McGowan government decided immediately after the election in March 2017 to repeat all the errors of their previous administration. Who knows what they were thinking at the time?

I can say with confidence that those who are responsible for that decision—the chief and prime culprit is Premier Mark McGowan, who insisted on this mega Department of Communities—must be the poorest students in history. The Premier was a member of the cabinet back in 2006–07 when his friend and colleague the now greatly embattled Minister Templeman was overseeing a debacle with child protection. Interestingly, the Department of Communities' own website now states that it is a multifunction human services agency. It boasts about the fact that it reports to five ministers, and—would members believe—in recent times, the government and the Minister for Child Protection have had the temerity to boast about an announcement that they are now creating a specialist child protection unit. The department's website states that it is establishing a new specialist child protection unit and that the unit aims to strengthen child protection expertise at senior leadership levels. The question that needs to be asked is: why would the government need to do that if it already had a department of child protection, which the government decided to collapse into a mega Department of Communities? Now it says that it is establishing a new specialist child protection unit. Give me a break! There was previously a department that specialised in this. The government abandoned that, and now it boasts about the fact that it is establishing a new specialist child protection unit. This is perverse.

The Department of Communities website has a heading, "Why Communities has decided to act", which is a very good question to be asking. Under that heading, the website states —

Since its creation following the 2017 machinery of government change, Communities has become one of the State's largest departments, —

Well, go figure! It continues —

with the reach and influence to have a significant impact on the Western Australia community.

Since that time, reviews and other opportunities for reflection —

Note the plural "reviews" and "opportunities" —

have highlighted the opportunity for Communities to elevate the profile of its child protection function, both within the agency and wider sector.

Yesterday, I was away on urgent parliamentary business but my friend and colleague Hon Peter Collier asked a question on my behalf, specifically asking about these reviews and other opportunities. Of course, the answer came back, "Sorry, we don't have time to answer the question today; we'll let you know the answer in due course", or something to that effect. On the website, the McGowan government is happy to boast about the establishment of a new specialist child protection unit, all entirely unnecessary, because of the ill-considered decision to collapse child

protection into the mega Department of Communities. As part of the boast and the explanation as to why it is doing this, it says it is because of reviews and other opportunities for reflection that have highlighted the need for this. When we asked the government about those reviews, the answer was, “Sorry, that’s too complicated a question. We’ll need a bit more time to come back to you on that.” When we asked about the other opportunities for reflection that have led to this, the answer was, “Sorry, too complicated; we need more time.” Then, to add salt to the wound, the department states on its website —

In undertaking the establishment of a Specialist Child Protection Unit, it is acknowledged that child protection work is a complex, multi-faceted and challenging profession.

Well done, McGowan government. In 2020, it has worked out for the first time that child protection is complex, multifaceted and a challenging profession. I have been saying that to the government for the last three and a half years, but the government has chosen, in its usual arrogant way, to boast about its mega Department of Communities.

When Hon Tjorn Sibma moved the motion today, we got a childish response from the Leader of the House, instead of actually dealing with the substance of his motion.

I think that the most damning indictment of this fiasco by the McGowan government actually comes from its own director general. I quote from an article in *The West Australian* of 16 September this year, nearly a month ago. The article is titled “Paul Whyte’s department of overspend”. If I had more time, I would like to talk to the house about the staggering corruption that has occurred in that department, but this particular comment by the director general is pertinent —

Ms Andrews said she believed the back-office integration should have occurred “two years ago”, was a “fundamental building block” of the machinery-of-government change and was affecting frontline services.

The government’s own director general has condemned it for this ill-considered decision to collapse the department of child protection into the mega Department of Communities. The Leader of the House asked for one example. There it is, Leader of the House. I look forward to the Leader of the House coming back into the house and providing an explanation about this fiasco—this debacle that has been the department of child protection, now causing the government to establish a specialist department.

HON ALISON XAMON (North Metropolitan) [2.45 pm]: I rise because I want to make some comments on this motion. Obviously, I have been raising concerns about the issue of the machinery-of-government changes for the last three years. Unfortunately, I think that the evidence is showing that, particularly regarding the Department of Communities, it has not been the resounding success that all of us had hoped for.

I recognise from the outset that the intention of ensuring that we finally had appropriate communications between those relevant agencies was a good one. We recognise that there are huge problems when child protection is not talking to Housing, which is not talking to Communities, which is not talking to Disabilities, which is not talking to any other department. The issue of siloing departments has plagued successive governments; however, unfortunately, I think the reality is and the evidence has shown that the machinery-of-government changes that have been enacted have not resolved this issue. In fact, most clearly, the feedback coming to me, particularly from certain departments such as child protection—I noted with interest that that department was particularly focused on just then—has demonstrated that things have become far worse than before the machinery-of-government changes occurred.

My concern is that I do not believe that there was a sound basis for the decisions on how to achieve those much-touted efficiency gains that should have come smoothly through the MOG process, and that it was undertaken prior to the service priority review.

I note that the motion refers to the rushed nature of the machinery-of-government changes. This matter keeps coming up. During the most recent debate on these issues in this place, we talked about the lengthy time line of the MOG changes. I have to point out that they appear to be conflicting statements but, in actual fact, both of them are accurate. The decision-making around MOG was rushed and poor, and, as a consequence, many things took a very long time to take place, including the decision not to move youth justice from the Department of Corrective Services into the Department of Communities. I kept trying to pursue that matter for well over a year, trying to find out what on earth was happening, because the staff themselves had no idea. As it turned out, the decision was made not to move youth justice into Communities, and we have ended up with the status quo when it comes to dealing with that cohort of vulnerable children.

I have also spoken on multiple occasions of my concerns about the impact that the machinery-of-government changes and the voluntary targeted separation scheme have had on the retention of corporate knowledge and networks. We know that we lost some of our best and most talented public servants through the VTSS and the way it was constructed. That is just a fact. We lost people with deep experience, deep knowledge and high competence. Frankly, a lot of them left because they were so competent that they were able to be very quickly picked up elsewhere. That is what happens: if we do not value our senior public servants and they are of extraordinarily high quality, sometimes they will decide to go. I have also raised concerns about the ability of the number of service delivery staff to deliver services and the impact on their mental and physical health. I have been contacted on numerous occasions throughout

this term of government by union delegates particularly, who have raised concerns about what is happening to people on the ground. I am really intrigued about why what I am hearing seems to be very, very different from what government seems to be hearing and I wonder where that disconnect lies. The picture that has been painted to me is one of a public sector that is under great strain and is demoralised and overworked. This is pre-COVID, so let us not talk about it being some sort of pandemic response. In some cases, people are expressing suicidality, particularly staff of the department for child protection. That should be of deep alarm to everybody in this place. I am deeply alarmed to hear that is the depth of distress that public servants are feeling because of their incapacity to deliver a basic duty of care because of the volume of work that is coming through to them. That is having an impact on them.

I remind members that not that long ago, maybe about a month ago, a range of child protection workers held a vigil in front of Parliament House and talked about what is happening for them. They talked about the distress that they are under and their concern that children will fall through the cracks and that we are not far away from seeing another tragedy occur that they feel utterly powerless to do anything about. I went and listened to them. I suggest that we all need to listen to them. The public service does not feel that it has things in order; it is indicating to us that it is at crisis and that we need to listen to it, because it is worried that potentially the worst could occur.

I have suggested that the government needs to gather some robust and comprehensive data on how public servants are travelling and to use that information to proactively address the concerns that keep arising about staff wellbeing and the delivery of services to Western Australians. As I said, people keep raising concerns with me, particularly staff in the Department of Communities and particularly in child protection—this is also associated with the fact that the number of children in state care has increased. A huge number of concerns have also been raised about changes to processes and procedures without any clear benefits to their work, and that the organisation has such high staff turnover that people feel as though the ground is still shifting. I am also distressed to hear that particularly new public servants in their 20s who went into these fields with great enthusiasm and passion are leaving because they are burnt out. How can a person be burnt out by an industry at the age of 25? That is the story I am hearing. It is not a story I am hearing second or third-hand; I have spoken directly to some of these people and heard about their distress. When they entered this industry, they did not recognise how dire the situation would be.

I continue to hear about constant shifting that has left our community service providers in ongoing challenging positions. We have a system in which the experts on the ground deliver services, but to be effective they rely on their working relationships with the department. It has been three years and I am still hearing that service providers do not know who to call, they do not get consistent responses to their issues and the machinery-of-government changes have quite heavily impacted their ability to deliver community services. It is good to see in the budget that full-time equivalent numbers will increase significantly in early intervention and family support services, and child protection assessments and investigations, because of course those are critical services for the community. But concerns remain about staff wellbeing and their ability to properly deliver those needed services. That is relevant to other departments as well, particularly as the impact of COVID continues to require changes to the way that services are delivered.

One of the reasons to merge departments, as I said, is to remove silos. We need effective communication between government agencies so that we can ensure that we are delivering appropriate services to the right people at the right time, but we have to acknowledge that merging government agencies into one department will not magically fix those communication issues, and it has not. Housing is still effectively operating on its own, despite being part of the Department of Communities. I have given examples of that numerous times in this place, and I have no intention of revisiting that issue. The machinery-of-government process was not intended to address areas in which we still have great concerns about silos, such as the intersection of schools and mental health services. That tells us that machinery-of-government changes will not always resolve the issues of a lack of communication and the intersection between appropriate government departments. We are not going to create one massive government department that will deal with everything to do with human services, so we need to find better ways to ensure that those silos are appropriately addressed, because the machinery-of-government changes have not achieved that. Clearly, we need to keep an eye on the bigger challenges ahead.

It is not a bad thing to see an increased number of FTE, and headcount, in the public service, particularly in challenging times. The Australia Institute points to the value of public sector jobs in providing the bedrock of economic activity in the community, with every two public sector jobs providing nearly enough economic stimulus to support one private sector job. This is especially critical in regional and remote areas, which often need that steady base of economic activity to maintain the delivery of other services. We need to start properly valuing the public service and public servants. This means at least keeping wage increases in line with the consumer price index, and acknowledging and valuing the expertise and experience that our public servants have. We need to seek to provide the best public service, rather than simply looking to provide the cheapest. I have to say that it has been relayed to me in no uncertain terms that the decision in this budget by this government to simply continue the government wages policy for the next four years is being seen as a betrayal by many public servants and certainly by the unions that represent them. I understand that they were led to believe that the policy would be extended by two years at the most, but discovered in the budget papers that, by the way, it will be four years. The government will have to sort out that issue with the unions, but certainly public servants have relayed to me their despair and a sense of having been betrayed by the government.

The transition of fixed-term and casual contracts to full public service positions is excellent. The stabilisation of employment for staff who have been on rolling contracts or employed as casuals is critical. When there is a long-term, stable job, there is no reason whatsoever to keep people in a state of limbo about their employment, especially not for the sake of an accounting trick. As at the end of June 2019, the conversion rate of people on fixed-term contracts recognised as being ongoing employees was 8.4 per cent, and approximately half of the increase in public servant numbers in 2018–19 was from these conversions. It was not additional FTE, but simply a transition of the mode of employment. I think it is a good outcome for the state to have these people properly and securely employed, and able to confidently plan their own financial futures. At the end of June 2019, just over one-third of the fixed-term and casual contract employees in the system remained to be reviewed. I will be very interested in those numbers when the next state of the sector report is released by the Public Sector Commission.

It is important to note when we look at the figures that although that is a very positive step in the right direction, it is not about increasing the number of full-time equivalent positions. The most recent numbers on public sector employment that are currently available are from the March quarter. I have concerns about the loss of FTE in some of our critical oversight bodies as well. For example, the Office of the Inspector of Custodial Services has lost seven FTE from an original 20 FTE—seven out of 20—between March 2019 and March 2020. The Office of the Information Commissioner has lost two FTE from an original 10 FTE within that same period and the Office of the Auditor General has lost seven FTE. We cannot find out what has happened to the State Records Office of Western Australia because it has effectively been hidden from view. It is critical that these essential oversight services are properly staffed, and that is not happening. I see in the budget that repairs are being made in some areas and that the number of FTE might start returning to a more sustainable level. I note in the Auditor General’s annual report that even with the increase in allowed FTE and a completed recruitment process, it is still struggling to get its staff into WA because of the closed borders. I also note from the annual reports that the workload for these bodies has been immense and that staff have been really struggling with the load. Members do not have to rely on what has come to my attention for that information; it can be found in the annual reports. This is a really critical point. We rely on these bodies to ensure accountability and transparency in other government departments. We should also remember that part of their role is to assist with upholding basic human rights around the collection of information, fairness of processes and transparency of decision-making. It is really important that we keep these bodies healthy, strong and fully staffed.

A confident and cohesive public service has the capability and capacity to lead in a number of areas, including essential service delivery. We need our Public Sector Commission and the bodies that ensure integrity to be properly supported and resourced. Most of all, we need a strong and healthy public service in WA now more than ever before. Unfortunately, public servants and the unions that represent them have made it very clear that we are far away from that ideal. We are talking about a public service that is depleted and demoralised, has lost critical expertise and is feeling betrayed by a continuation of a government wages policy without due consideration or proper consultation. Now is not the time for people to be patting themselves on the back. I listened very carefully to the Leader of the House’s comments about the way the public service has performed throughout the COVID pandemic. I saw the dark belly of that. I received feedback from public servants who described a situation of chaos and disorganisation and a lack of leadership that they felt seriously compromised some of our most vulnerable Western Australians. Now is not the time for everyone to feel as though everything has been achieved and achieved well. The machinery-of-government changes have not had the desired effect. We need to go back to scratch and look at what it means to have siloed departments and, rather than looking at wholesale changes to our structures or simply gutting our public service of expertise and removing a bunch of people, we need to look at how we communicate and have departments from across the board work together properly without having to change the way the government departments are structured.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [3.04 pm]: I did not intend to speak today but I was motivated to do so by the comments of the Leader of the House, which I found quite offensive and ill-informed to be perfectly honest. It was most definitely the leader’s “Nero fiddled” speech. I find it extraordinary that the Leader of the House has her head in the sand in the way that she has. Quite frankly, she needs to get off level 11 or 12 of Dumas House and get out into the community. My electorate office is in Warwick. I challenge her to come to my electorate and see that everything is just fine and dandy, because it is not! I can tell members that I have had 10 times more walk-ins this year than I have ever had in my office before. The issues out there are legitimate with regard to homelessness, substance abuse and domestic violence. Those issues exist, so for the leader to make out that everything is rosy is offensive in the extreme.

At the outset, the Leader of the House spent half her time lambasting the previous Barnett government. One would think that she would have got over that by now. It is the same old script but she continues to find favour in that. She spent about a quarter of the time talking about the Regional Services Reform Unit, which I established. It had absolutely nothing to do with the machinery-of-government changes. Then she read from her notes on some purported improvements. Let us make it quite clear: the Leader of the House went on and on about how if everything was so bad, why have we succeeded through the pandemic? The Western Australian public service, which is exceptional—I make no bones about that—is the reason we have come through the pandemic. Let us not forget the police. Yes, the police have done a magnificent job with what they have had to deal with, but they did not have enough police to deal with issues on the borders et cetera, so we did not have any booze buses for four months. Let us not talk about the number of

police. As a lifelong educator, I can tell members that the teachers did a magnificent job. Let not forget that the kids were not in the schools for three months either, but the teachers accommodated it. They would have done that anyway. It had nothing to do with the machinery-of-government changes or the pandemic. They are extraordinarily professional.

Hon Charles Smith: No pay rises either.

Hon PETER COLLIER: No; that is true. Let us remember that in addition to that, the reason so many Western Australians have been able to survive the pandemic and deal with it in a reasonable fashion—I say “reasonable fashion” because it is extraordinarily challenging for hundreds of thousands of Western Australians out there—is a direct result of the billions of dollars that came into the state from the federal government through JobKeeper and JobSeeker payments. There is no doubt about that whatsoever. Yes, the state government did a great job in closing the borders. I have commended it on that and I have said that over and again, but there is a time to move on from that and I will talk about that in my budget reply speech.

A government member interjected.

Hon PETER COLLIER: I am sure that the member will look forward to that. I am going to talk all day.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: I will have plenty to say about the minister; she should not worry about that!

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT (Hon Adele Farina): Order, members!

Hon PETER COLLIER: I found it quite amusing that the Leader of the House carried on about the Regional Services Reform Unit. The government members opposite had absolutely zero to do with the establishment of the Regional Services Reform Unit. It was as if that was a part of the machinery-of-government changes—zero! It was an established component of service delivery in the Kimberley before these guys were elected on 11 March 2017. I spent months in the Kimberley going into Aboriginal communities, contrary to what the Minister for Regional Development might think. We spent an enormous amount of time consulting with Aboriginal people who decided what they wanted, which is what that Regional Services Reform Unit delivers. It empowers Aboriginal people to provide services such as water, power, education and health, which they previously did not have. I want to make it quite clear that the Leader of the House’s comments on the Regional Services Reform Unit were completely and absolutely inaccurate. It had nothing to do with the machinery-of-government changes.

The one area that concerns me, and, can I say at the outset, has been an unmitigated, fundamental failure on behalf of this government, has been the establishment of the Department of Communities. It should never, ever have happened. Some of the most vulnerable people in our community—Aboriginal people, people with a disability, children in child protection who have been abused, people who do not have housing or for whom housing is an issue, the aged and seniors—are directly impacted by the Department of Communities. Prior to the machinery-of-government changes, they had their own discrete departments that looked after them. It was my privilege to be Minister for Aboriginal Affairs for almost seven years, and I absolutely loved it. Aboriginal people had a go-to department for that entire time. We re-established the Western Australian Aboriginal Advisory Council, which the previous government had abolished, even though it was a statutory authority. We re-established the WAAAC, and of course it was all Aboriginal people on the WAAAC. Not one Aboriginal person in that entire time I was Aboriginal affairs minister asked, “Minister, can we have our department consumed in a megadepartment?” There was not one.

Another area, of course, is disability services. It has been a very, very challenging time for the disability —

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: I am not listening to you.

It has been a very, very challenging time for the disability services sector. We have a National Disability Insurance Scheme. It was initiated through Julia Gillard back in 2012. Over the last three or four years, it has gradually been rolled out across the nation. It is a wonderful scheme, which, again, empowers people with a disability. I think the minister has been good at assisting people with disability into the NDIS, but if government members think consuming the department of disability services into the Department of Communities has been a success, again, they need to get out of Dumas House. I consult constantly with people with a disability. Not only do they say that they do not agree with it, but also they loathe it. They do not like the department of disability services being consumed into the Department of Communities.

The Richard Court government established the Disability Services Commission, and that worked really well; it has been working really well. If there was ever a time when people with a disability needed their own discrete department, it is right now. I am not for a second laying blame for this on the Minister for Disability Services, but I seriously doubt that he would know too many people from the disability sector—I do not know anyone—who thinks that the incorporation of the Disability Services Commission into the Department of Communities has been a success; that is, they feel they have more of a voice now than prior to the machinery-of-government changes. It is just not true. There are people out there at the moment—again, some of the most marginalised people in the community—who have

struggled to access funding through the NDIS. They need a voice. They really need a champion, and that will not happen through a phone call to Geelong, which is what they get through the NDIS. That is one of the biggest issues we have. Aboriginal people, people with a disability, people in child protection and people with housing problems are all covered by the one department, the Department of Communities, with five different ministers. How can it possibly be suggested that that is an effective means of service delivery? Over 120 years ago, the founding fathers of the Federation, in their wisdom, put the services in the hands of the states because they said that the states would deliver them better—they would disseminate service delivery so that things such as education, child protection, health et cetera could be dealt with at the local level. How can we possibly suggest that bringing it all in together into a super department will be better—that it will provide better service for some of the most marginalised people in our community? We cannot.

The disability services sector was not consulted about these changes. That is why I totally agree with this motion. The changes were rushed. As I said, I have great respect for the minister. He is one of the very few ministers in this government I respect, but I really hope he listens to his sector and, on the off-chance that the government wins the next election and it retains the Department of Communities, it does not cover people with a disability.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Hon Alannah MacTiernan will be here for only two years anyway and then she will be off to the south west and we will get Hannah Beazley for the last two years. Everyone knows what Hon Alannah MacTiernan is up to.

Hon Jim Chown: Is that right?

Hon PETER COLLIER: Absolutely.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Give us a break!

With that said, the government had a functional review into the department of disability services. On a number of occasions, I have asked the minister when we will get a copy of this functional review, because I want to know what is in it. I want to know that that functional review says that this thing is working really, really well, and that the people in the disability sector really think it is working well. I have asked time and again about this functional review. In response to a question yesterday, the Minister for Disability Services said in part —

... the functional review of disability services was commissioned by government to inform decision-making on the type and level of residual disability services to be administered by the state once all eligible participants had transitioned to the commonwealth-administered National Disability Insurance Scheme. The review informed government's decisions as part of the 2020–21 budget.

According to the response I got from the minister yesterday, the review is finished. I repeat —

The review informed government's decisions as part of the 2020–21 budget.

Yet, I asked the minister without notice three weeks ago on 17 September when we would get the review and the response was —

When the review is finalised, it will be up to cabinet whether anything is released publicly.

Unless it was finalised a week later and some massive changes were made to the budget a week out from it, there is a problem with that response from the minister. The minister said to me “when it is finalised”. He said that on 17 September, yet three weeks later, apparently, it has been finalised—not only has it been finalised, but the decisions added weight to the budget.

Hon Stephen Dawson interjected.

Hon PETER COLLIER: So it did; it was finalised.

Hon Stephen Dawson: No, I am saying that the answer is the answer. The answer is correct.

Hon PETER COLLIER: So is it finalised?

Hon Stephen Dawson: It is finalised.

Hon PETER COLLIER: But it was not on 17 September.

Hon Stephen Dawson: No. It was finalised as part of the budget process. The functional review was part of the Expenditure Review Committee decision.

Hon PETER COLLIER: Minister, I was in government for nine years. The budget does not get finished in the last three weeks.

Hon Stephen Dawson: It was finalised as part of the budget process. The answers are the answers; the answers are correct.

Hon PETER COLLIER: Really, that is disappointing I have to say. That response is really disappointing. Anyway, he is the minister.

The other area I will talk about is education. I was education minister for over five years and I loved it. It was fantastic. Essentially, there were four discrete areas: the Department of Education, the Department of Training and Workforce Development, the Department of Education Services and the School Curriculum and Standards Authority. SCSA looked after curriculum and assessment. DES looked after compliance and the independent sector. The Department of Education looked after public education and Training looked after training. With the machinery-of-government changes, those four departments were moved into one department overnight—bang! Now the department that supposedly oversees compliance issues with the Department of Education and the independent sector is answerable to the Department of Education. Go figure—how does that work? How can the umpire be controlled by one of the players? I promise members that that is exactly what we have here.

Hon Stephen Dawson: Training is separate.

Hon PETER COLLIER: Sorry, I apologise. Training is separate from education, but there are still DES and SCSA within the department. Training itself is pretty much a non-issue, because we separated that, and I am glad that has been retained. With that said, members, I can guarantee that the education sector universally opposed the Department of Education Services and the School Curriculum and Standards Authority being consumed into the education department. I can guarantee that there was not one word of consultation with anyone in the education sector before those changes were made. The Department of Education, which is the overseer of public education, is now directing the umpire in the non-government sector, namely the curriculum development council and the assessment component. That is bizarre.

I would love to know why those decisions were made. The optics of it are good. When members opposite came into government, they were on a honeymoon. They said they would pull all those departments together and stop all this waste. I would love to know how much was saved out of all this. It was probably nothing. I would love to know what possible benefit was achieved for education as a result of consuming those three departments into one. That benefit simply does not exist.

The whole point of this exercise is to find out whether the machinery-of-government changes have been successful. We talked about whether we were best prepared for the pandemic. Were we best prepared? Were we, really? As I have said, this was definitely the Leader of the House's Nero-fiddling speech. If that is honestly what the Leader of the House thinks, she needs to get out into the real world. I suggest that the minister goes to one of our public hospitals to see whether the ambulance ramping is not testament to the fact that our health system is in serious disrepair. If everything out there is as wonderful as it apparently is, our health system should be able to cope. This state has the lowest flu numbers for decades. That is because everyone who is sick is staying inside. Yet we now have the worst ambulance ramping on record. Back in 2015–16, the now Minister for Health was absolutely incandescent with rage about ramping. He said it was a terrible testament to health in Western Australia. I mentioned this in a speech last week and I will mention it again next week. These figures are compelling. In June 2016, when the now Minister for Health went ballistic, ramping was 909. In June 2020, it was 1 455; an increase of 60.7 per cent. In July 2016, it was 1 097. In July 2020, it was 1 794; a 49.87 per cent increase. In August 2016, it was 2 212. In August 2020, it was 2 702; an increase of 22.15 per cent. At a time when we did not have a pandemic—because, remember, the pandemic has shown the value of the public sector—ramping was significantly lower than it is now.

The massive machinery-of-government changes have apparently made Western Australia a utopian society. We heard from the Leader of the House that everything is rosy and peachy. Yet she spent half her time talking about the Barnett government. She had so much confidence in the machinery-of-government changes that she spent most of her time talking about us. I am absolutely flattered that she is still talking about us after four years. We would think that she would have moved on, but apparently not. Surely if the government has such a good story to tell, the Leader of the House would have spoken for 20 minutes about how wonderful things are and given us some real facts and figures, not lambast the former government, or talk about the regional services reform, which had nothing to do with her.

As far as this government is concerned, yes, we can look at the scoreboard with the borders. But the machinery-of-government changes have been an unmitigated disaster, particularly in the area of the Department of Communities. Some of the most marginalised people in our community are definitely worse off as a result of those terrible changes.

HON DR STEVE THOMAS (South West) [3.24 pm]: Mr Deputy President —

The DEPUTY PRESIDENT: I advise the member that I of course will be interrupting the debate with five minutes to go to offer a right of reply, if the mover wishes, but, for now, the call is with Hon Dr Steve Thomas.

Hon Dr STEVE THOMAS: Thank you, Mr Deputy President. Luckily, I am famous for short speeches in this place, so I am sure that we will get through with adequate time!

Thank you, Mr Deputy President, for the opportunity. I also thank Hon Tjorn Sibma for his motion before the house, which is particularly about the machinery-of-government changes, and certainly the management of the public sector in Western Australia. The Leader of the House raised an interesting point. I was not going to start with this, but I will, simply because the opportunity has been afforded to me. We will do some talking about the new

Department of Biodiversity, Conservation and Attractions. I will start with this comment. When we have been around the place for a while, we start to see things cycle. I have to say that the development of super departments is not a new initiative. It is not simply part of the work of the McGowan Labor government. The last time that I remember this being implemented in the state of Western Australia was under the previous Labor government when Hon Geoff Gallop was the Premier, when we had the institution of super departments, and he contracted the size of the cabinet. I think that back in the day, the now Minister for Regional Development was put in charge of a super department for planning and infrastructure.

Hon Stephen Dawson: A great minister she was!

Hon Dr STEVE THOMAS: If we are talking about delivering things on time and on budget, I remember a particularly pertinent question that was asked in the chamber that shall not be named, and a bit of fire that eventuated between a couple of the members down there. I remember that question distinctly.

Hon Alannah MacTiernan: My God!

Hon Dr STEVE THOMAS: I have no doubt that we will be asking that question all over again at some point. We will be asking that question about the capacity for Metronet to be delivered on time and on budget.

Hon Alannah MacTiernan interjected.

Hon Dr STEVE THOMAS: We will absolutely be asking some more questions about that.

This is not the first time that we have had super departments, and I have no doubt that it will not be the last. It is funny how governments come in and are determined to put their imprimatur, or stamp, on proceedings by making significant changes. It appears that when the Labor Party comes into government, the bigger the change, the more important it looks; therefore, that is what it sells. That is the marketing that a Labor government seems to be involved in. It tries to engage in big change, because that is a good ploy.

In talking about big change, we need look only at the Department of Biodiversity, Conservation and Attractions. The former Department of Parks and Wildlife had a name that was easy to use. Department of Biodiversity, Conservation and Attractions would have to be one of the most difficult names to say. Imagine how expensive it must have been to change the name on the various buildings. By the time they had written out that name a couple of thousand times in nice, big, glossy letters, they would have spent a fair proportion of the budget of that department. They would probably also have been worried about how much printer ink they would have used to change the name on all the letterheads. I hope that when we get to budget estimates this year, with a bit of luck we will be able to get that department in and I can ask the standard question that I ask every year, namely: how about changing the name back to something that is useable? That is an unwieldy name. However, that is part of the problem with the way the McGowan government operates. It is more about froth and presentation than it is about substance.

We should be interested in the delivery of services. Ultimately, the role of the public service is to deliver services to the state of Western Australia. I suppose that one of those services is services to the government. However, I would have thought that would be one of the smaller options. The Department of Biodiversity, Conservation and Attractions does exist. One of the advantages for the minister responsible for that portfolio, the Minister for Environment, is that at least it is a one-minister shop. We can look at the new amalgamated departments, which were announced in a document that came out in 2017 called “Public Sector Renewal”; other members may have quoted from it. I have only the black-and-white version, unfortunately. Perhaps if we stopped changing the names of departments, we could afford colour printers in Parliament House, but I do not think we have the capacity to do that at the moment. At least the Department of Biodiversity, Conservation and Attractions is a single minister department. It includes the former Department of Parks and Wildlife. That still exists. I am glad that it does, because that is the name that is still up in most regional areas—it was probably too expensive to make any significant change. My understanding is that the staff of the Parks and Wildlife Service are pretty comfortable with keeping that name, because DPaW is pretty easy to say. When one tries to say the acronym DBCA to people, it becomes quite difficult. Otherwise, one has to say the whole name. I am glad that the parks and wildlife name was kept so that the names on all the buildings do not need to be changed. DBCA also includes the Botanic Gardens and Parks Authority, the Zoological Parks Authority and the Rottneest Island Authority. All those areas come under the purview of the Minister for Environment. I guess that makes a bit of sense.

The minister’s other department is a little more complicated, because it has become the Department of Water and Environmental Regulation. This is one of those departments that has changed consistently over the years. It has been the Department of Environment, the Department of Environmental Protection, the Water and Rivers Commission, the Department of Water and the Department of Environment and Conservation. It was merged in; it was merged out; it was divorced; it was remarried—it was all these things. The name has changed again!

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: It has changed many times, minister. It now contains the former Department of Water, Department of Environment Regulation and Office of the Environmental Protection Authority. I suspect that this

will be an easy question for the minister: who is the senior minister for this department? I have heard the Leader of the Opposition say that the Minister for Environment is a fine performing minister. We are great fans of him on this side of the house, so we assume that he is the senior minister within the department.

Hon Stephen Dawson: We have lead ministers for all departments.

Hon Dr STEVE THOMAS: So the Minister for Environment is the lead minister for DWER?

Hon Stephen Dawson: I am for DBCA.

Hon Dr STEVE THOMAS: But not for DWER? The minister still has to be in charge.

Hon Stephen Dawson: I am in charge of the environment part; the Minister for Water is in charge of water.

Hon Peter Collier: He's just the best.

Hon Dr STEVE THOMAS: Yes. However, I must admit that the Minister for Water does concern me gravely. I think the Minister for Environment is due for a promotion. That is one of the fairly easy departments; there are two ministers splitting a department, so the lines of authority are probably not that complicated. Who is the senior minister for the Department of Communities? I am not sure who the senior minister is.

Hon Alison Xamon: It's Simone McGurk.

Hon Dr STEVE THOMAS: Is Hon Alison Xamon sure?

Hon Alison Xamon: Yes; Simone McGurk is the senior minister.

Hon Dr STEVE THOMAS: Okay.

Hon Peter Collier: Who is?

Hon Dr STEVE THOMAS: Apparently, Hon Simone McGurk is the senior minister.

Hon Peter Collier: Is that true?

Hon Dr STEVE THOMAS: It is such an obvious and workable system that we are not entirely sure! Someone will no doubt check that for us. I am sure the department will provide an appropriate response about who is in charge. Is there a hierarchy?

Hon Alison Xamon: I thought she was the senior minister.

Hon Dr STEVE THOMAS: I do not know. It is very hard to tell. Is there a hierarchy after that? Does it go from one to five? Who would end up being five?

Hon Stephen Dawson: There is no hierarchy.

Hon Dr STEVE THOMAS: There is no hierarchy.

Hon Stephen Dawson: There is a minister in charge for the purposes of answering questions on behalf of a whole agency.

Hon Alannah MacTiernan: The corporate services side.

Hon Dr STEVE THOMAS: Okay. So, basically, there is no hierarchy; we are back to the good communist regime in which there is one leader —

Hon Alison Xamon: I wish!

Hon Dr STEVE THOMAS: Sorry; Hon Alison Xamon wishes? Steady on! The communist regime is running well. There is one leader and then there are all the brethren.

Hon Alannah MacTiernan: As opposed to your outfit, which is permanently wracked by division!

Hon Dr STEVE THOMAS: I do not know; I see no division in the house. We are of one mind in the house today.

Hon Nick Goiran: And one voice.

Hon Dr STEVE THOMAS: And one voice and one mind. I see no division whatsoever.

That takes me to a couple of key questions. Hon Tjorn Sibma made a reasonable case for why there are some question marks about the machinery-of-government changes and the efficiency of that process. In my view, it is quite frequently only about changing the letterhead so that the minister can put their stamp—their imprimatur—on things. The Leader of the House said that Hon Tjorn Sibma had not made his case. I thought his case was, effectively, that there was a lack of accountability. I would have thought that, in this case, accountability should have been demonstrated by the Leader of the House and the government. It is once again one of those situations in which the government is asking the opposition to make a case because it does not want to be accountable. The rolled gold accountability that we were promised in 2017 is seen only on occasion.

I want to say a few things about regional areas and the departments. The Department of Primary Industries and Regional Development is almost a one minister department. It includes the former Department of Agriculture and

Food, the Department of Regional Development, the Department of Fisheries and the regional development commissions. The Minister for Fisheries these days is Minister Tinley. I have to say that he is probably an improvement on the previous fisheries minister—a small step, but a positive move. I assume that the Minister for Regional Development is the primary minister in the Department of Primary Industries and Regional Development.

Hon Alannah MacTiernan: That is correct.

Hon Dr STEVE THOMAS: That would make sense. That is one department that is not too split. But I have to say that there have been some changes around the name rather than the structure. We have to look beyond simply the nameplate. A new nameplate does not necessarily change the structures underneath. We often find that departments are brought into one super department and one director general or CEO is put over the top, and then most of the administrative staff tend to still be kept in the silos that previously existed.

Hon Alannah MacTiernan: No, we very deliberately tried to move beyond that. One of the areas in which it has been useful has been to bring the biosecurity people from Fisheries, with their high regulatory standards, in with the biosecurity people of Agriculture. We were very conscious not just to bulk these things on and put in a new DG. That whole area was crafted to take advantage of the skills that were coming in from Fisheries.

Hon Dr STEVE THOMAS: I will give the government a little bit of credit for that one, because I think the merging of those two departments was a reasonable option. I am absolutely prepared to give the government credit for that. Bringing those two sets of resources together was not a bad thing.

In the small amount of time I have left, I want to particularly mention the regional development portfolio and regional development commissions. Regional development commissions were very much the representatives of their local communities. There were regional development commissions all around the state of Western Australia—down in my patch in the south west and in the great southern and Peel in particular. Under the previous government, the regional development commissions would pass information and recommendations up the line to government and test the waters of community sentiment—to market both up and down, as it were.

Hon Alannah MacTiernan: And we approve of that.

Hon Dr STEVE THOMAS: Well, it appears to me, minister, that there has been a change in the regional development commissions and that they are now much less engaged in the messaging up from the ground and much more engaged in messaging down from the top. I think there has been a shift.

Hon Alannah MacTiernan: They are not mini-governments in their own right. They are not mini-health departments.

Hon Dr STEVE THOMAS: I know that is how the minister describes the change.

Hon Alannah MacTiernan interjected.

The DEPUTY PRESIDENT: Order! There is one member on his feet and that is Hon Dr Steve Thomas.

Hon Dr STEVE THOMAS: Thank you, Mr Deputy President. The minister explained the reason for the change. I think her comments are actually an acknowledgment that the change happened. That acknowledgement is itself worth bearing in mind. I also bear in mind that I have only three-quarters of a minute left! It is absolutely the case that the information flow upwards from regional areas has declined and that the information flow and dissemination are now more about a marketing exercise downwards. In my view, that is what has changed in the regional development commissions.

Hon Alannah MacTiernan: Do you have any evidence?

Hon Dr STEVE THOMAS: Yes, discussions with a large number of people. Instead of flying over regional areas, the minister should land and talk to the people, because most of them will tell her that their engagement with regional development commissions has been reduced and their role and function has measurably altered. That is the view of people in country areas.

HON TJORN SIBMA (North Metropolitan) [3.39 pm] — in reply: I thank all members for their contributions. I suppose, to round this off, this motion was an opportunity for the government to demonstrate the wisdom of its public sector policy settings and programs and to provide clear, unambiguous and tangible evidence that its programs, practices and policies have delivered what it set out to deliver; namely, savings. At no point during her contribution did the Leader of the House make any attempt to demonstrate a dollar saving, nor was there any effort to demonstrate a superior public policy outcome or a service-to-the-public outcome. It is impossible to do that because the cumulative effect of these public sector policies, as prosecuted by the government in the last three years, has been to the contrary. It has failed; it has failed by every measure established by the government itself. I thought that towards the end of the debate on this motion, we got an insight into why. Conversation reflected that agencies are serving multiple ministers. Some agencies have no declared what I would call supreme minister in charge of their portfolio. Through these changes, the government has effectively undermined the effectiveness of cabinet ministers. No doubt there is an inability to deliver on the political promise because no-one is in charge and that underscores paragraph (b) of the motion, which is implied but not addressed directly. I think I now understand why. How can the government drive better accountability from its senior executive service if they have split loyalties and are serving three, four

or five separate masters? If they appreciate that the complexity of the task is so enormous, they, as director generals, cannot ensure that their departments are fit for purpose. I want to reflect on the director general of the Department of Communities, Ms Andrews, who was quoted in *The West Australian* of 16 December saying thus —

“Bringing together three agencies and bringing together three different HR teams, three different finance teams and their systems and so on, I think it is fair to say the progress around that integration has not been what the government would have expected it to have been. Not unrelated, it was being overseen by Paul Whyte, who you will be very aware is now in jail.”

That may be the case, but I put this question, and perhaps it cannot or will not be answered now, but it is worthy of reflection: what were respective directors general of the Department of Communities doing in holding Mr Whyte to account for his supposed responsibilities? May I be so bold as to make the assumption that with respect to the obvious dysfunction in the Department of Communities, Mr Whyte is being made the scapegoat potentially for something for which he had no responsibility. If indeed he did have that responsibility, he should have been held accountable.

Several members interjected.

The DEPUTY PRESIDENT: Order! Members are aware that Hansard can record only one voice at a time. Hon Tjorn Sibma has the call.

Hon TJORN SIBMA: This is not an accusation, Minister for Environment. It is about establishing who is responsible at the end of the day for the implementation of machinery-of-government changes. The minister should not seek to deflect or muddy the waters. For once, Hon Stephen Dawson should be accountable for the performance of the government, which is a disgrace. It fails on every measure every day.

Hon Stephen Dawson interjected.

The DEPUTY PRESIDENT: Order, gentlemen! We do not have to shout. I obviously have to shout on the odd occasion, but I do not want to have to repeat that.

Division

Question put and a division taken, the Deputy President casting his vote with the ayes, with the following result —

Ayes (18)

Hon Jacqui Boydell	Hon Colin de Grussa	Hon Simon O'Brien	Hon Colin Tincknell
Hon Robin Chapple	Hon Donna Faragher	Hon Tjorn Sibma	Hon Alison Xamon
Hon Jim Chown	Hon Nick Goiran	Hon Charles Smith	Hon Ken Baston (<i>Teller</i>)
Hon Tim Clifford	Hon Colin Holt	Hon Aaron Stonehouse	
Hon Peter Collier	Hon Michael Mischin	Hon Dr Steve Thomas	

Noes (10)

Hon Alanna Clohesy	Hon Adele Farina	Hon Martin Pritchard	Hon Pierre Yang (<i>Teller</i>)
Hon Stephen Dawson	Hon Laurie Graham	Hon Samantha Rowe	
Hon Sue Ellery	Hon Alannah MacTiernan	Hon Dr Sally Talbot	

Pairs

Hon Martin Aldridge	Hon Darren West
Hon Robin Scott	Hon Matthew Swinbourn
Hon Rick Mazza	Hon Kyle McGinn

Question thus passed.

COMMITTEE REPORTS — CONSIDERATION

Committee

The Chair of Committees (Hon Simon O'Brien) in the chair.

*Standing Committee on Estimates and Financial Operations — Eightieth Report —
“2018–19 Budget Cycle — Part 2: Annual Report Hearings” — Motion*

Resumed from 23 September on the following motion moved by Hon Alanna Clohesy (Parliamentary Secretary) —

That the report be noted.

The CHAIR: Hon Nick Goiran.

Hon Alannah MacTiernan: This is a disgrace that we are prioritising this over the Work Health and Safety Bill.

The CHAIR: Order! I have given the call to Hon Nick Goiran.

Hon NICK GOIRAN: I find the Minister for Regional Development to be getting more and more peculiar by the day.

Hon Alannah MacTiernan: We asked you whether you would consider waiving consideration of these committee reports so that we can complete the Work Health and Safety Bill, and you denied it.

The CHAIR: Order! The Minister for Regional Development knows very well what happens when I call order, and that is that everyone is to remain silent. The call is with Hon Nick Goiran on the question that the report be noted.

Hon NICK GOIRAN: Unfortunately, there is only a minute to go. I can understand why the minister does not want me to talk about this particular issue. As I said on the last occasion, it is a disgrace that the government continues to hide the truth about the caseloads of child protection workers. The Minister for Regional Development may not be interested in those things, but I certainly am, and child protection workers who have workloads regularly exceeding the 15-case maximum are also deeply concerned about that, so I understand why the minister does not want me to raise that yet again. I understand why the minister does not want me to refer members to the Auditor General's report that highlights that the information that was provided by the government in these annual report hearings was wrong in respect of the 21 carers who never had a working with children check despite the fact that they were looking after children. The department sends children in care to these people, but there is no working with children check process in place, so I can understand why the minister does not want me to talk about these things.

The CHAIR: Debate is interrupted by temporary order 4, so further consideration of that report goes to the end of the list.

Consideration of report postponed, pursuant to standing orders.

*Select Committee into Mining on Pinjin Station — Final Report —
“Inquiry into Mining on Pinjin Station” — Motion*

Resumed from 23 September on the following motion moved by Hon Kyle McGinn —

That the report be noted.

Consideration Postponed

Hon MICHAEL MISCHIN: I move —

That consideration of this report be postponed to the next sitting of the Council.

I note that Hon Kyle McGinn was in the course of making some comments about his involvement in the inquiry, and likewise Hon Robin Scott wants to say something in his capacity as chair. In the circumstances, I think they should get the opportunity to continue. As both are away on urgent parliamentary business today, that is not practical, so I ask that consideration of the report be deferred.

Question put and passed.

*Joint Standing Committee on the Corruption and Crime Commission — Fourteenth Report —
“Red Flags...Red Faces: Corruption Risk in Public Procurement in Western Australia”*

Resumed from 14 May.

The CHAIR: I draw members' attention to a government response tabled on 11 August this year, which is also available.

Motion

Hon STEPHEN DAWSON: I move —

That the report be noted.

Consideration Postponed

Hon NICK GOIRAN: I would like to consider the fourteenth report of the Joint Standing Committee on the Corruption and Crime Commission. I believe this is the first opportunity we have had to do so since the government tabled its response. Indeed, there have been many red faces and red flags at the Corruption and Crime Commission during this term of government, not the least of which was caused by the government's ham-fisted approach to the appointment of a Corruption and Crime Commissioner. However, I understand that there is a fair degree of enthusiasm from some members in the chamber for us to make progress on the consideration of these committee reports so that we can give some consideration to other reports. I move —

That consideration of this report be postponed to the next sitting of the Council.

Point of Order

Hon PIERRE YANG: Mr Chair, I understand that Hon Nick Goiran has moved a motion, but I seek your guidance because I wish to make a contribution to the debate on this report.

The CHAIR: Members, Hon Pierre Yang has indicated that he wishes to speak to the substantive motion that the report be noted. In the interim, it has been moved that further consideration of the report be deferred. The practice of the Committee of the Whole House in consideration of committee reports has generally been to resolve matters by dealing with a motion to defer when it is raised; that is, if members do not want it to be deferred, they should vote against that motion. A member having indicated that they prefer to speak now is something for the rest of the chamber to either take notice of or not. It is probably something that we might need to consolidate in standing orders in due course, but to be consistent in ruling, I indicate to Hon Pierre Yang that if he wishes the debate on the motion that the report be noted to continue, he should vote against the motion to defer.

Committee Resumed

Hon NICK GOIRAN: Mr Chair, is it open to me to seek leave to withdraw my motion?

The CHAIR: It is always open to you to seek leave.

Hon NICK GOIRAN: In that case, I do so, Mr Chair.

Motion, by leave, withdrawn.

The CHAIR: I thank the member. That has resolved any possible question for the moment, but, as I say, it is something that perhaps we need to contemplate again.

Motion Resumed

Hon PIERRE YANG: I wish to pass my sincere thanks to Hon Nick Goiran for withdrawing his previous motion. I do appreciate it. I also want to put on the record that at the last consideration of committee reports, I think I was trying to invoke standing order 54 when Hon Nick Goiran had already sought the call. I want to emphasise that by no means was I trying to defeat his intention to speak on that report. I thank Hon Nick Goiran for his willingness to facilitate my ability to speak on this report.

Mr Chair, thank you for the opportunity. The fourteenth report of the Joint Standing Committee on the Corruption and Crime Commission, “Red Flags...Red Faces: Corruption Risk in Public Procurement in Western Australia”, discussed a number of incidents of corruption that happened in this state. I say from the outset that the overwhelming majority of Western Australian public servants are dedicated, hardworking and sincere in their service to the general public to the best of their abilities. According to Transparency International, Australia ranked twelfth out of 180 countries. We are one of the best nations for corruption-free practices in the public service. We are served by great public services across the nation, whether at local, state or federal level. We should be mindful of that, and we should always be on guard against any corrupt practices in the public sector. At the same time, we should remember that the majority of public servants are trying their very best to serve the general public.

As the Army says, there is always room for improvement. As we can see from cases of corrupt practices in other public services, it is very, very disappointing to note these incidents.

I turn to chapter 2 of the report, which defines corruption as “any situation where the interests of an individual or particular group of individuals or a firm override the public interest.” The report goes on to describe types of activities of corrupt practices, including bribery, collusion, conflict of interest and fraud.

It is pretty disappointing to see that the small number of incidents of corruption is having an effect on people’s confidence in the public service. There is no doubt that these incidents have a negative effect on our trust. It is disappointing to hear of individuals who attempt to gain a personal interest while in a position of trust, especially when those individuals are in a position to spend public money on behalf of the people of Western Australia to purchase or procure items in the line of their work, and then at the same time try to seek to advance their personal interests. It is very, very disappointing. There is no doubt that these people should be exposed, prosecuted and dealt with, using the full force of the law.

In my contribution, I want to thank the law enforcement agencies of Western Australia, the Western Australia Police Force, the Corruption and Crime Commission, the general public and the media for keeping a close eye on potential corrupt practices in Western Australia. Anyone who attempts corrupt practices will be caught, exposed and brought to justice.

Corruption is an infectious cancer. It can affect the culture of an organisation. Newcomers and junior members joining an organisation can be affected by what is going on around them. If things are done in a certain way, people may think that it is business as usual—that is how it is always done—but, as a matter of fact, if practices are corrupt, they must be stamped out. Integrity is a very important quality in any organisation. That must be demonstrated from the top of the hierarchy of the organisation to everyone on the front line. It is very important that the culture of upholding integrity is maintained.

The report also noted that corruption can be very difficult to notice.

Several members interjected.

The CHAIR: Order! Members, we are listening to Hon Pierre Yang.

Hon PIERRE YANG: Mr Chair, I am trying to make a serious contribution on this report.

As we can see from what happened in New South Wales, where the Independent Commission Against Corruption is looking at a very serious allegation against a former member of Parliament, a whole heap of other information is coming out of that process, so I do not understand why members are interjecting and somehow suggesting that I am not serious.

Hon Peter Collier interjected.

The CHAIR: Order! The Leader of the Opposition can have his say in due course. Hon Pierre Yang has the call.

Hon PIERRE YANG: Thank you, Mr Chair. It is disappointing to hear these words. In any event, I want to note that the Corruption and Crime Commissioner, John McKechnie, was quoted in the opening part of the report. He said —

I have been surprised at what actually has been found under the surface. We have no way of knowing whether corruption is rife, or in comparatively small pockets. I suspect the latter, but we have really no way of knowing.

I want to echo these words. It is important for people to be on their guard and to have the ability to be a whistleblower if they see corrupt practices, whether in the private or public sector. The committee has done some very important work looking at the possibility of corruption in the public procurement process. I want to mention that all public servants, including members of Parliament—we are essentially public servants—should always do the right thing and act with the utmost integrity.

With these words, I will conclude my contribution today. I want to thank Hon Nick Goiran again for facilitating this opportunity.

Hon ALISON XAMON: I rise because I am pretty keen to make some comments about the report. Having been a member of this inquiry for two and a half years of my life, it is quite important to make some comments and get them on the parliamentary record. That is why it is so important that we have this time to consider committee reports. At the outset, I want to give huge thanks to the Chair of the Joint Standing Committee on the Corruption and Crime Commission, Margaret Quirk, the member for Girrawheen. I hope I am not revealing too much when I say that I think this inquiry was a particular interest of hers. She brought a great deal of expertise to the inquiry, steering it in a particular direction. I thank her for the good work that she did.

This committee started looking at the framework of what the inquiry could potentially investigate, and soon realised it would be bigger than Ben Hur. There is merit in a parliamentary inquiry or a future incarnation of this committee at some point specifically looking at the issue of local government procurement. Looking at the framework, the committee realised an entire inquiry could be undertaken there, but for the purposes of this inquiry, a decision was made to try to limit the scope—bear in mind that the inquiry went for two and a half years—to looking at the factors that exist within the public sector, in particular, that lend themselves to the risk of corruption in procurement. When we began, we did not anticipate what would emerge during the course of the inquiry. Of course, early in the inquiry we heard the revelations of corruption or alleged corruption in public sector procurement in the North Metropolitan Health Service. As time went on, we heard of instances in other agencies as well, but most significant, of course, were the astounding revelations that emerged about the department of housing. I am speaking about corruption now because we have guilty pleas; we do not have to use the word “alleged” anymore. I think that case highlighted how on the money the chair was in wanting the committee in the first instance to go down this path and look at the risks.

We have received positive feedback, particularly from officials within Treasury. They have said that they really value the work that has been done in identifying the risks and the gaps that exist within the procurement framework and that it has helped to inform them about areas for improvement. That is great. That is exactly the intention of the report, and I am pleased that it appears to be of some value to government.

I will start with one of the things that we need to be really mindful of. I am alarmed by how often the Corruption and Crime Commission uncovers corruption simply because of the work of whistleblowers, not because there is some sort of systemic investigative function within the broader public service that picks up anomalies and refers them to the CCC, which subsequently investigates. In fact, it is public servants—often disgruntled public servants—that finally come out and draw attention to the fact that there are problems around procurement processes that are then subject to investigation, and corruption is subsequently found. There is a whole section in this report on the role of whistleblowers. It is very interesting, because we have had reform in the whistleblowing space at both the state and federal levels, yet the report outlines that we still have insufficient protections for whistleblowers in this state. The report refers to the cultural problems inherent for people who are concerned about speaking out after they have seen the wrong thing. They can still be subject to quite a miserable life and, indeed, detriment to their careers, if they subsequently expose wrongdoing within the public sector. That should be of concern to all of us. Obviously, we want to create a culture wherein people are happy to speak out about wrongdoing and have it addressed, so it is concerning that in 2020 we still hear concerns about inadequate protections for people who ultimately blow the whistle on wrongdoing.

Another problematic area the inquiry identified is the lack of training across the board in the public sector around best practice when it comes to procurement. We need better and more consistent training opportunities across the public sector as a whole. Part of that is the concern that we are losing expertise within our public sector.

The CHAIR: Noting the time, we will have to interrupt our consideration of committee reports and I will leave the chair.

Committee interrupted, pursuant to standing orders.

[Continued on page 6753.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE**LOTTERYWEST — PREMIER****1078. Hon PETER COLLIER to the Leader of the House representing the Premier:**

- (1) Has the Premier or any member of his office met with the board of Lotterywest since January 2020?
- (2) If yes to (1), with whom did the Premier or his office staff meet and when?
- (3) Has the Premier met or had a discussion with the chair of Lotterywest about Lotterywest since 1 January 2020?
- (4) If yes to (3), when was this meeting or meetings or discussion or discussions?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(4) The Premier attended the Lotterywest board meeting on 19 March 2020. The chair of Lotterywest also attended the Premier’s regular CEO meeting on 17 June 2020.

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS**1079. Hon PETER COLLIER to the Leader of the House representing the Premier:**

I refer to the Premier’s recent comments that bringing down Western Australia’s hard border will require new coronavirus restrictions as a precautionary measure to keep the community safe.

- (1) Is this comment and the subsequent approach based on health advice—after today?
- (2) If yes to (1), will the Premier table this advice; and, if not, why not?
- (3) Does the Premier stand behind his statement “Some people in business seem to want the virus to come back, they seem to think that’s a better outcome”; and, if so, to whom in the business community is the Premier referring?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(3) The member’s wording is incorrect. The Premier noted that the bringing down of the hard border “may” require new restrictions. As with all aspects of dealing with this global pandemic, decisions will be made based upon the latest advice from the Chief Health Officer.

LABOR PARTY — ELECTION COMMITMENTS**1080. Hon PETER COLLIER to the minister representing the Treasurer:**

I ask this question on behalf of Hon Michael Mischin, who is on urgent parliamentary business.

- (1) Has the Treasurer discussed with the Premier any proposal for a 2021 election equivalent of the 2017 Local Projects, Local Jobs program?
- (2) If yes to (1), when and what was the substance of and conclusions reached in those discussions?
- (3) How much has it been decided that Labor Party candidates will be able to pledge when campaigning for the 2021 election?
- (4) Have those pledges been accommodated in the 2020–21 budget?

The PRESIDENT: Minister for Environment, the questions about what Labor candidates are doing is outside the purview of the minister that you are responsible for, in terms of the answer.

Hon STEPHEN DAWSON replied:

Thanks very much, Madam President. I have been provided with an answer from the Treasurer, so I will give that answer, but I note your advice.

- (1)–(4) Commitments by Labor candidates at the 2021 state election are a matter for the Western Australian Labor Party.

PUBLIC TRANSPORT AUTHORITY — BUSES — ADVERTISING**1081. Hon PETER COLLIER to the minister representing the Minister for Transport:**

I ask this question on behalf of Hon Nick Goiran, who is on urgent parliamentary business.

I refer to the PerthNow article of 8 October 2020 titled “Cosmetique ad encouraging Australians to spend JobSeeker cash on breast surgery removed from Perth buses”.

- (1) Who made the decision that the advertisement was not acceptable?

- (2) What were the reasons upon which the decision-maker determined the advertisement was not acceptable?
- (3) Was a complaint the genesis for the intervention by the Public Transport Authority; and, if not, what was?
- (4) What was the date —
 - (a) of the genesis of the intervention;
 - (b) on which the decision-maker determined the advertisement was not acceptable; and
 - (c) on which the advertisement was fully removed from all Perth buses?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Minister for Transport.

- (1) The Public Transport Authority.
- (2) The advertisement contained material that was considered prejudicial to PTA's reputation.
- (3) Yes.
- (4) (a)–(b) It was 6 October 2020.
- (c) It was 13 October 2020.

LOCAL GOVERNMENT REVIEW PANEL

1082. Hon PETER COLLIER to the Leader of the House representing the Minister for Local Government:

I ask this question on behalf of Hon Simon O'Brien, who is on urgent parliamentary business.

I refer to the final report of the Local Government Review Panel released on 5 August.

- (1) Which of the recommendations contained in the report have been adopted by government?
- (2) Which of the recommendations have been rejected by government?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(2) The government is still considering the recommendations contained in the Local Government Review Panel report. No decision has been made to date on which recommendations will be progressed into a new Local Government Act.

FORRESTFIELD–AIRPORT LINK — SOIL CONTAMINATION

1083. Hon PETER COLLIER to the minister representing the Minister for Transport:

I ask this question on behalf of Hon Dr Steve Thomas, who is on urgent parliamentary business.

I refer to the spoil extracted during tunnelling in the Forrestfield–Airport Link project.

Hon Alannah MacTiernan: I was missing them. It's so good to have them back!

The PRESIDENT: Order, members! I am looking forward to this question.

Hon PETER COLLIER: I continue.

- (1) What is the total volume of soil that has been extracted from the Forrestfield–Airport Link tunnel project?
- (2) What is the total volume of spoil that has now been accumulated at the Kewdale–Forrestfield site that was previously used?
- (3) What other sites have been used for storage of the spoil and how much is stored at each site?
- (4) What volume of the spoil has been re-used in other projects and how much in each project?
- (5) How much of the stored and re-used spoil is contaminated with perfluoroalkyl and polyfluoroalkyl substances and at what concentrations?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Minister for Transport.

- (1) It is approximately one million cubic metres.
- (2) Approximately 600 000 cubic metres of soil is currently stockpiled at 77 Abernethy Road, Forrestfield.
- (3) The Perth Airport site, where approximately 110 000 cubic metres is stored.

- (4) Approximately 30 000 cubic metres of soil has been transported to the NorthLink WA project for use as engineered backfill. Approximately 120 000 cubic metres of soil has been transported to the Kenwick rail freight facility project for use as engineered backfill. Approximately 160 000 cubic metres of soil is being re-used within the Forrestfield–Airport Link project works.
- (5) PFAS are ubiquitous and can be found at low levels in soils, surface water and groundwater in most urban areas in WA and nationally. Although soil from all project excavation locations has been tested for PFAS and detectable levels have been found in some samples, the highest soil readings measured are low and comparable with the low levels present in most urban areas around the world, including in Australia. The soil is capable of re-use in accordance with the PFAS National Environmental Management Plan.

MOUNT LAWLEY SENIOR HIGH SCHOOL — WORKING GROUP

1084. Hon PETER COLLIER to the Leader of the House representing the Premier:

I ask this question on behalf of Hon Tjorn Sibma, who is on urgent parliamentary business.

I refer to the joint media statement of 20 September 2020 “Opportunities abound for Mount Lawley Senior High School” and in particular the remarks attributed to the member for Mount Lawley.

- (1) Who else, aside from the member for Mount Lawley, comprises the membership of the working group creating the master plan for the affected site and surrounds?
- (2) Have the boundaries of the master plan been established and what are they?
- (3) What are the working group’s terms of reference and to whom does the group report?
- (4) Has the working group had any meetings; and, if yes, when and where did those meetings occur?
- (5) How does the local community and other stakeholders including the City of Stirling participate in the working group’s deliberations?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(5) The working group is in the process of being established. It will be chaired by Simon Millman, MLA, and its terms of reference and deliverables will be determined once establishment of the group has been completed.

CORONAVIRUS — *VEGA DREAM AND PATRICIA OLDENDORFF*

1085. Hon JACQUI BOYDELL to the parliamentary secretary representing the Minister for Health:

I refer to the COVID-19 cases from the *Patricia Oldendorff* and *Vega Dream* vessels.

- (1) Can the minister please table any guidelines or documentation issued by the Department of Health to the Pilbara Ports Authority about COVID-19 case management?
- (2) Has the Department of Health investigated whether any of those guidelines or suggested arrangements have been actioned by the Pilbara Ports Authority?
- (3) How many WA Health medical personnel are operating at the COVID-19 site and please provide a list identifying their usual place of occupation?
- (4) Who is currently managing security at the Port Hedland quarantine site?
- (5) Given the rising levels of anxiety around potential outbreaks in the community, what actions are the minister taking to ensure that this does not occur and that the Port Hedland and Pilbara communities remain informed about the situation?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) I table the attached document. Outbreak response plans and management protocols are operational documents that are subject to continual review and refinement.

[See paper [4468](#).]

- (2) Prior to the outbreaks on the *Patricia Oldendorff* and the *Vega Dream*, a WA Department of Health planning team attended Port Hedland for multiple planning sessions and met with the Pilbara Ports Authority CEO in Perth to advise, review and assist in the development of PPA COVID-19 response procedures. The PPA processes have been reviewed by the Department of Health, and the recommendations and revised guidelines from the Department of Health have been incorporated into PPA’s response procedures. Considerations of the unique response required within Port Hedland were also used to revise the state-level outbreak response plan based on feedback from PPA and other stakeholders involved in the response.

- (3) There are no WA Health medical personnel operating on either vessel. The State Health Incident Coordination Centre is working closely with the WA Country Health Service and the local incident support group to ensure plans are in place for the potential management of COVID-19 cases from the *Vega Dream*.
- (4) There is currently no requirement for security on the vessel, as it is 20 nautical miles offshore. Apart from one crew member who is now in hotel quarantine in Perth, no other crew have disembarked the vessel.
- (5) Keeping the community well informed about the situation regarding the *Patricia Oldendorff* and the *Vega Dream* vessels remains a priority. Regular updates have been provided to local as well as statewide media through media statements, media conferences, responses to media queries and by providing spokespeople for media interviews. A community meeting was organised by WA Health in South Hedland in response to the *Patricia Oldendorff* outbreak, which provided an opportunity to update the local community on how the outbreak was being handled and for any questions or concerns to be raised. The panel included Hon Roger Cook, MLA, Minister for Health; Hon Alannah MacTiernan, MLC, Minister for Ports; Dr Andy Robertson, Chief Health Officer; as well as Dr Tudor Codreanu, who was leading the outbreak management response in Port Hedland. In addition, WA Country Health Service has been utilising social media channels to provide updates directly to the local community and provide assurance that the community is not at risk. WA Country Health Service will continue to keep the local community informed.

REGIONAL COMMUNITY PARTNERSHIPS

1086. Hon JACQUI BOYDELL to the minister representing the Minister for Energy:

I ask this question on behalf of Hon Martin Aldridge, who is absent on urgent parliamentary business.

I refer to the minister's media statement of 13 October 2020 titled "Funding awarded for regional community partnerships".

- (1) For each of the 73 community initiatives totalling \$699 500, please provide —
 - (a) the recipient organisation;
 - (b) the name of the project;
 - (c) the project funding amount; and
 - (d) a project description.
- (2) How many applications for funding were received?
- (3) How were the applications assessed?
- (4) Who assessed and determined the applications?

Hon STEPHEN DAWSON replied:

I thank Hon Martin Aldridge for some notice of the question.

Hon Jacqui Boydell, I have not seen that question today in the folder. There were some issues between electorate offices and here in getting questions through. If, for some reason it is in and I have not seen it, I will get the answer at the end of question time. If not, I will seek it out for tomorrow.

SOUTHERN FORESTS IRRIGATION SCHEME

1087. Hon COLIN TINCKNELL to the minister representing the Minister for Water:

I have two questions today. My first question is about the southern forests irrigation scheme.

At a meeting on 28 July with Donnelly River farmers, Department of Water and Environmental Regulation officials provided documentation that confirmed that gauging of available water for the scheme over the past three years falls short of the 95 per cent reliability previously quoted by the minister.

- (1) Can the minister outline plans for the scheme?
- (2) Will unused water from farmers in west Manjimup be used by the scheme?
- (3) Why has the minister stopped DWER officials responding to email questions from farmers arising from the meeting on 28 July?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Water.

- (1) I am aware that the southern forests irrigation scheme is undergoing assessment by the Environmental Protection Authority at the level of public environmental review.
- (2) No.
- (3) Questions presented by attendees at the 28 July meeting are under consideration.

KALGOORLIE HEALTH CAMPUS — MRI MACHINE

1088. Hon COLIN TINCKNELL to the parliamentary secretary representing the Minister for Health:

I ask this question on behalf of Hon Robin Scott, who is away on urgent parliamentary business.

I refer to the MRI machine at Kalgoorlie.

- (1) Has a decision been made whether the WA Country Health Service itself will be operating the MRI machine or whether the government is considering contracting out those operations?
- (2) If it is to be contracted out, will it go out to tender; and, if so, when?
- (3) If those contracts will be going out to tender, will the government be looking closely at the poor industry reputation of some private contractors?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) The goldfields WA Country Health Service will be operating the MRI machine as part of the scanning services available through the medical imaging department.
- (2) WACHS is developing a tender for medical imaging reporting and, for goldfields only, MRI technologist services. The tender is expected to go to market in mid-2021.
- (3) Tendering processes are managed in accordance with State Supply Commission policies and guidelines through the Department of Finance.

DEPARTMENT OF HEALTH — ST JOHN AMBULANCE CONTRACT

1089. Hon ALISON XAMON to the parliamentary secretary representing the Minister for Health:

I refer to the new service agreement for the delivery of ambulance services in WA.

- (1) Does the new agreement include funding to provide free ambulance services for people on concession cards, consistent with other Australian jurisdictions?
- (2) If no, why not?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) No. The St John Ambulance service agreement does not include funding to provide free ambulance services for people on concession cards; however, the Department of Health covers 50 per cent of the cost of eligible ambulance services for Western Australian residents over the age of 65 and provides a discount of up to 50 per cent of the cost of eligible ambulance services for pensioner concession card holders.
- (2) Given the short time frames associated with the recent contract negotiations due to COVID-19, the Department of Health was unable to undertake the work associated with concessions. The Department of Health intends to undertake a detailed review of equity and access issues to inform the future SJA services agreement.

AGRICULTURE — GRAIN — BIOSECURITY

1090. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the grains biosecurity advisory committee and biosecurity risks to the grain industry in WA.

- (1) How many organisms that would negatively impact the WA grain industry were added to the Western Australian organism list in 2019–20 and 2020–21 to date?
- (2) How many sniffer dogs are currently funded through the Department of Primary Industries and Regional Development and where are they deployed?
- (3) What is the current status of the GrainGuard biosecurity group?
- (4) Have any issues or concerns with container inspection and/or security been raised through GBAC or the GrainGuard group in 2019–20 and 2020–21 to date?
- (5) If yes to (4), please table details of each issue or concern, the date it was raised and how and when it was resolved, if applicable.

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1) In 2019–20, there were nil. To date in 2020–21, there have been six.

- (2) Four dogs are funded through DPIRD. Two are deployed at the airport and two are deployed to freight yards and Australia Post facilities.
- (3) GrainGuard was replaced with the grains biosecurity advisory committee in 2019. The membership of GBAC includes that of the previous GrainGuard, as well as broader representation from the grains supply chain to ensure that all areas of biosecurity risk are captured. GBAC membership includes representatives from the following organisations. From government, it includes the WA chief plant biosecurity officer, and secretariat and policy support. From industry, it includes representatives from WAFarmers, Pastoralists and Graziers Association, WA Grains Group, Co-operative Bulk Handling Ltd, Grains Industry Association of Western Australia, GrainGrowers Ltd, Grain Producers Australia, and Bunge Australia. The industry management committee comprises the grains, seeds and hay industry funding scheme committee. Under “Other”, it has a Plant Health Australia WA biosecurity officer.
- (4) Yes.
- (5) The answer is in tabular form. I seek leave to have the response incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

Issue raised	Date raised	Response from DPIRD	Status
Khapra beetle and measures in place for protecting WA from an incursion from infested containers.	25 August 2020	DPIRD is working closely with the Commonwealth on the risk of khapra beetle introduction. Additional surveillance trapping for high risk areas both rural and metropolitan areas are to be completed within the next six months. Targeted communication plan developed. GBAC briefed.	In Progress
Concern with significant number of sea containers heading up-country. Who is responsible for biosecurity and cleanliness (Federal or State?)	5 August 2020	GBAC advised of responsibilities and process for managing biosecurity risk of containers by state and Commonwealth.	Completed.

CLIMATE CHANGE POLICY

1091. Hon DIANE EVERS to the Minister for Environment:

Given the acknowledgement in the 2021 budget of the costs associated with climate change at page 651 with regard to estuaries, Perth’s water supply, and carting water, for which \$3.3 million has been spent to date, I ask the following question.

- (1) Has the government calculated the expenditure directly related to the impacts of climate change for water over the forward estimates?
- (a) If yes, how much and in which agencies is it detailed; and
- (b) if no, why not?
- (2) How has the government accounted in the budget for the potential costs associated with the impacts of climate change, such as rising sea levels, heatwaves, an increasing number of violent storms and bushfires, decreasing water supply, and health impacts of mosquito-borne and other diseases?
- (3) Does the government recognise that these impacts will continue to get worse and cost more until the factors causing climate change are reversed?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

- (1) This part of the question should be referred to the Minister for Water, who has advised that it is not possible to provide an answer in the time frame available. An answer will be provided on the next sitting day.
- (2)–(3) The potential impacts and costs of climate change are linked to future global emissions trajectories. The McGowan government recognises that climate change will have an effect on Western Australia’s environment, communities and economy. The costs will generally increase over time without action. Climate risks are already considered by the government in a range of policies, processes and guidance; for example, the “Assessment of Coastal Erosion Hotspots in Western Australia”. The government is also developing a state climate policy to contribute to national emissions reduction goals and prepare for the impacts of climate change. The state climate policy will be released later this year and include actions to support adaptation and minimise climate risk.

NORTH REGIONAL TAFE

1092. Hon KEN BASTON to the Minister for Education and Training:

I refer to the hospitality, tourism and travel-related courses available at North Regional TAFE.

- (1) Will the minister please advise how many students have successfully completed hospitality and tourism and travel-related courses, as categorised on the NRT website, through North Regional TAFE campuses in the following years —
 - (a) 2018; and
 - (b) 2019?
- (2) Can the minister please advise whether a system is in place to track how many graduates are working in these industries in the region?
- (3) If yes to (2), approximately what percentage of graduates are known to be working in hospitality, tourism and travel in the Pilbara and Kimberley regions?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of this question.

- (1)
 - (a) There were 24.
 - (b) There were 89.
- (2) National surveys of student outcomes are conducted on a sample basis but data is not available at this level of granularity.
- (3) Not applicable.

ABORIGINAL HERITAGE — SECTION 18 APPLICATIONS

1093. Hon ROBIN CHAPPLE to the minister representing the Minister for Aboriginal Affairs:

I refer to two letters of reference—69-03609 dated 30 November 2017 and 69-14787 dated 15 August 2019—to Fortescue Metals Group Ltd and Hamersley Iron Pty Ltd respectively, and signed by the minister.

- (1) With reference to letter 69-03609, is it correct that the minister, in granting the section 18 application, gave permission to destroy eight rock shelters, one artefact site and three walled storage sites?
- (2) Did the minister grant consent to destroy these sites without any information other than dimensions and the presence or absence of surface artefacts?
- (3) With reference to letter 69-14787, is it correct that the minister, in granting the section 18 application, gave permission to Rio Tinto to destroy two rock shelters for the expansion of Rio's Silvergrass mining operations?
- (4) With reference to letter 69-14787, is it correct that the two rock shelters, SG-07-22 and SG-07-02, had occupation dates of 43 000 years and 5 300 years—no basal dates at the time—respectively?

Hon STEPHEN DAWSON replied:

I thank Hon Robin Chapple for some notice of the question. The following answer has been provided to me by the Minister for Aboriginal Affairs.

More detailed information will be needed from the department to ensure a complete response is provided for the honourable member; therefore, I request that the honourable member put this question on notice.

BIOSOLIDS — ALBANY WASTEWATER TREATMENT PLANT

1094. Hon COLIN HOLT to the minister representing the Minister for Water:

I refer to the recently awarded tender for the Albany waste plant to deal with biosolids.

- (1) Under the new contract, will the biosolid sludge be put into landfill; and, if so, will it be treated before this occurs?
- (2) If the biosolids will go to landfill, how does this meet the Water Corporation's claims, to quote from its website, "The biosolids are trucked off site to be made into fertilizer or used for agriculture"?
- (3) How was the biosolid sludge handled under the previous contract?
- (4) Has the previous contractor been asked to continue dealing with the waste while the new contractor prepares its processes to deal with the waste; and, if so, for how long is the previous contractor being asked to assist?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Water has provided the following answer.

- (1) Under the new contract, biosolids will not be placed into landfill.

- (2) Not applicable.
- (3) The biosolids were used for agricultural purposes.
- (4) Yes, for approximately 12 weeks.

GOVERNMENT AGENCIES — FINANCIAL AND OPERATIONAL PERFORMANCE

1095. Hon PETER COLLIER to the Minister for Disability Services:

I refer to the minister's response yesterday to question without notice 1061 about the review into disability services.

- (1) Can the minister please tell me when that review was completed?
- (2) Will the minister now give a commitment to release it?

Hon STEPHEN DAWSON replied:

Had the honourable member given me some notice, I could have provided a date. The question about whether the report will be released is a matter for cabinet.

JANGARDUP MINE — ACID SULPHATE CONTAMINATION

1096. Hon DIANE EVERS to the Minister for Environment:

I refer to the minister's response to my question without notice 752 asked on 12 August 2020 about the revised groundwater quality program at the former Jangardup mine.

- (1) Has the Department of Water and Environmental Regulation now completed and finalised the review?
- (2) If no to (1), why not, and when will it be finalised?
- (3) If yes to (1), will the minister please table the report?
- (4) If no to (3), why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

- (1) I am advised the Department of Water and Environmental Regulation has completed the review of the groundwater monitoring program—30 July 2020—for the former Jangardup mine site.
- (2) Not applicable.
- (3) Yes. I table the report.

[See paper [4469](#).]

- (4) Not applicable.

PLANNING — BUSH FOREVER

1097. Hon ALISON XAMON to the minister representing the Minister for Planning:

I refer to the answer to my question without notice 1523 about the Bush Forever initial audit, which has been outstanding for five years and is now stranded in the stalled strategic assessment of the Perth and Peel regions.

- (1) Will the minister commit to publishing the information related to the Bush Forever audit outside of the SAPPR process?
- (2) If yes to (1), when?
- (3) If no to (1), why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

- (1)–(3) The Department of Planning, Lands and Heritage will review and update the Bush Forever audit in the 2020–21 financial year. It is anticipated that this will be published following the review's completion.

NORTHLINK WA — NOISE MONITORING

1098. Hon PETER COLLIER to the minister representing the Minister for Transport:

I refer to the results of the noise monitoring survey that was recently undertaken on the NorthLink project.

- (1) When was the report completed and provided to the minister's office?
- (2) Will the minister table the report; and, if not, why not?
- (3) When will the report be made public?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The following answer has been provided by the Minister for Transport.

- (1)–(3) The reports have been prepared and the minister has requested Main Roads Western Australia to engage directly with the affected landowners over coming weeks. It is proposed that the affected landowners receive the report prior to it being made more widely available in order to provide them with the opportunity to discuss the contents directly.

CORONAVIRUS — RESIDENTIAL TENANCIES**1099. Hon NICK GOIRAN to the minister representing the Minister for Commerce:**

I refer to the minister's responses in September to questions without notice 915 and 1025.

- (1) Were 3 872 applications for residential rent relief approved and paid as at 16 September 2020?
- (2) Did that figure represent less than two per cent of the 238 372 residential tenancy bonds lodged with the bond administrator?
- (3) Has the minister responded to the Real Estate Institute of Western Australia to confirm that the minister's data supports REIWA's assessment that less than two per cent of all residential tenancy agreements in Western Australia have experienced COVID-19-related financial hardship caused by the economic effects of the COVID-19 pandemic?
- (4) Will the minister table the documentation that the minister relied upon to justify extending the emergency period under the Residential Tenancies (COVID-19 Response) Act 2020 to 28 March 2021?
- (5) If no to (4), will the minister undertake to table a notice under section 82 of the Financial Management Act 2006?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Commerce.

- (1) Yes.
- (2) The percentage of grants made to date relative to the daily bond lodged number is not an accurate measure of the number of households in hardship. It is the case that there are tenancies impacted by hardship for which there has not been an application for a grant. That is due to any number of reasons; for example, the tenant may have retained their job but suffered a significant drop in pay or increase in expenses. This may have placed the tenant in circumstances of hardship, but insufficient to warrant qualification for the targeted rent relief grant scheme.
- (3) The minister has been in regular contact with the Real Estate Institute of Western Australia and met with REIWA as recently as 6 October 2020 to discuss a range of matters.
- (4)–(5) In arriving at the decision to extend the emergency period, cabinet considered a range of factors, including the current level of unemployment, diminishing payments for JobKeeper and JobSeeker, and low rental vacancy rates. The risk of COVID-19 remains. Cabinet was also mindful that the arrangements under the Residential Tenancies (COVID-19 Response) Act 2020 have produced a period of relative stability.

CORONAL INQUESTS — REQUESTS*Question without Notice 1059 — Correction of Answer*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.02 pm]: On behalf of the Attorney General, I have a correction to an answer that I provided in response to a question by Hon Michael Mischin yesterday. It was question without notice 1059. I will provide a corrected answer to the question and seek leave to have it incorporated into *Hansard*. After I reading the two, it appears to me that the difference is the date on which the Attorney General's office received legal advice from the Solicitor-General. The answer that I gave yesterday referred to 10 October. The correction is 7 October. I seek leave to have that answer incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

- (1)–(6) The Attorney General's office received legal advice from the Solicitor General on 7 October 2020 regarding the Coroner's Act 1996 and whether it is appropriate for the Attorney to direct the Coroner to hold an inquest. Regrettably, there was a delay in that advice being provided due to the COVID-19 pandemic and other urgent matters. The advice is being considered. The Attorney notes that research has indicated that there is no record of any Attorney General of Western Australia ever having made a direction of this nature under this Act. The Attorney has given a commitment to families who have made requests to him regarding inquests that any decision will be conveyed to them prior to being made public.

LOTTERYWEST GRANTS*Question without Notice 1056 — Answer Advice*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.03 pm]: I provide an answer to Hon Peter Collier’s question without notice 1056 that he asked yesterday. I will seek leave to have most of the answer incorporated into *Hansard*. For part (3) of the answer, there is a paper that I need to table, so I table that.

[See paper [4470](#).]

Hon SUE ELLERY: I seek leave to have the answer incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

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- (1) Members of the Lotteries Commission Board as outlined on the Lotterywest website are: Professor Peter Klinken AC, Mr Stephen Carre, Ms Miriam Borthwick, Professor Kingsley Dixon, Ms Elisabeth McLellan and Hon. Jim McGinty AM.
 - (2) The Lotteries Commission Act 1990 (the Act) specifies that Lotterywest may distribute funds to such “eligible organisations” as Lotterywest thinks fit and the Minister approves for an “approved purpose”.
 - (3) Yes, Lotterywest criteria is available on Lotterywest’s website. The Community Investment Framework and the document “A Quick guide to Lotterywest COVID-19 RELIEF FUND 2020–21 grants is tabled for reference.
 - (4) As per the Act Lotterywest undertakes the following process in the assessment of grant proposals:
 - Check eligibility criteria and governance
 - Seek additional information and clarification from applicant where required
 - Referee reports
 - Assessment of proposal
 - Risk assessment
 - Consideration and determination of the Lotterywest Board
 - Approval by Premier
 - (5) All Lotterywest grants are assessed on a case by case basis with the Lotterywest Board providing the final determination with approval by the Minister as specified in the Act.
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QUESTIONS ON NOTICE 3172, 3179, 3180, 3181 AND 3185*Papers Tabled*

Papers relating to answers to questions on notice were tabled by **Hon Sue Ellery (Minister for Education and Training)**, **Hon Alannah MacTiernan (Minister for Regional Development)** and **Hon Alanna Clohesy (Parliamentary Secretary)**.

COMMITTEE REPORTS — CONSIDERATION*Committee*

The Deputy Chair of Committees (Hon Adele Farina) in the chair.

Joint Standing Committee on the Corruption and Crime Commission — Fourteenth Report — “Red Flags...Red Faces: Corruption Risk in Public Procurement in Western Australia” — Motion

Resumed from an earlier stage of the sitting.

Hon ALISON XAMON: One thing that the committee looked at quite closely was the overall issue of agency governance and culture, and it found that that plays a very significant role in terms of whether there will be a corruption risk around procurement. It found that agencies generally tend to think that they are doing pretty well in this regard. When corruption is subsequently revealed, usually through something like a whistleblower, they are generally very surprised. It is something that they do not anticipate as they think things are travelling okay, and that is of grave concern. Another thing that was a concern to the committee was that when corruption is uncovered, initially there is a big flurry by the relevant department to clamp down on their processes and to make sure that they are addressing the issues internally, but they quickly revert to business as usual. That tells us something about the need to really try to address the core issues around culture within departments from a system-wide perspective. I want to make it very clear that this is not a reflection on the cultures under this government specifically; this is something that we found across jurisdictions and across governments of all persuasions. I want to be very clear that it is about the red flags that we need to be conscious of within our public service to mitigate the likelihood of corruption risks.

Weaknesses in internal controls within agencies are most apparent when there is poor record keeping and a lack of role segregation. Members can reflect on the very high profile cases that have come to the fore over the last couple of years. A particular risk factor is public officers who remain in positions of trust for long periods. This is a specific

concern. The Corruption and Crime Commission had itself recognised this is a risk factor. It is an interesting challenge for us, because, as I will talk about more if I get the chance, on the one hand we desperately need to make sure that we are fostering expertise and experience within our public sector around procurement, but on the other hand we found that the longer people are in senior positions, the higher the risk that corrupt activity will subsequently flow. That creates a particular challenge from a public sector perspective. That risk factor was borne out in what happened with the North Metropolitan Health Service and Housing. Importantly, when agencies present a corruption risk, there is also widespread noncompliance with policy and a concerning prioritisation of efficiency over due process. Obviously, due process can be tiresome or cumbersome for some, but it is there for a good reason. Agencies that do not demonstrate that are at greater risk.

The DEPUTY CHAIR: Hon Alison Xamon.

Hon ALISON XAMON: As I said before we were interrupted for question time, professional and well-trained personnel are a critical part of ensuring that we have the best procurement practices. The committee identified that there is a risk in the public sector because we simply do not have the skill level required across all agencies to ensure that procurement is undertaken as effectively as it needs to be. People who are specialists need to be specifically employed in the public sector and that status must be acknowledged. Far too often the procurement functions are put within a more generalist framework. We have failed to recognise that that is special expertise that needs to be acknowledged and remunerated accordingly.

I also mentioned concerns about training programs across the public sector. Of course, general training on corruption and the basics of procurement is available to public servants but it is not fit for purpose. We need to ensure that depending on the nature of the procurement function and who the audience is that there are tailored training opportunities. It is important to note that we should not presume that simply because a person is a fairly senior public servant that they are necessarily up to date with things such as red flags around corruption. Certainly, I would suggest that the sorts of findings that came out of this report would be helpful in tailoring training for all public servants, including people who may have been in their position for quite some time. We cannot presume that it is simply junior public servants who need to be made aware of the risks around corruption and what to look for and who need to be encouraged to come forward if they are particularly concerned.

Another element for which we need to look at additional training—it will be a challenge—is contractors in the private industry who engage with government. They also need to be well informed of their obligations. In the North Metropolitan Health Service situation those who were caught up in that and had to face the consequences of their alleged behaviours are not only public servants, but also people contracted to the government. The committee found that, generally, contractors in the private industry do not have a comprehensive understanding of the way that they are expected to engage with the public sector in the area of procurement. One recommendation that arose from this inquiry is that the Public Sector Commission should undertake a systemic review of all the training that is currently available. I am trying to recall whether we have incorporated the sort of training that is available in the appendixes of the report. We found that training is pretty ad hoc, inconsistent and, as I said before, not fit for purpose.

We also found evidence of weaknesses in the accountability frameworks of a number of agencies within the Western Australian public sector. Procurement has been a particular area of weakness, including how a delegation purchasing authority functions. Unfortunately, this seems to be particularly the case in those agencies that have regional offices because that expertise and accountability oversight is further dissipated. Unfortunately, a high level of delegated authority makes organisations quite vulnerable to poor practice. In cases in which corruption has been uncovered, it has been found that, overall, there is a lack of effective oversight of accountability of decisions and no corporate visibility of procurement activity and expenditure across the organisation. Part of the issue is that internal audits are simply not receiving the level of attention that they require and deserve at the senior governance level. The committee was surprised by the overall lack of priority that tends to be given to internal audits within public sector functioning. Unfortunately, we found that that is largely because there are varying levels of experience and capacity to undertake internal audit across agencies. Some agencies are doing it pretty well, but others are really quite deficient in their capacity to undertake regular ongoing internal audits, and certainly anything approaching a forensic audit is very rare. That means that agencies are becoming increasingly reliant on outsourcing the internal audit function. Not only is that quite expensive—only a small number of agencies are able to deliver those services within Western Australia—but also, unfortunately, the practice itself can pose a corruption risk because of the large sums of money involved. One of the committee's concerns is that some external agencies may be potentially disinclined to take too deep a dive into cases of procurement concerns lest they effectively do themselves out of a job moving forward. It is an area in which, once again, we need to ensure that we are prioritising internal audits and building capacity within the public sector and valuing that expertise and appropriately rewarding it.

In essence, culture pervades every activity within an organisation and the particular culture of a department will impact on the way that staff and management do their jobs. That has been very apparent with what has come out with the department of housing. A number of people have subsequently said, "We knew that there were problems and we were concerned. Lots of people talked about these things. We turned a blind eye because we didn't feel confident to raise issues. There were red flags but we didn't act on it." Ultimately, it is not only the taxpayer

who has been harmed, but also, in the case of the Department of Communities, vulnerable Western Australians who have ultimately missed out on essential services and housing. Frankly, they deserve a lot better. A huge price is paid when corruption is not uncovered.

The issue of ensuring that we deal with the overall culture within the public service is a huge one. Going back to my original point, one of the key reasons that we want to ensure that we deal with the cultural issues from the outset is that if we do not, we will not see a shift in the way people ensure that practices are followed to mitigate the likelihood of corruption, and if people do not feel confident to speak out, they are not going to.

There is much more in this report that is worthy of discussion. I know that other members want to speak about elements of this report, but because I am aware that members want to move on to other reports, I will move that consideration of this report be postponed to the next sitting.

Resolved, on motion by Hon Alison Xamon, that consideration of the report be postponed to the next sitting of the Council.

*Standing Committee on Environment and Public Affairs — Fifty-second Report —
“Punitive Not Protective: When the Mandatory Registration of Young People Is Not Based on Risk”*

Resumed from 21 May.

Motion

Hon ALISON XAMON: I move —

That the report be noted.

If no-one else wishes to speak, I wish to speak to this excellent report. I commend the Standing Committee on Environment and Public Affairs for the excellent work it has done on the report titled “Punitive Not Protective: When the Mandatory Registration of Young People Is Not Based on Risk”. I am aware, of course, that the committee undertook this inquiry as a result of petitions that were tabled—it has also been the subject of debate in the chamber—about concerns about how best to deal with the issue of children and young people who engage in sexually inappropriate or even sexually dangerous behaviours. It is a really complex issue. It is a distressing issue that we struggle to grapple with. I need to acknowledge the thoughtful consideration that has gone into this report. I believe the findings and recommendations will prove to hold up to the test of time.

The committee effectively found that the current mechanism for dealing with children or young people who engage in sexually harmful behaviours is not working and that we need to have a radically different approach to working with children in this situation. It found that very often the children themselves have been exposed to situations that are quite sexually harmful. I think it is fair to say that, in many instances, the children themselves are victims of sexually predatory or sexually inappropriate behaviour and that a disproportionate number of them come from situations of great disadvantage and, as such, we require a very different approach to deal with concerns about their behaviour.

It is important to note that the committee found that, unfortunately, children’s ready access to online pornography, for example, has aggravated the risks of children engaging in sexually harmful behaviour. This is an issue that I personally find very distressing. I am aware that far too often children’s exposure to pornography can be the first time they are exposed to the world of sex. As we know, the world of pornography very rarely resembles anything approximating healthy sexual relationships. It is too much to go into here, but it is something that we as a society globally are going to have to grapple with. What do we do about the early dangerous sexualisation of children? We are going to have to look at how we ensure that a whole generation of young children learn about healthy sexual relationships. It also means, unfortunately, that a generation of children increasingly have a poor understanding of the idea of consent and what that means in practice. If children have been exposed to sexual abuse or have some sort of cognitive impairment or anything like that, it is a recipe for disaster.

The questions that this report asks are: When dealing with these children, is it the best thing to put them on a register that is going to effectively follow them for life? Is this the most therapeutic and appropriate way to ensure that these children are able to get the supports that they need and hopefully be able to live healthy lives? What the committee found, I think unsurprisingly—I am not surprised—was that simply engaging in a punitive approach to these children and putting them on the sex offender register, which will follow them for the rest of their life, is not going to work. That is not the best outcome and we need to find a better way to deal with these problematic behaviours.

The first recommendation states —

The Government adopt a scheme which provides government funded treatment and a therapeutically focussed approach within the juvenile justice system for dealing with young people who have exhibited harmful sexual behaviour.

What a sensible, intelligent recommendation, and one that I dearly hope will be taken up by this and any future governments. We know that a disproportionate number of young people in the juvenile justice system have been exposed to sexual abuse and we know that a disproportionate number of them have cognitive impairment. That was

borne out by the Telethon Kids Institute research that found that 98 per cent of children in Banksia Hill Detention Centre in particular have some form of cognitive impairment. This is knowledge that we have. Clearly, anything that will help children at that level to address their behaviours will be better for not only them, but also the community as a whole. A failure to intervene at that level to support children who are engaging in sexually inappropriate or harmful behaviours is a failure by everybody. This is an area where I hope we will see some significant progress. We need to do that.

I note that the second recommendation states —

The Director of Public Prosecutions should review all decisions to commence the criminal prosecution of a child or young person for a reportable offence.

Again, I think that is an eminently sensible recommendation. It recognises that there is a lack of consistency in the way that these prosecutions are being pursued, depending on the children's circumstances. One of the findings in the report states that young people in regional areas are being prosecuted for less serious offences, whereas those in Perth are not. That is nothing to do with justice. That is just to do with often a lack of resources or a lack of capacity to think about how on earth we can provide the services to make sure that these children are supported. I am devastated if a white child in Cottesloe can get therapeutic treatment, but an Aboriginal child in Kalgoorlie cannot. Effectively, what is being found is that children across the state who exhibit offending behaviours are not being treated equally in how we are best responding to that. Low socioeconomic status, a lack of family and community support, neglect and inadequate access to services and rehabilitative options were found to be factors that might deter police from using their discretion to caution rather than charge a young person for an offence. I think that is a devastating indictment of the system. The fact that we are putting children who are already inherently vulnerable in a situation in which they not only do not get the therapeutic assistance that they need, but also then end up in the criminal justice system with a record that will potentially follow them for life is absolutely devastating.

We need to look at making sure that we have culturally appropriate therapeutic programs and appropriate treatment programs. That was one of the committee's findings. We do not have that now. It is a huge challenge for us as a community and one that will not generate popularity amongst voters. I recognise that. As someone who spends a fair bit of time talking about advocating for Aboriginal offenders and criminal law mentally impaired accused people, I know these are not popular issues within the community, but we need to do this. We should do it because it is the right thing, because we are talking about children and also because, ultimately, if we do not look at a better way of looking after children who engage in inappropriate sexual behaviours, it is, as I said before, the community that will end up paying the price for that.

The committee talked about the need to adopt discretionary options such as a restorative justice solution within the Young Offenders Act. This is where I am going to remind people that we have been waiting for a review of the Young Offenders Act for years. It is something that I have been raising in this place for three and a half years, since I came back in this term.

Hon MARTIN PRITCHARD: I was not going to speak about this report this week, but I know that the chair of the committee is quite keen to speak about it. He is away on urgent parliamentary business, so I thought I would take the opportunity to talk about a discrete area and then look forward to his contribution next week, as I understand it.

I am quite pleased. I think that the catalyst for this report was a petition that I tabled in the house some months ago after being approached by constituents who had concerns about this issue. I must say, I think that the committee has done an extraordinary job. Along with Hon Alison Xamon, I believe that this might be a bit of a road map into the future.

I think it is very easy to take the position that I also fall into the trap of taking, which is that we need to be hard on crime. Obviously, this legislation is very much targeted at paedophiles and making sure that the public is safe. But I am concerned that, although that is the objective, a number of people get caught up in the fringes, particularly with regard to mandatory registration. I draw a long bow and refer to a number of reports in the newspapers about young footballers who make some very bad decisions. I do not think that young people under the age of 18 make one set of decisions and then, all of a sudden, when they turn 18, they grow up and make more adult decisions. People over the age of 18 may have a very immature approach to life and people under the age of 18 may have a mature approach to life. Our legal system has a very stark definition of 18 as the age a young person becomes an adult, but I do not think that, as human beings, that is necessarily the case.

I want to read a couple of passages from the report and then make a general observation, if I may. I will then leave it to other people to talk, and maybe next week I will have some further things to say. Page 2 of the executive summary refers to "Sexual behaviour in context". Paragraph 12 states —

Sexual offending by a young person does not necessarily (and often does not) involve sexually abusive or violent behaviour. Mandatory registration as a reportable offender—a sex offender—does not discriminate between inappropriate behaviour that is characteristically childish or adolescent or willing (but illegal) underage sexual activity.

As I said, the law discriminates in a positive way that a person becomes an adult at the age of 18. However, in my view, that does not necessarily mean that an 18-year-old is not a young person who can make silly decisions. Again, I want to stress that what I say does not apply to what I would categorise as serious sexual offences, but there are some areas on the fringes that may be considered as not a serious offence but rather a stupid decision by a young person.

I turn to page 3. Paragraph 23 states —

Once a young person legally becomes an adult at 18 years of age, the consequences of sexual offending changes significantly. The emphasis of adult sentencing is punishment and deterrence with an immediate term of imprisonment being the norm. Rarely, and in exceptional circumstances (and where the offender does not pose a risk of reoffending), the court will impose a suspended imprisonment order or a spent conviction rather than immediate imprisonment for a sexual offence. Mandatory registration as a reportable offender still applies in these circumstances.

Even when a court believes that a person does not pose a serious risk into the future, they still end up on the register. Paragraph 32 on page 4 of the report states —

There is strong evidence that registration as a reportable offender can have a serious and damaging impact on the wellbeing and development of children and young people, as well as being counter-productive to their rehabilitation. The consequences of registration for young people include:

- being labelled as a paedophile;

That is very common. A young person may make a very silly decision to engage in sexting, which is damaging but does not necessarily mean that the person poses a risk into the future. It seems a bit overkill that the person is considered a paedophile because they have just turned over the age of 18. The report continues —

- public vilification and stigmatisation;
- depression and suicidal ideation;
- disengagement and social isolation;
- compounding impacts on health, education and well-being; and
- a perception that future potential is irretrievably destroyed.

I have concerns about this. This is the situation that led to me tabling the petition and starting this discussion. If a young person—a young man in this case—turns 18 and has a relationship with a girl who is under 18, although it may be thought that the incident will not affect people into the future, the young man ends up on the register, and that register will basically follow him for the rest of his life. I think that this needs to be looked at, and can easily be looked at, so that a court is able to make the decision whether a person should remain on the register or be taken off.

As I said, I just wanted to talk about that discrete area to give the chair the opportunity to look into the report in more detail. I look forward to that and I look forward to discussing more on this report.

Hon ALISON XAMON: In the remaining few minutes, I want to reflect on another thoughtful contribution from the honourable member. As usual, we are in screaming agreement. I think that one of the things I particularly want to pick up from this report in the few moments I have left is the issue of mandatory registration. The committee made observations on how utterly hopeless it is to have mandatory registration and that it is counterproductive, particularly when it comes to children. Members are aware that the Greens are vehemently opposed to mandatory anything when it comes to judicial discretion, and for good reason, but never is that more apparent than when we are talking about children. It is never going to be fit for purpose to have a blanket regime of how to deal with often very troubled children who engage in offending behaviours.

The committee found that having mandatory registration for children has the effect of being punitive, and it often results in delays in the criminal justice system, which is not good for anybody. But I think one of the things that I was particularly concerned about was finding 16, which states —

The prospect of mandatory registration can deter families from voluntarily seeking treatment for young people who have displayed harmful sexual behaviour.

If there is one finding that really highlights how problematic the current regime is, that is it. If someone's child is troubled and is starting to act out sexually, the one thing that person wants is for their child to get help so that they stop engaging in those behaviours, for the benefit of themselves and the community. The fact is that anything that serves as a barrier to people seeking help is something that we need to vehemently resist. Even if that is the only takeaway that people get from this report, that is absolutely key.

I think it is important to note also that mandatory registration is not consistent with the principles of juvenile justice.

Consideration of report adjourned, pursuant to standing orders.

Progress reported and leave granted to sit again, pursuant to standing orders.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 13 October on the following motion moved by Hon Stephen Dawson (Minister for Environment) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 4389A–D (budget papers 2020–21) laid upon the table of the house on Thursday, 8 October 2020.

HON SIMON O'BRIEN (South Metropolitan) [5.41 pm]: In contemplating the papers that have been laid upon the table, we are challenged to examine the McGowan Labor government's fourth budget. It is an interesting exercise. We have already heard from a number of speakers about their immediate response to the budget. Generally, I think it is fair to say that, from the commentators we have heard so far, there is a sense of being underwhelmed. Hon Dr Steve Thomas gave a very good speech examining the budget, restricted only by time. It was a good overview of the budget. I think we could say that he damned it with faint praise at best. The Liberal Party spokesman for Treasury matters, Dean Nalder, is of course our main commentator on these matters. He summed up the budget as an uninspiring pre-election document intended to create a \$4.1 billion war chest for the election coming up soon.

With that thought very much in mind, yesterday I asked the Treasurer how much has been put aside in this year's budget to fund the personal election promises of candidates in the next state election, if indeed any such provision has been made. The answer to whether any such provision has been made was a firm no. That surprised me on a couple of grounds. First, it was a straight answer. We do not often get straight answers to straight questions from this government. That is probably typical of Labor governments, and I have seen a few come and go. I look forward to seeing that pattern continue in the near future! Apparently, no money has been allocated by Treasury and no money has gone through cabinet for candidates of any colour to run a campaign of making personal promises to deliver largesse from the public purse to targets in the electorates for which they are standing. That can be contrasted with the 2016–17 exercise the Labor Party called Local Projects, Local Jobs. That was a straight out, blatant attempt to buy favour using the public purse, even though it was later painted up with candidates from all over the place, including Darling Range, if I recall correctly, parading around with personal cheques for five-figure sums to get their photos in the paper with their name on the cheque, and saying, "We've honoured our election promise." Except that the money came from the public purse!

I have seen this pattern all too often over my time in politics, and it has been a little while. Remember back in the 1980s, we were bemoaning similar contempt displayed by Labor governments and so many Labor ministers—not all of them, but a very significant number of them, including Premiers—who held due process and due standards in absolute contempt. Now, we have a pre-election budget. It has come in extraordinary circumstances in 2020, the year of COVID. This year, there is a great excuse for governments to put to one side all sorts of normal constraints and conventions in the pursuit of expediency, whether it is advisable or not, inevitably because it is something that is of convenience to government. We are seeing examples of that happening now. We might have thought, as we awaited the budget coming down last Thursday, that it was time for a real plan. At a time when Western Australia needs real leadership and direction and a definite map to take it out of the economic recession we are currently enduring and help find more positive prospects in the time ahead, the government needs to hit its straps. It was in a good position to do so, because it appears cash was coming to it from a range of sources that were not available to the previous government. The federal government finally made some effort to redress—in my view, only in part—the inadequacy of the GST contribution to this state. That has delivered massive sums to the state year after year. Of course, that coincided with the boom in mineral royalties coming into the state's coffers. The Treasurer really has nothing to grizzle about on those scores, so why is the government not giving us a budget that provides inspiration?

If this is just the latest in a sorry, sorry tale, why would we have expected a document that showed leadership? Why would we look to a budget to provide a positive way forward? We are forgetting that "Captain Westralia" is at the helm. "Mr Ninety-two per cent" was not travelling very well before all the polls started. Then we had the crisis. What would anyone else have done if they were Premier when the COVID-19 crisis confronted Western Australia, with all the uncertainty and lacking an immediate precedent on what to do? I think they would have followed the very good health advice that was received and created a quarantine zone here in Western Australia, as our state government did. I think it is fair to say that if Colin Barnett, Ben Wyatt, Geoff Gallop, Liza Harvey or Hon Ken Baston had been the Premier, they would have done exactly the same thing, but, nonetheless, Premier McGowan was the man on the spot and, acting in concert with his deputy, the health minister, they took those decisions, as they should have.

I do not participate in polls, but if I had been approached by some polling group, perhaps the group doing that push polling to get a 92 per cent approval rating, and they had asked me some months ago, "Do you think the Premier has done the right thing in closing the borders and seeking to protect us from COVID-19?", I would have said yes. I would have been one of the 92 per cent. If they had pushed a bit further and asked whether that meant I was going to vote for him, they might have got a different response. Of course, a poll does not ask, "Hang on, have you got any nitpicking that you want to do about matters of detail?" We do not go there, and I am not seeking to go there. It is about whether the right thing was done by that decision in principle, and I believe it was.

The question that then arises now, six to seven months down the track, is: Now what? What do we do now? Or is this Premier, and this government, as reflected in this budget, just a one-trick pony? I am trying to think what else

the government has done that has been particularly right in the course of this term. Normally, an incoming government has some freshness about it, some good ideas, some new ideas. It sets about the process of taking on government with purpose, positivity and dedication, but this one seems to have come in—perhaps it was surprised with the result it got in 2017—and gone straight from victory in the election to decline and decay without a normal process of flourishing as a government and doing some things for the state. I am struggling to think of what else this government has done that has impressed me.

We have our budget, and there are some interesting things to observe in it. As I examined the document, I was particularly struck. I heard one of my colleagues stand here yesterday for quite some time and tell us that there was plenty of information there—everything we want to know. Nonetheless, it is not a very workable document. I went back to the first budget I saw in this place, which was in 97–98—that is, 1997–1998!—and refreshed my memory.

Hon Alanna Clohesy: Not in 1897?

Hon SIMON O'BRIEN: Hon Giz Watson did that one years ago, so the member is a bit late!

No, it was not quite 1897. That was back when the colony of Western Australia was basically its own independent sovereign country—the good old days!

Hon Diane Evers: Looking for secession, hey?

Hon SIMON O'BRIEN: They are the good old days, but before the honourable member gets me to channel my inner Norman Moore anymore, I was up to 1997—that is, the twentieth century—and I was comparing the way that budget document was presented with the way the current papers are presented. I have taken two budgets through this place over the years as Minister for Finance. I was a member of the Economic and Expenditure Reform Committee for a number of years. I have been inculcated in the dark arts of Treasury, and I have to say that at least in the budget papers of 1997–98 members could easily look up what they needed to find. It had things such as an index, so if someone needed to know how much was being spent on X or what the plans for Y were, they could go straight to the page and discover it. Here, I am finding all of the evidence now of a government that is in not only spiritual but also organisational disarray. When we are trying to find out how much a particular agency is spending on certain matters, we should not have to go to umpteen different sources to find out and try to aggregate what it is all about, but that is what has happened with the machinery-of-government changes. Again, in a brilliant speech delivered earlier today on another matter, we heard about some of the problems with the machinery-of-government changes before this house voted—with, I think, every non-government member voting in favour of the motion—to condemn the manner in which this government had gone about its machinery-of-government approach.

Should we have been surprised that we have this mess? The Labor Party has done it before. It did it previously, from 2001 to 2005. It has learnt nothing and done it again, but this time it has done it in spades with the creation of megadepartments that depersonalise services provided to this community and sap at the morale of the officers in those agencies who are responsible for delivering those services, and they do. Megadepartments act as an enormous incubator, not for efficiencies, but for inefficiencies, and, in some cases, as we have seen this year, corruption. That is what we get out of them.

Has this government not learnt anything? No, that is not its preferred model. I remember Hon W.N. Stretch talking to colleagues in my party in 2001 when the question arose, “Was Richard really arrogant when he lost the election?” Bill Stretch had been around for a few years—he had seen the WA Inc years and so on—and he said, “You haven’t seen arrogance until you’ve seen the Labor Party in government.” Rotate forward to 2017 and since, and we have exactly the same detritus accumulating. To any members of the government who are trying to do the right thing and who are miffed by hearing me say that, I am very, very sorry, but it is you and your colleagues who are doing it. To any backbench members of the government who do not want to hear it, that is stiff bickies, because you are the ones who are letting it happen, and it is not as if you have not been warned about it.

Earlier today, we received a whole range of advice about the megadepartment known as the Department of Communities, which I think at last count reports to something like five different ministers. If that is a recipe for some sleek, efficient organisation, that alone should condemn what the government is contemplating. I suspect that when the full audit of these matters is done in due course, and it will be, we will find that it is a recipe for inefficiency and dysfunction, but we will see that in due course. Now we have this megadepartment, Communities, with a whole range of different functions, some of which might seem to have some synergies and, indeed, do need to be coordinated, but the government has lumped them all together into some amorphous bulk of six thousand four hundred and something officers. We are already finding that it is leading to a great deal of dissatisfaction, dysfunction and inefficiency. Officers working for the Disability Services Commission do not want to be lumped into some overarching super department in which they just disappear. I know that. It was a matter of pride when I was part of the Liberal government that we could look back on a previous Liberal government and its involvement in making sure that we had an independent Disability Services Commission. That, in fairness, stemmed from some earlier work by Hon Eric Ripper, during a brief period that he was a minister with some responsibilities in that area. It is very much a backward step to take that and shove it into some other amorphous bulk.

I have seen this before. I saw this when I inherited part of the mega Department for Planning and Infrastructure. I had to devise a new Department of Transport. Boy, was everyone in transport happy that they had become officers of transport, not of planning and infrastructure or “dopey” as people called it from within and without. The other people who were really happy were people from the planning department because they did not want to be taken away from their central role either. It is not only that department we have to deal with on this occasion. During a recent inquiry I discovered another one—the Department of Local Government, Sport and Cultural Industries. Cultural industries, for heaven’s sake! As I discovered when chairing a recent select committee, there used to be a Department of Local Government. People in the local government sector cannot understand why there is not still a Department of Local Government. Do not try telling them that the DLGSCI is a department of local government, because it is not. If members look at the appendix in the Select Committee into Local Government’s report, they will see the organisation chart of the megadepartment. If they have a microscope, they can try to pick out through all the fine print those involved in local government functions. While they are at it, they can try to work out who are partly involved in local government, so it can be attributed to that, partly involved in something else and partly involved in cultural industries or whatever else they purport to do. When members examine this report—I will touch on it possibly when I resume my opening remarks tomorrow—they will see some positive ways forward that we can take in the local government sphere. However, I will use this as an example first in support of the earlier debate today. Paragraph 7.56 of the report states —

In an effort to quantify the impact of the MoG changes on the DLGSC’s local government functions the Committee asked the DLGSC to provide details of employees who had ceased or commenced employment in local government positions from 2014–15 to 2018–19. Information requested by the Committee included each employee’s position, level, salary band, length of tenure with the department, and whether they had left under the VTSS.

That is a reasonable thing to do, is it not, when holding a select committee inquiry into local government? We wanted to do a stocktake and work out how many troops were in the department, how many it has now, what they are doing, what levels they are, how many it contracts and how much experience they have. The initial response we got from the department was incomplete, basically. At paragraph 7.58, the report states —

Some information requested prior to 1 July 2017 —

That is when the machinery-of-government changes kicked in —

is captured on legacy ICT systems that are not owned or managed by the Department of Local Government, Sport and Cultural Industries. Consolidation of the information would require additional time as the level of detail and reporting structure is not consistent between former departments and the new Department of Local Government, Sport and Cultural Industries. The department is unable to provide an estimate of the resourcing required to undertake this work or an approximate timeframe at this time.

If that is the answer we get in late 2019, how on earth were people meant to do a stocktake for new departments under the machinery of government on 1 July 2017 if they could not work out how many people they have, where they have come from and where they will be put? This is a couple of years down the track. As the report states at paragraph 7.63 —

The Committee finds it troubling that the department currently responsible for local government functions is not in a position to provide the requested information about the staffing of local government services over the past five years.

Do you know what, Mr Acting President? That is exactly what we have seen from governments of this stripe before: a government changes everything around so that we cannot compare apples with apples. We cannot work out whether progress is being made or whether we are going backwards. They are the sorts of things we have heard people complain about in the chamber in the last two days, and it is exactly what is happening now.

Hon Michael Mischin interjected.

Hon SIMON O’BRIEN: A few things are becoming transparent as I am elucidating right now.

As I say, perhaps in tomorrow’s instalment, I will have some positive things to say about what we should do about local government. That is the sort of thing that is lacking from this budget. There are no plans to improve or to make things right. No argument sets out the problem we have and what we are going to do. No; just spin, spin, spin is all we get from this government. Who could forget the over-the-top rhetoric we have heard from some of our good friends on the government side over the past few years lecturing us about the state of the books. Some of the people telling us about the state of the books would not know a book if they fell over it. They would not know what to do with it unless they used it to prop up the corner of a wonky table. They told us about the debt: “Remember the \$40 billion worth of debt we inherited. It’s all terrible.” It was not \$40 billion; it was just over \$30 billion, you might recall, Mr Acting President. Members here who have been paying attention and who are aware of books would also know that.

Hon Diane Evers: It was the projected amount.

Hon SIMON O'BRIEN: They would know it as well.

Hon Diane Evers interjected.

Hon SIMON O'BRIEN: They certainly did forget that; Hon Diane Evers is quite right.

If we go back to the Labor government's first budget and look at net debt, what do we find? At the conclusion of 2017 when there was the collapse in GST funds and the collapse in a range of revenues, particularly royalty revenues, that would have been hard for any government to manage. The debt was largely because of investment in infrastructure, which the previous government had allowed to run down. People forget the pole-top fires due to the state of Western Power infrastructure during the time of the previous Labor government. It was stuff we had to fix up. The capital works debt was by and large incurred due to the infrastructure this state needed. Be that as it may, what was the net debt, aside from any election spin and so on, on 30 June 2017—this lot's first budget? It was \$32.5 billion. That is where it sat. What is the level of debt in this year's budget, which, correct me if I am wrong, is three years on? It is three and a bit years because the budget is late this year. The debt we are seeing now, despite all the windfall revenues and despite the fact that the government is harbouring about a \$4.1 billion war chest for the election, as projected at 30 June 2021 is \$39.259 billion. That is the projected to rise in another two years to \$42.9 billion. So much for bringing it under control. So much for restoring the set of books. We are in a time of bumper revenue. For this government, it is all about being in the right place at the right time, and good luck to it. In this time of bumper revenue, debt will rise by \$10 billion over this government's term. Do not listen to any nonsense about how debt is being paid down. If it was being paid down, it would not be rising by \$10 billion. These are this Labor government's figures. At this time, we are looking for leadership, a plan and a way ahead. We are looking to create and extract opportunity from the tough circumstances that are confronting the people of Western Australia. The people of this state have been through a rough time this year. They are all our constituents. Our own families have been through a rough time. Are we being given some leadership? No. All we are being given is evidence that this lot opposite has been fiddling. Earlier today, someone made reference to Nero. That is not a bad analogy. I return to my theme earlier: what has this government done?

Hon Alannah MacTiernan interjected.

Hon SIMON O'BRIEN: We are forgetting the aqueduct! We will do *The Life of Brian* thing on another occasion. I look forward to sharing that with the minister. There are plenty of aqueducts.

Several members interjected.

Hon SIMON O'BRIEN: Mr Acting President, I am trying to draw my remarks to a conclusion, and these unruly interjections are preventing me from doing so.

I used the phrase—it is a pejorative phrase, and I mean it—that this government is a one-trick pony. This government seems to be all about border closures. However, the government does not have the answer to, “Then what?” I said earlier that I support in broad terms what this government did in closing the border. The government was firm about that, and I paid it the compliment. Yes, anyone else in the same position would have done the same thing, but the government did it. I gave the government marks for that. However, the government seems to be incapable of answering the question, “Then what?” It seems that this will be the policy forever, certainly until after the next election. We know that because this whole budget is based on the border being closed until at least April 2021. That is what we know.

We have been told that it is all about health advice. Despite the constitutional challenges by that great demon Palmer, and all the other distractions, it is health advice that does it. Therefore, I was most concerned to view a report today in *The West Australian* online.

Hon Charles Smith interjected.

Hon SIMON O'BRIEN: Yes. I need to know what the government is telling my constituents. The online story is by Josh Zimmerman. I hope it gets a good airing in tomorrow's paper. It is about evidence given today by the Chief Health Officer, Andy Robertson, at a public hearing of a standing committee in another place. The story starts with —

There is no reason for travel bans between WA and other States and Territories, provided they have hard borders in place with New South Wales and Victoria, according to Chief Health Officer Andy Robertson.

Members can imagine that that piqued my interest. It will be interesting to see where that story goes. Today, another story about the hearing this morning appeared in another media outlet, namely WAtoday, under the authorship of Heather McNeill and Nathan Hondros. It says, in part —

WA Chief Health Officer Andy Robertson told the inquiry his health advice to ease the border policy had not been taken up.

“I've given broad guidance to say further exemptions could be considered, whether that includes things like business travel or family reunions, we could consider removing the quarantine requirements for states that have no community spread ... that would be dependent on our confidence with the border arrangements in those states,” he said, adding he was “generally satisfied” with other border policies.

The article went on to say —

Dr Robertson also revealed the state government’s ‘all-or-nothing’ approach to reopening the border was not based on health advice, despite Premier McGowan regularly claiming it was.

Asked by a journalist on October 1 where the ‘all-or-nothing’ approach came from, Mr McGowan said: “It’s medical advice, it’s confirmed by the Federal Court that heard all the evidence, it’s the advice of the Chief Health Officer.”

Yet in July, Mr McGowan told reporters the approach was based on legal advice.

I think that particular issue, and those claims and counterclaims, have a way to go, and no doubt we will view that with interest.

In the meantime, it leaves us with a question hanging in the air. I go back to the authors of this budget document. That question is: is this government really a one-trick pony? Has this government closed the border in order to gain popularity? It is not completely unfair that the government wants to gain popularity by doing that. However, what else is there? I am not seeing much at all. The only thing I have seen—this is reflected in this budget—is that in the last six months, the government has engaged in a flurry of activity in an attempt to show the people of this state what it is doing. The government has embarked upon a range of infrastructure projects, funded by the commonwealth in large part. The reality is that if we want to get things done, we need to get commonwealth funding. However, guess what? Most of this spend is in the out years. Is any of what is happening based on the last few years of this government? I cannot see a heck of a lot of that. Sure, a bit of it was carried over from the previous government. Every incoming government likes to open things that were put in place by the previous government. However, apart from that, I have not seen much that this government has achieved. Heavens, this government has still not finished the Forrestfield rail line. The government wants to be able to say, “Look at all the things that we have in train. Look all the things that are coming. Look at all the things that we have committed to.” It does not seem to matter whether the government has a business plan that has been approved for any of these things. No. This government is making all the same errors that were made back in the old Carpenter government days. It puts out media statements and gets the media right, and it worries about the policy and the nuts and bolts later. Is it any wonder that we will start to see, and have already been seeing, cost blowouts on a massive scale? Is it any wonder that at a time of bumper revenues, there will be a \$10 billion increase in net debt, with precious little to show for it? We are starting to see what we knew back in February and March this year, before COVID-19, namely that this government is basically all froth and no substance. It is indeed a one-trick pony. As we have seen today from Mr Zimmerman, Ms McNeill and Mr Hondros, the community at large is starting to wake up to this government.

There are some positive things we can do and I am looking forward to talking a bit more about some good initiatives that we as the Parliament can take in relation to local government because heaven only knows if we waited for this government to do anything, we would be waiting for a very long time.

Debate adjourned, pursuant to standing orders.

MECKERING EARTHQUAKE — FIFTY-SECOND ANNIVERSARY

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [6.20 pm]: Today, aside from being the twenty-fifth wedding anniversary of my sister Helen and her husband, Greg—congratulations to them on that—it is the fifty-second anniversary of the Meckering earthquake, which was on 14 October 1968. It was the largest earthquake that occurred in Western Australia with a magnitude of 6.5 or 6.9 depending on who you listen to. It struck the small town of Meckering in the wheatbelt on the Great Eastern Highway. Meckering is a great little place to visit when people wander out yonder. They can look at the damage caused to the pipeline and the railway line. A small museum there will take people through the effects of that day. A couple of years ago—50 years on—a special beer was brewed and a great day and celebration was had in Meckering commemorating the 50-year anniversary. It was amazing that no lives were lost on that day in 1968. Almost all the buildings in Meckering were destroyed or so badly damaged that they had to be destroyed. The ground lifted about five feet and slipped about seven feet south west. The line across the paddocks can still be seen where the Earth literally moved on that day. It was a significant day in the wheatbelt and a significant day for Western Australia when our largest earthquake occurred. It is still commemorated and I am sure the good people of Meckering are celebrating the anniversary again today.

SCHOOLS — INCLUSIVE EDUCATION WA

Statement

HON ALISON XAMON (North Metropolitan) [6.21 pm]: I rise because I want to make some specific comments about the McGowan government’s decision to not renew funding for the Inclusive Education WA program. I am very concerned about this. It is a program that I hope will be urgently reassessed and I encourage the government to revisit that decision and look at reinstating funding. The reason I feel so strongly about this is that it is a program

that supports WA schools and school staff to save the lives of young LGBTIQ students. Therefore, I think it is really critical that this program is provided the support that it needs to continue. For members who do not know, Inclusive Education WA is the WA government's modified version of the Safe Schools Coalition Australia initiative. Safe Schools, as we saw, received quite the belting through the equal marriage debate from far-right religious forces. Unfortunately, it was able to be subject to significant backlash as a result of the misinformation that was circulated around what Safe Schools was actually about. Therefore, I cannot help feeling that this has started to become the inevitable outcome of such terrible propaganda being put out there.

Safe Schools originated in Victoria as an anti-bullying initiative. It was developed specifically in response to a report that was issued by La Trobe University, which found that 61 per cent of same-sex attracted young people had experienced verbal abuse, 18 per cent had been subject to physical abuse—which I will point out is assault—and 80 per cent of that had actually happened at school. The report identified a strong link between homophobic and transphobic bullying and the subsequent risk of self-harm and death by suicide. Therefore, this is a really serious program that is intended to address very serious issues. Safe Schools provided resources for schools and professional development for teachers and other staff on request. It was never a subject that was taught in the classroom and was not part of the curriculum, but, frankly, I think it probably should have been. What we do know is that it saved lives.

Safe Schools, in fact, was found to be so successful in Victoria that it received an \$8 million federal funding commitment in 2013 and was then formally launched nationwide in June 2014. It was, I note, an election promise by the Labor government to fund the Inclusive Education WA program after Safe Schools was defunded federally. Inclusive Education WA has since delivered development sessions to 3 000 school staff, provided individual support for 58 trans or gender diverse students—so that is 58 young people who are otherwise at quite serious risk—distributed 15 259 resources and responded to requests for assistance from half of all government high schools in WA since it began. Anecdotally, one of the reasons schools end up asking for support from this program is often in response to incidents—the fact that children have experienced abuse, potentially violent, and schools bring in people to deliver the training to assist because they recognise that they have a problem on their hands.

LGBTIQ people of all ages have, statistically, much poorer mental health outcomes. The National LGBTI Health Alliance found in February this year that LGBTIQ young people aged between 16 and 27 years are five times more likely to attempt suicide than other young people. This is particularly aggravated in regional and remote areas with our LGBTIQ children. A very recent national study of LGBTIQ youth who were living in regional and remote areas found that 78 per cent of students and teachers surveyed had witnessed regular, negative comments about LGBTIQ people at their school, 91 per cent of students and teachers surveyed said there was a need subsequently for more LGBTIQ education and awareness and only 37 per cent of students surveyed said they felt it would be safe to come out at school. The majority of children are still saying now in 2020 that it is not safe to come out at school.

Members would be aware that the very important Telethon Kids Institute 2017 report “Trans Pathways” was damning in its findings. It found that 48.1 per cent of transgender and gender diverse young people aged between 14 and 25 had attempted suicide—so almost half—79.7 per cent of trans young people had self-harmed; 72.1 per cent had anxiety; 70.4 per cent had been diagnosed with depression and 25.1 per cent had been diagnosed with post-traumatic stress disorder. Those figures are devastating and we need to be paying very close attention to them.

One of the key things that we need to point out, and the research upholds this assertion, is that being LGBTIQ does not in itself lead to poor mental health incomes, but bullying, abuse and discrimination does. School can be a particularly challenging time for LGBTIQ and particularly young people who identify as trans. The “Trans Pathways” report again found that 78.9 per cent of trans young people had experienced issues at school or university or TAFE. Inclusion policies and processes are already inconsistent enough across schools. Some are doing really well at this, but, unfortunately, many are not. Advisory groups set up in Perth and Bunbury to assist the Commissioner for Children and Young People with his work in 2018 named this as their number one concern: to improve experiences of LGBTIQ young people in school and educational settings through inclusive policies, practices and professional development for staff.

Members, if that is not a call to ensure that we are funding this program, I do not know what is. I think that the decision to discontinue funding for Inclusive Education WA is a very bad one and I think it needs to be reviewed and I think it needs to be reversed. We need to be doing more. We should not be doing less; we should be looking at doing more to protect and support LGBTIQ children and young people in schools. I think the community rightly expects that young LGBTIQ people will be protected and nurtured, particularly while they are at school. This is completely the wrong direction to go in. I completely agree with the comments made by former Senator Brian Greig in an Out in Perth article dated 9 October this year. He is also currently involved in the national LGBTIQ advocacy group just.equal. He was quoted in the article as saying —

... the decision to “effectively cut the Inclusive Education program is deeply concerning for two reasons.”

“First, it is a complete contradiction of the government’s approach to LGBTI youth ...

He talked about how the Minister for Youth had —

... called on politicians to ‘listen to young people’, as he endorsed the Youth Pride Network to advise him on relevant issues,” ...

“It seems the first piece of advice they might offer would be not to scrap the only inclusive education program in the state or downgrade it to a digital afterthought.”

He then pointed out —

“Second, this decision relies heavily on school councillors and psychologists doing the heavy lifting. But it fails to take into consideration that the ratio of qualified councillors to students is 1:1500,” ...

Brian Greig has made a very important point—that we already do not have sufficient resources within our schools to be able to assist all students with their mental health concerns. It is inexplicable to me that we are now removing from some of our most vulnerable students a program that was designed to make sure that we keep schools safe and lessen the likelihood of self-harm and suicide. I expect that these are exactly the sorts of programs that we need in our schools in 2020. I was already concerned that the program was usually run only in response to an emergency or incident, but now it is not being funded at all. I am calling on the government to revisit this decision.

Statement

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [6.31 pm]: The Minister for Education and Training is away from the chamber this evening on urgent parliamentary business, but she has indicated that it is her intention to make a statement tomorrow night in response to Hon Alison Xamon.

ABORIGINAL HERITAGE — SECTION 18 APPLICATIONS

Statement

HON ROBIN CHAPPLE (Mining and Pastoral) [6.33 pm]: I do not often rise to make a member’s statement, but today I received an answer from the Minister for Environment on behalf of the Minister for Aboriginal Affairs to a very specific question that I asked about two letters constructed by the minister to Rio Tinto and Fortescue Metals Group. It seems really rather interesting that the answer I got back was —

More detailed information will be needed from the department to ensure a complete response is provided for the honourable member; therefore, I request that the honourable member put this question on notice.

I have done just that. The point I raised concerned two letters from the minister. I will refer to those two letters because I have them in front of me. It is really rather stunning that the minister could not provide an answer to the question when the letters are in the public domain, particularly in relation to the Joint Standing Committee on Northern Australia inquiry into the destruction of the caves at Juukan Gorge. It is very pertinent that these matters are being publicly debated at the moment. In the first letter, reference 69-03609, the minister said —

The Notice advised that you wish to use the land —

He then detailed various mining leases. The letter continues —

I am advised that your intended use will impact upon 12 Aboriginal sites within the meaning of section 5 of the AHA.

I could go through a list of the sites, but I do not particularly want to take up time. The letter continues —

I am pleased to inform you that, pursuant to section 18(3) of the AHA, I have granted consent subject to conditions. The form of consent is enclosed. I draw your attention to the additional information attached ...

The letter goes on to describe in detail the landowners and the matters that were to be discussed. I am really perplexed about why the minister needed to go and get more detailed information when I actually have that detailed information in front of me in letters signed by the minister. I think, in the broadest view, it would have to be some way of potentially dodging this information going before the Joint Standing Committee on Northern Australia’s inquiry into the destruction of the Juukan caves. I usually have a great deal of respect for the way in which the minister responds to questions in this place—he is usually fairly detailed—but given that I have the information already, I wanted the minister to tell me why he had made the decision outlined in these two letters. The minister said in his response that more detailed information will be needed from the department, but it was not the department that made the decision; it was the minister. I thought I needed to put on the record that I am less than happy with the answer from the minister. In 11 sitting days’ time, I look forward to receiving an answer from the minister about why he allowed the destruction of eight rock shelters, one artefact site, three walled storage sites, one rock shelter dated at 43 000 years of age and one rock shelter dated at 5 300 years of age—the very matters being discussed in the federal arena at the moment.

House adjourned at 6.36 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

REGIONAL DEVELOPMENT — MARKET RESEARCH FUNDING**3172. Hon Martin Aldridge to the Minister for Regional Development:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask:

- (a) please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to each occasion:
 - (i) Mid-West Development Commission for:
 - (A) \$7,525 on advertising agencies; and
 - (B) \$4,213 on market research organisations;
 - (ii) Peel Development Commission \$3,465 on market research organisations;
 - (iii) Wheatbelt Development Commission \$3,049 on market research organisations;
 - (iv) South West Development Commission \$4,911 on market research organisations; and
 - (v) Department of Primary Industries and Regional Development for:
 - (A) \$25,558 on advertising agencies;
 - (B) \$94,462 on market research organisations;
 - (C) \$459,193 on direct mail; and
 - (D) \$212,803 on media advertising organisations?

Hon Alannah MacTiernan replied:

- (a) (i)–(v) [See tabled paper no [4472](#).]

PORTS — MARKET RESEARCH FUNDING**3173. Hon Martin Aldridge to the Minister for Ports:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to each occasion:

- (a) Pilbara Ports Authority \$71,000 on market research organisations; and
- (b) Southern Ports \$74,800 on market research organisations?

Hon Alannah MacTiernan replied:

- (a) \$71,000 to Kantar TNS for the Pilbara Ports Authority's annual stakeholder satisfaction survey.
- (b) \$74,800 to Kantar TNS for the Southern Ports Authority's annual stakeholder satisfaction survey.

RACING AND WAGERING WESTERN AUSTRALIA — MARKET RESEARCH FUNDING**3174. Hon Martin Aldridge to the minister representing the Minister for Racing and Gaming:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to Racing and Wagering Western Australia \$206,000 on market research organisations?

Hon Alannah MacTiernan replied:

\$206 000 was spent by Racing and Wagering Western Australia in FY2019 with Painted Dog Research for market research activities relating to TABtouch customer satisfaction, WA community sentiment towards racing and WA racing industry participant feedback.

PREMIER AND CABINET — LOTTERYWEST AND PUBLIC SECTOR COMMISSION — MARKET RESEARCH FUNDING**3175. Hon Martin Aldridge to the Leader of the House representing the Premier:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Premier to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to:

- (a) Lotterywest for \$430,540 on market research organisations; and

- (b) Public Sector Commission of \$44,000 for market research organisations?

Hon Sue Ellery replied:

- (a) Lotterywest:

Organisation	Purpose of funding	Funding amount \$
Metrix Consulting	Ongoing brand health Campaign testing and evaluation Game and product enhancement Product research Retail experience research	286,025
Golden Casket	Product enhancement and research for National Lottery games	36,620*
Faster Horses	Product research	8,800
Curtin University	Campaign testing	26,800
Thinkfield	Recruitment of testing and research participants	11,885
Kantar	Literature review for gambling safety	20,900
Neurolytics	Campaign testing	15,510
Marketforce	Campaign testing	24,000
Total spend		430,540

* Lotterywest share of national research cost

- (b) Public Sector Commission: \$44,000 (excluding GST) was paid to Kantar (Taylor Nelson Sofres Australia Pty Ltd) for stakeholder engagement research as part of the Commission's response to the Independent Review of the Public Sector Commission by Carmel McGregor PSM.

SMALL BUSINESS DEVELOPMENT CORPORATION — MARKET RESEARCH FUNDING

3176. Hon Martin Aldridge to the minister representing the Minister for Small Business:

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to the Small Business Development Corporation \$77,397 for market research organisations?

Hon Alannah MacTiernan replied:

The Small Business Development Corporation (SBDC) paid Advantage Communications and Marketing \$16 897 to conduct an annual survey of key stakeholder groups regarding the effectiveness of the agency's services; and paid Painted Dog Research \$60 500 to ascertain SBDC brand awareness within the small business sector to inform its strategic marketing and audience development plan.

POLICE — MARKET RESEARCH FUNDING

3177. Hon Martin Aldridge to the minister representing the Minister for Police:

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend by Western Australia Police Force, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$321,380 on market research organisations?

Hon Stephen Dawson replied:

The Road Safety Commission advised:

Taylor Nelson Sofres Pty Ltd trading as Kantar Public to undertake a Citizen Engagement study at a cost of \$79,500; and

Painted Dog Research Pty Ltd to measure the awareness and effectiveness of road safety campaigns at a cost of \$241,880.

This expenditure was reported on page 190 of the 2018–19 Western Australia Police Force Annual Budget.

WESTERN POWER — MARKET RESEARCH FUNDING

3178. Hon Martin Aldridge to the minister representing the Minister for Energy:

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend by Western Power including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$564,183 for market research organisations?

Hon Stephen Dawson replied:

The following information can be found on page 30 of Western Power's 2018–19 Annual Report.

Amount	Organisation	Purpose
445,946	Faster Horses	Corporate reputation and brand strategy
5,418	Forethought	Strategic initiative research
112,819	Meltwater Australia	Media monitoring

MINISTER FOR EDUCATION AND TRAINING — AGRICULTURAL REGION VISIT

3179. Hon Martin Aldridge to the Minister for Education and Training:

I refer to the Ministers visit to the Agricultural region on 6 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
 - (i) Hon Martin Aldridge MLC;
 - (ii) Hon Colin de Grussa MLC;
 - (iii) Hon Laurie Graham MLC;
 - (iv) Hon Rick Mazza MLC;
 - (v) Hon Jim Chown MLC;
 - (vi) Hon Jim Chown MLC;
 - (vii) Hon Darren West MLC; and
 - (viii) Hon Mia Davies MLA?

Hon Sue Ellery replied:

- (a)–(c) [See tabled paper no [4471](#).]
- (d) (i)–(ii), (iv)–(vi) and (viii) On 3 August 2020 yourself and Hon Mia Davies MLA were invited to attend the announcement of the Specialist Centre for Agricultural Mechanisation Training. A formal Member Notification was sent via email on 5 August 2020 at 3:36pm.
- (iii) and (vii) Email, 29 July 2020 at 11:01 am.

MINISTER FOR REGIONAL DEVELOPMENT — AGRICULTURAL REGION VISIT

3180. Hon Martin Aldridge to the Minister for Regional Development:

I refer to the Ministers visit to the Agricultural region on 16 July 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
 - (i) Hon Martin Aldridge MLC;
 - (ii) Hon Colin de Grussa MLC;
 - (iii) Hon Laurie Graham MLC;
 - (iv) Hon Rick Mazza MLC;

- (v) Hon Jim Chown MLC;
- (vi) Hon Jim Chown MLC;
- (vii) Hon Darren West MLC; and
- (viii) Mr Ian Blayney MLA?

Hon Alannah MacTiernan replied:

(a)–(c) [See tabled paper no [4473](#).]

- (d) (i)–(viii) All MPs were advised by email on 15 July 2020 at 4.46 pm. Government Members, Hon Darren West and Laurie Graham were consulted prior to this date as they were involved in organising events during the visit.

MINISTER FOR REGIONAL DEVELOPMENT — AGRICULTURAL REGION VISIT

3181. Hon Martin Aldridge to the Minister for Regional Development:

I refer to the Ministers visit to the Agricultural region on 6 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
 - (i) Hon Martin Aldridge MLC;
 - (ii) Hon Colin de Grussa MLC;
 - (iii) Hon Laurie Graham MLC;
 - (iv) Hon Rick Mazza MLC;
 - (v) Hon Jim Chown MLC;
 - (vi) Hon Jim Chown MLC;
 - (vii) Hon Darren West MLC; and
 - (viii) Hon Mia Davies MLA?

Hon Alannah MacTiernan replied:

(a)–(c) [See tabled paper no [4474](#).]

- (d) All were formally advised at 4.05 pm on 5 August 2020 by email. Earlier discussions had taken place with Darren West's office in relation to logistics for the day.

MINISTER FOR HOUSING — AGRICULTURAL REGION VISIT

3182. Hon Martin Aldridge to the minister representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement:

I refer to the Ministers visit to the Agricultural region on 14 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
 - (i) Hon Martin Aldridge MLC;
 - (ii) Hon Colin de Grussa MLC;
 - (iii) Hon Laurie Graham MLC;
 - (iv) Hon Rick Mazza MLC;
 - (v) Hon Jim Chown MLC;
 - (vi) Hon Jim Chown MLC;
 - (vii) Hon Darren West MLC; and

(viii) Mr Ian Blayney MLA?

Hon Stephen Dawson replied:

(a)–(c) On Friday 14 August 2020, the Minister was in the Agricultural Region until approximately 3:00pm and engaged in the following.

Media at ABC Studios

Media Doorstop to announce details of the Mid West Recovery Plan

Media announcement Geraldton Aboriginal Short Stay Accommodation

Lunch with local stakeholders

Fisheries stakeholder meeting

Hon Darren West MLC and Hon Laurie Graham MLC, Member's for Agricultural Region attended various meetings.

The Minister was also accompanied by staff from his Ministerial Office.

- (d)
- (i) Email sent on 13 August 2020, 10:38am
 - (ii) Email sent on 13 August 2020, 10:39am
 - (iii) Notified on 6 August 2020
 - (iv) Email sent on 13 August 2020, 10:39am
 - (v) Email sent on 13 August 2020, 10:38am
 - (vi) Email sent on 13 August 2020, 10:38am
 - (vii) Notified on 6 August 2020
 - (viii) Email sent on 13 August 2020, 10:37am

ENVIRONMENT — BANKSIA ROAD WASTE FACILITY

3183. Hon Tim Clifford to the Minister for Environment:

- (1) According to the Department of Water and Environmental Regulation, contaminated solid waste is considered Class IV landfill waste. Would the Minister please explain why Cleanaway's Dardanup Facility, which is only licensed to Class III, received approximately 1500 to 2000 tonnes of burnt and damaged waste from the ruins of Cleanaway's recycling facility in South Guildford that burnt down last November?
- (2) Was the fire debris material from Cleanaway's South Guildford Material Recovery Facility tested to ascertain the levels of contamination for classification prior to disposing at Cleanaway's Dardanup facility?
- (3) If the landfill waste that Cleanaway's Dardanup facility received was not considered Class IV, would the Minister please table the documents clarifying that?
- (4) I note the series of fires at Cleanaway's Dardanup facility in the weeks following the South Guildford facility fire and subsequent disposal of the fire waste at the Dardanup facility, and I ask, what investigations were undertaken to ascertain that the fires at Cleanaway's Dardanup facility were not due to the disposal of the fire debris from the South Guildford facility?

Hon Stephen Dawson replied:

- (1) The *Landfill Waste Classification and Waste Definitions 1996* (as amended 2019) identifies that contaminated solid waste can be classified as either Class II, Class III or Class IV waste. The classification of the waste is based on the level of contamination in the material. The Department of Water and Environmental Regulation (DWER) advises that the solid waste materials from the fire were predominantly paper, cardboard, metal and plastics which are typically classified as Class II waste. Cleanaway's Banksia Road landfill is licensed under Part V of the *Environmental Protection Act 1986* (EP Act) to accept Class III waste.
- (2)–(3) The responsibility lies with the waste producer to classify their waste and for the landfill operator to only accept waste which is authorised for disposal in their licence granted under Part V of the EP Act. DWER is not aware if Cleanaway undertook any sampling and testing of the fire damaged waste prior to its disposal. DWER conducts regular compliance inspections at the Dardanup facility which include the examination of paperwork relating to waste acceptance criteria. Any non-conforming waste accepted at the site will result in an appropriate compliance response by DWER.
- (4) DWER is not responsible for investigating the cause of fires. I am advised the waste material from the fire at South Guildford on 25 November 2019 was wetted down by officers from the Department of Fire and Emergency Services (DFES) at the site for up to five days. Two fires occurred at the Dardanup facility on 12 and 28 January 2020. I am further advised the cause of these fires involved household waste, and there is no evidence to connect the fires at the Dardanup facility with the waste removed from South Guildford.

SIR CHARLES GAIRDNER HOSPITAL — PATIENT TRANSPORT SERVICE

3185. Hon Donna Faragher to the parliamentary secretary representing the Minister for Health:

I refer to the Sir Charles Gairdner Hospital Outpatient Transport Service, and I ask:

- (a) what suburbs fall within the Patient Transport Service catchment area;
- (b) how is the catchment referred to in (a) determined; and
- (c) is the catchment area reviewed at any time:
 - (i) if yes to (c), will the Minister provide more detail on the review process?

Hon Alanna Clohesy replied:

- (a) There is no defined catchment area for Patient Transport Services. Sir Charles Gairdner Hospital (SCGH) utilises a tertiary hospital catchment area map for guidance however, if patients are receiving care at SCGH and meet eligibility requirements for transport, they receive transport regardless of postcode. [See tabled paper no [4475](#).]
- (b) The tertiary catchments correspond with the Health Service Providers' (HSP) boundaries. The HSP boundaries were developed in response to the Health Act 2016. The boundaries use the Australian Statistical Geography Standard (ASGS) from the Australian Bureau of Statistics and Statistical Area Level 2 (SA2) are used as the building blocks for each HSP. Each SA2 is allocated to an HSP based on the inpatient and emergency department flows, thus an SA2 where the majority of separations and presentations are for hospitals in North Metropolitan Health Service (NMHS) will be assigned to NMHS.
- (c) HSP boundaries including tertiary catchments are reviewed as part of the update of the Clinical Services Framework, or if required by changes to service delivery models.
 - (i) The Clinical Services Framework review process is currently being redesigned.

WA COUNTRY HEALTH SERVICE — HOSPITAL EMERGENCY CODES

3187. Hon Colin Holt to the parliamentary secretary representing the Minister for Health:

I refer to question on notice 2872, regarding code blacks in regional hospitals, and I ask:

- (a) what is the reason for the significant increase of 89 code blacks at Albany hospital since September 2019 to March 2020, compared to zero in the six month prior;
- (b) what allocation of the “increased funding to stop hospital violence and aggression” was allocated to Albany hospital for security FTE and capital investment; and
- (c) what is the current security FTE at Albany hospital?

Hon Alanna Clohesy replied:

I am advised:

- (a) The code black incidents reported in Legislative Council Question on Notice 2872 for the period September 2019 to March 2020 were subject to an audit. The actual number of code black incidents for the period was three. There has been no significant increase in code black incidents for the period.
- (b) Nil for the 2019/20 period.
- (c) 5.2 FTE as reported for the pay period ending on 30 August 2020.

OFFICE OF THE INFORMATION COMMISSIONER — MARKET RESEARCH FUNDING

3190. Hon Martin Aldridge to the Leader of the House representing the Attorney General:

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Attorney General to please provide a breakdown of spend by The Office of Information Commissioner of Western Australia including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$8,300 on market research organisations?

Hon Sue Ellery replied:

The \$8,300 in expenditure related to a community attitudes study to understand community attitudes to access to government information. The study was coordinated by the Information and Privacy Commissioner of New South Wales and included other select members of the Australian Information Access Commissioners.

Details of the study were reported in the OIC's 2018/19 Annual Report (on page 31) and 2019/20 Annual Report (see page 42, including links to study outcomes).

The study was funded by existing appropriations.

MAIN ROADS WA — MARKET RESEARCH FUNDING

3191. Hon Martin Aldridge to the minister representing the Minister for Transport:

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend by Main Roads Western Australia, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$145,200 on market research organisations?

Hon Stephen Dawson replied:

This funding was for the Main Roads Community Perception Survey, which was conducted by Metrix Consulting.

FOREST MANAGEMENT PLAN 2014–2023 — SOIL SEED BANKS

3194. Hon Diane Evers to the Minister for Environment:

I refer to the South-West forest regions covered by the *Forest Management Plan 2014–2023*, and I ask:

- (a) which species of flora take more than five years to achieve a competent and resilient soil seed bank following a fire to ensure absolute reinstatement of the species in the event of a subsequent fire;
- (b) for each of the species in (a), following a fire, how many years does it take for a competent soil seed bank to be re-established to ensure the species is resilient to a subsequent fire; and
- (c) what is the minimum fire frequency for each of the species in (a), if they are to survive under expected increases in warming and drying of the climate?

Hon Stephen Dawson replied:

- (a)–(c) There are 4035 plant species in the south-west forest regions. Some species rely on a soil seed bank, others on a canopy stored seed bank, others have no seed bank. Site specific information on soil seed banks for the majority of these species is not known. However, research on replenishment of the soil seed bank at a community level shows recovery of the seed bank from three years after fire for species with short time to flowering. Flowering and seed set following fire is influenced by a range of interacting environmental factors. The minimum fire frequency for species in the south-west forests in response to projected changes in climate is unknown, although many plant species that occur in the area have evolved in a fire prone environment.

POLICE — RANDOM ROADSIDE TESTING

3197. Hon Martin Aldridge to the minister representing the Minister for Police:

I refer to roadside drug and alcohol testing, and I ask:

- (a) how many random roadside drugs tests were conducted in each month from 1 July 2019 to date;
- (b) how many random roadside drugs tests were positive in each month from 1 July 2019 to date;
- (c) what were the most common drugs detected;
- (d) how many random roadside drink driving tests have been conducted in each month from 1 July 2019 to date; and
- (e) how many random roadside drink driving tests produced results above the legal limit in each month from 1 July 2019 to date?

Hon Stephen Dawson replied:

The Western Australian Police Force advise:

- (a) July 2019, 1865; August 2019, 3731; September 2019, 3545; October 2019, 4168; November 2019, 4649; December 2019, 2838; January 2020, 4043; February 2020, 4192; March 2020, 2179; April 2020, 557; May 2020, 1176; June 2020, 3332; July 2020, 1469; August 2020, 1622; September 2020 (till 22 September), 1214.
- (b) July 2019, 475; August 2019, 461; September 2019, 461; October 2019, 514; November 2019, 542; December 2019, 498; January 2020, 489; February 2020, 564; March 2020, 396; April 2020, 231; May 2020, 266; June 2020, 465; July 2020, 334; August 2020, 280; September 2020 (till 22 September), 228.
- (c) Methylamphetamine 3381 occasions; Cannabis and Methylamphetamine 763 occasions; Cannabis 565 occasions; Methylamphetamine and MDMA 90 occasions; MDMA 65 occasions; Cannabis and MDMA 39 occasions; Cannabis, MDMA and Methylamphetamine 23 occasions; and 304 matters pending a result as at 22 September 2020.

- (d) July 2019, 143407; August 2019, 181968; September 2019, 193380; October 2019, 195227; November 2019, 193416; December 2019, 203058; January 2020, 180759; February 2020, 173237; March 2020, 109307; April 2020, 7477; May 2020, 19440; June 2020, 93132; July 2020, 99013; August 2020, 117475; September 2020 (till 22 September), 62607.
- (e) July 2019, 578; August 2019, 581; September 2019, 564; October 2019, 643; November 2019, 709; December 2019, 679; January 2020, 709; February 2020, 698; March 2020, 506; April 2020, 291; May 2020, 456; June 2020, 734; July 2020, 743; August 2020, 902; September 2020 (till 22 September), 426.

Notes:

Statistics are provisional and subject to revision.

The statistics provided in this response are in accordance with the methodology and policy utilised by the State Traffic Command of the Western Australia Police Force.

A breath test means a test of a sample of a person's breath (by means of approved apparatus) for the purpose of providing an indication of whether or not a person's blood alcohol content is of or above a predetermined level or an indication of whether or not alcohol is present in the blood of a person.

Counts of breath tests resulting in 'evidentiary charges' indicate circumstances where a driver has undergone an evidentiary breath test which has resulted in a charge being preferred.

Results for "Random" tests also indicate "targeted" test results as during the COVID-19 pandemic, "random" testing by traffic personnel was ceased and targeted testing was adopted. Targeted and Random testing cannot be separated as they are recorded in the same manner.

An oral fluid drug test means a test of a sample of a person's oral fluid (by means of approved apparatus) for the purpose of providing an indication of whether or not a person's saliva contains an indication of the presence of a prescribed illicit substance or not.

Counts of ChemCentre WA analysis tests are the result of forensic toxicology analysis of samples from drivers who have provided a positive secondary drug test indicating the presence of prescribed illicit substance.

Breath and Drug test figures are correct at the time of data extraction.
