

ADJOURNMENT OF THE HOUSE

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [9.56 pm]: I move -

That the House do now adjourn.

Westrail's Works of Art - Adjournment Debate

HON M.J. CRIDDLE (Agricultural - Minister for Transport) [9.56 pm]: I wish to respond to some remarks made by Hon Tom Stephens during question time. I address that issue by, firstly, denying that I have in any way misled the House in this matter. The information I provided to the House on 4 May correctly responded to the question put by the member, which was -

Will the minister table a list of the works of art that are owned by Westrail detailing their value; and, if not, why not?

Westrail maintains a register of artworks; however, this register does not include any values. Therefore, the answer, quite rightly, was that I could not table a list of artworks owned by Westrail detailing their values, as requested by the member. To comment on the Auditor General's findings, the 1999 stocktake was conducted by Westrail to conform with the audit being conducted by the Auditor General into public agencies' management of artworks and items of cultural and historical significance. I am advised that since that audit, the majority of artworks identified have been located. It should be noted by the House that none of those artworks is of highly significant value, and they also include photographs and prints. Due to Westrail's widespread operations, the items were held in different locations, and the register has now been accounted for. For the member's benefit, I am willing to provide - tomorrow or perhaps some time in the future - a copy of Westrail's artworks register. However, I reiterate that, considering the insignificant value of the items held by Westrail, I am not prepared to allocate resources to the valuing of those works.

Finally, in relation to the impending sale of Westrail's freight business, all artworks are considered to be the property of the State and will be retained as such. Westrail is liaising with the State Records Office and the Battye Library in an endeavour to ensure that these works are catalogued and retained in the most appropriate way. I indicate once again that those artworks referred to in the question relate back to 1988, which covers both Governments.

Minister for Transport - Adjournment Debate

HON KIM CHANCE (Agricultural) [9.59 pm]: I have previously in this place, and in particular during the adjournment debate, raised questions about the adequacy of the answers this House has received from the Minister for Transport in his capacity as the representative for the Minister for Primary Industry. I draw the attention of the House to a question I asked today which related to the actions of a person acting on behalf of the director general of agriculture in an application under the plant breeders rights laws in the state of Israel.

There were 10 parts to that question. I do not have the question with me, and I do not intend to go through those parts one by one. However, the 10 parts to that question asked for information on matters as simple as whether funds were transferred with that application. It must be borne in mind that the minister had two full days' notice of this. It is not that I gave notice yesterday and asked the question today. In fact, I gave notice at around 10.00 am yesterday and made it clear that the question would not be asked until today at 5.00 pm.

Hon M.J. Criddle: My question was dated 18 October.

Hon KIM CHANCE: It does not matter. I know when notice was given. Two full days' notice was given, and an agency could not provide the Minister for Primary Industry and the minister representing that minister in this place with an answer to a question about whether funds were transferred. Indeed, it was not able to answer this question: If funds were transferred, from which program were those funds drawn down? It was not able to answer the question about who has the authority to sign documents of that nature dealing with a plant breeder's rights application in a foreign jurisdiction. It was not able to answer the question about whether those powers were devolved. In respect of those devolved powers, it was not able to answer this question: To whom are those powers devolved, and are they devolved properly under the Public Sector Management Act 1994, which means that the devolution process must be in writing. It was not able to answer the question of who signed that document, even though, with two full days' notice, I had provided the signing page of that document which clearly showed who the signatory was.

It was not able to answer any of these questions without running off to Crown Law to take legal advice. Why would legal advice be needed to answer a question of that nature? My advice from the minister representing the Minister for Primary Industry was that because legal advice was required, I should put this question on notice. I

do not accept that. In the past I have put questions on notice at the suggestion of the minister representing the Minister for Primary Industry, and I have waited six months for an answer in matters almost as simple as these. Surely this House has a right and an entitlement to get an answer to a question about who has the power to sign. Does the director general of agriculture have a common seal? Is it necessary that the seal be affixed to documents of this nature, and was it affixed to documents of this nature?

These are simple questions. The answer to only one of the 10 parts of that question might require a legal opinion. That relates to the persons who might be delegated. I imagine that before one answered that question one would want to seek a legal opinion. The other nine parts of that question are straight administrative matters. I provided the date of the agreement, the document number and everything else that needed to be provided, including a copy of the signed page, so that there could be no question about the difficulty of identifying the document. I provided two clear days' notice so that there could be no question about there being an inability to research the question within that time.

I would not have asked the question if it were not important. I believe that question goes to a very serious matter. It is possible that fraud has been involved here and that public funds may have been paid improperly. It is a serious matter. I did not want to have to say those things; I just wanted simple answers.

I advise the Minister for Primary Industry, should he care to read *Hansard*, that I will not be putting this question on notice. I refuse to put the question on notice because that will prevent me ever raising the matter again through the question processes of this place. I advise the Minister for Primary Industry that I will not be asking the question tomorrow. We are going into a two-week break. On the first day of the sitting after the recess I shall be asking that question again and I shall be expecting an answer.

Westrail's Works of Art - Adjournment Debate

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [10.06 pm]: I thank the Minister for Transport for making an explanation available to the House. I was not in the House to hear the explanation, and I look forward to reading it at the first opportunity. I anticipated that perhaps the minister in his answer would focus on the second part of my question, which dealt with the valuation of the artwork, and would recognise that it was a two-part question and that he would respond in part to the second part by saying that the valuations would have cost too much. However, in response to the first part I anticipated that, effectively in an isolated and quarantined answer to that part of the question, he would indicate that too much work would be involved in producing that answer.

I have no bone to pick with the Minister for Transport other than this: Regrettably, what appears to be happening is that increasingly under this Government, its system of government - not necessarily the ministers, although they are ultimately responsible for the answers they deliver - is becoming contemptuous of the Parliament and therefore of the people this Parliament represents. A series of examples show this to be case. In recent answers to the Opposition, ministers have chastised members for daring to ask questions and to repeat them in a variety of forms. Through those questions, people like me have been trying to alert the Government to problems in some of its portfolio areas. For our troubles we have been chastised and chided. The eventual response has contained not only smoke but fire. That fire has led to people being charged for maladministration in those portfolios and now those issues are before the courts. When I tried to alert ministers to that reality, instead of being given an answer that reflected the reality, I was chastised and then deflected from my pursuit of the issue.

I remember what it was like to sit as part of a Government that had developed into an art form ways of deflecting answers to the coalition Opposition. The coalition in government has now taken that art form to a higher level of contempt for the people and the people's Parliament.

Hon N.F. Moore interjected.

Hon TOM STEPHENS: The Leader of the House must not quote to me the likes of some of our ministers and the way they answered him because those ministers paid the price, as these ministers will soon.

Hon N.F. Moore: Why don't you sit down and give somebody else a go?

Hon TOM STEPHENS: I know what the Leader of the House will say. He will quote some ministers from ancient history and say this is the way they used to answer questions.

Hon N.F. Moore: It is not ancient history at all.

Hon TOM STEPHENS: The Leader of the House will tell us something that happened in the Punic Wars.

Hon N.F. Moore: No, during your personal time in government.

Hon TOM STEPHENS: Something in the last millennium.

Hon Kim Chance: At least in the last millennium.

Hon TOM STEPHENS: Yes, at least in the last millennium

Hon N.F. Moore: That was last year.

Hon TOM STEPHENS: For goodness' sake, the Leader of the House is living in the present and is repeating the mistakes of the past.

Hon N.F. Moore: No, not at all.

Hon TOM STEPHENS: He is displaying contempt for the people in the answers that he has delivered as recently as today. For instance, in reference to the question that I asked about AlintaGas, the Leader of the House picked up an issue that Hon Ljiljana Ravlich has been trying to get him to answer, and the contempt that oozed from the answer -

Hon N.F. Moore: You are actually oozing a bit now. You should sit down and relax for a bit. Go and take a Valium!

Hon TOM STEPHENS: The Leader of the House will get a big chance to relax after the next state election. He will get one helluva chance to relax!

Hon Kim Chance: He needs a good holiday.

Hon TOM STEPHENS: He will get a good holiday. The people will give him a good holiday.

Hon N.F. Moore: You are losing the plot.

Hon TOM STEPHENS: The worst part about government members is that they have come to believe that they have the divine right to be in those seats.

Hon Kim Chance: Born to rule!

Hon N.F. Moore: This is coming from a man who is leaning across the table and pointing his finger at me.

Hon TOM STEPHENS: The Leader of the House has not embraced the need to be -

Hon N.F. Moore: You are pathetic; you are losing it!

Hon TOM STEPHENS: No, I am not.

Hon N.F. Moore: In fact, you have lost it. I think you should sit down and relax because it is getting to you.

Hon TOM STEPHENS: As the Presiding Officer will no doubt tell the Leader of the House, I have a right to stand here and represent the views of the people of Western Australia, preferably uninterrupted by the likes of the Leader of the House.

The PRESIDENT: Order! The Leader of the Opposition has drawn the Chair into the debate. He will get no protection whatsoever while he constantly engages in cross-Chamber debate with another member. He has been inviting the comments that are being made. He seems to be enjoying the comments that are being made. However, when it suits him, he pulls back and seeks to be protected by the Chair. That is not the way debate is conducted in this place.

Hon TOM STEPHENS: I presume that means that I can continue my remarks. The Government in this place has used and abused this Parliament in a way that has never happened previously, even when the Government was at the worst of its excesses about which it complains.

Hon N.F. Moore: Let Hansard record loud, raucous laughter! I have never heard so much rubbish in all my life. Your memory is completely faulty.

Hon TOM STEPHENS: It seems that the Leader of the House has complete contempt for the Chair.

Hon N.F. Moore: No. I have no contempt for the Chair; I have contempt for what you are saying.

Hon TOM STEPHENS: It seems that the Leader of the House thinks he can get away with anything in this place.

Hon N.F. Moore: I think you should sit down for a while.

Hon TOM STEPHENS: The Leader of the House learnt none of the lessons. He has been aided and abetted by people who should have ensured that he did not get away with what he has got away with over the past eight years and that he be held accountable for the way he continues to refuse to answer questions, deflect questions and not give people the facts about the circumstances over which he presides.

Hon N.F. Moore: You have a very short memory.

Hon TOM STEPHENS: I have learnt from the mistakes of the past.

Hon N.F. Moore: No, you haven't. You have learnt absolutely nothing.

Hon TOM STEPHENS: We are determined to ensure that the people of Western Australia elect a Government that has -

Hon N.F. Moore: If they heard you speaking tonight, they would not vote for you in a thousand years. They would be very worried about you, as I am.

Hon TOM STEPHENS: We are having a very interesting exchange. I am endeavouring to speak through the Chair in this adjournment debate. I say to the Government that I will be studying the remarks of the Minister for Transport. I hope that within those comments he has provided at least some explanation about how Westrail has been able to hide the reality that was subsequently exposed by the Auditor General and about which I was asking questions. How could Westrail possibly have been asked a question like the one I asked, given it to the minister and then, somehow through the system, provided an answer that was presumably crafted either by Westrail or by someone in the minister's office -

Hon M.J. Criddle: The unfortunate thing about what you are saying is that it is exactly what Hon Kim Chance said. He wanted an answer immediately. I gave you an answer on the same day you asked the question, yet you expect me to have checked every facet of the answer so that there could be no doubt that anything might digress slightly from the facts. That is what is wrong with the Opposition: It does not realise the situation.

Hon Kim Chance: I gave two days' notice.

Hon M.J. Criddle: It is a valid point.

Hon TOM STEPHENS: In my case, the minister was given notice and the opportunity -

Hon M.J. Criddle: You did not listen to what I said.

Hon TOM STEPHENS: That is right, I did not.

Hon M.J. Criddle: Well, now I know.

Hon TOM STEPHENS: The minister does know; I have not yet seen his answer. I will study it when I receive it. Within the system of government over which the minister presides, there are people - who have presumably taken their lead from the minister - who feel they can construct answers to be delivered in this place that hide the reality, the criminality and the theft. Maybe they believe that if government members are stealing public assets, why should they not also do it? That appears to be what the Auditor General said happened.

Lack of Answers to Questions – Adjournment Debate

HON LJILJANNA RAVLICH (East Metropolitan) [10.16 pm]: I concur with the comments of my colleagues Hon Kim Chance and Hon Tom Stephens about this Government's lack of accountability and its consistency in its failure to answer questions. I am sick and tired of going to the effort of putting questions to ministers without receiving answers. In most cases, questions without notice of which some notice has been given are not answered. I am often told that I will receive an answer if I put my questions on notice. I have no confidence in that. A lever-arch file marked "R" sits at the back of the Chamber. It contains all the questions that I have put on notice this year and which have not been answered. The volume of these questions is probably second only to the volume of papers involved in the Matrix contract. This Government is off with the pixies if it considers itself accountable when I am waiting for at least 200 questions to be answered. The bottom line is that it is not accountable. It has made no attempt to answer my questions. I put on notice questions about ex gratia payments on 24 May. With the exception of Dr Kim Hames, no other minister has attempted to provide a response to a simple question about the ex gratia payments made by the government agencies under their control. I hope the Leader of the House is listening. I will photocopy this file and distribute it to every media outlet in this State, because I have had a gutful. The minister should explain to me what is so wrong with his fellow ministers and with government agencies that they cannot provide the answers to these questions. The minister should be highly embarrassed by the situation. It reflects a total disregard for accountability, for the members on this side of the House and for Western Australian taxpayers. Over the next week, this file will be photocopied and distributed to anyone who is prepared to listen. I will put on public record just how accountable this Government really is.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [10.20 pm]: I do not intend to take long. I have sat here and listened to this tripe for too long tonight. It is time the Opposition had a good, hard look at the number of questions asked and the answers provided in the past seven years, and compared it with the situation

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under the previous Labor Government. I am one of the unfortunate people to have been here for the 10 years in which the Labor Party was in office. Significantly fewer questions were asked then than are asked these days.

Hon Ljiljanna Ravlich: It is your responsibility to answer them!

Hon N.F. MOORE: The member has had her go. She should walk out, why not?

Hon Ljiljanna Ravlich interjected.

Hon N.F. MOORE: It would be a good idea if she did.

Questions without notice under the previous Labor Government went until members stopped asking questions. That was until Hon Joe Berinson said that 30 minutes was long enough and set the 30-minute limit. Every time I say let us get on with the business of the House, I hear whingeing, whining and moaning from opposition members. The Labor Party brought the time limit into the House, so members opposite can wear it.

Hon Kim Chance: Very few questions were asked in those days. I have looked at *Hansard*.

Hon N.F. MOORE: Exactly. Under this Government, about 30 or so questions without notice, usually of which some notice has been given, are answered every day. Countless times more questions are answered than was ever the case before in this place.

Hon Kim Chance: The role of this House has changed.

Hon N.F. MOORE: I do not care what the story is. Countless hours are spent by public servants answering questions, most of which could be answered if members opposite bothered to read annual reports and budget papers and do a little research. They think of an idea and write down a question. They send in hundreds of them, and do not care less about the effect it has on people who must answer them. The Leader of the Opposition said that I would read out a question and answer from the dim, dark past. I will. I give an example of how things used to work. Hon Des Dans, the then Minister for Tourism, was asked the following question in 1985. It was the dim, dark past, but Hon Tom Stephens, Hon Geoff Gallop, Hon Jim McGinty, Hon Eric Ripper and other current members were part of that Government. It might seem like the dim, dark past, but some of the members of that Government are still here and want to be in the next Government. This question was asked by Hon G.E. Masters -

- (1) Was the Minister engaged in an overseas trip for the month of September 1984?

It was a hard question -

- (2) If so -
- (a) What was the purpose of the trip;
 - (b) how long was the Minister away; and
 - (c) where did the Minister go?

That was also a pretty hard question -

- (3) What was the total cost of the trip in respect of the Minister?
(4) Was the Minister accompanied by staff?

Another hard question -

- (5) If so -
- (a) Who accompanied the Minister;
 - (b) what was the purpose of the staff accompanying the Minister; and
 - (c) what was the total cost to the taxpayers for staff accompanying the Minister?

Hon Kim Chance: Was it without notice?

Hon N.F. MOORE: It was on notice! Hon D.K. Dans replied -

- (1)-(5) I have further considered the member's question and I am not prepared to divert the considerable resources necessary to answer it unless there is evidence of an inappropriate or improper activity in relation to these matters.

Members opposite think it is tough now! It is a simple example of what we put up with for 10 long, laborious years.

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Hon Kim Chance: And you have been doing the payback ever since.

Hon N.F. MOORE: That is where the member is wrong. Members opposite get answers to countless more questions than were answered when we sat on the other side of the House.

Hon Kim Chance: Put it to the test: Ask a question on notice of the Minister for Primary Industry and see how long the answer takes.

Hon N.F. MOORE: I do not ask questions of the Minister for Primary Industry. I know the questions I used to ask when I sat on the opposition benches, and how few ever saw the light of day. Questions were asked of ministers in here, almost always with notice, and they mostly did not have a clue what they were talking about.

The Leader of the Opposition is beginning to worry me. It is getting to him. He is sounding a little irrational at times. He comes into the House and almost goes out of his tree and leans across and starts shouting at people. I suggest he take it easy and relax. It is not as important as that. Regrettably, Hon Ljiljana Ravlich was doing the same thing tonight in leaning forward and shouting at people. I suggest they take a Valium and relax. Nothing much changes in this House except that people change sides of the Chamber. That is how it happens. The answer from Des Dans is typical; I have hundreds of them. I have had that excerpt from *Hansard* in my drawer for a long time waiting for a chance to use it, and I thank Hon Tom Stephens for giving me the opportunity to use it tonight.

Question put and passed.

House adjourned at 10.24 pm
