

ACCOUNTABILITY OF PREMIER AND MINISTERS

Suspension of Standing Orders

MR C.J. BARNETT (Cottesloe - Leader of the Opposition) [2.36 pm]: I move without notice -

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith -

That this House censures Premier Gallop and his ministers for their failure to be accountable and answer questions in this Parliament.

We have seen a blatant disregard of one of the most simple and important measures of accountability in this Parliament.

Dr G.I. Gallop: Ridiculous!

Mr C.J. BARNETT: The Premier says it is ridiculous. The Premier should rethink his idea that he is not accountable to this Parliament and the people of this State. I have with me all the nice documents about accountability, openness in government and standards of conduct in the Parliament that the Premier released during the last election campaign. This week the member for Darling Range asked the Premier a very simple question about a success fee relating to the appointment of the managing director of Western Power. The Premier failed to answer that yesterday, even though he was given notice of it yesterday. He was today given two hours notice of the same question, and again refused to answer it.

Dr G.I. Gallop: I did not refuse.

Mr C.J. BARNETT: The Premier refused to answer it.

Dr G.I. Gallop: I said it would be answered.

Mr C.J. BARNETT: His response was that he could not answer it because the responsible minister, the Minister for Energy, is sick. I do not know what is wrong with the health of the Minister for Energy, and I accept that people get sick and might be absent from work. However, accountability in the Western Australian Government should not stop because the Minister for Energy catches a cold. The member for Victoria Park is the Premier of this State. Notice of any senior appointment goes to the Cabinet and his office. The Premier is also the Minister for Public Sector Management. The Western Power board appointed the managing director of Western Power and negotiated his initial contract, but those decisions must go through the minister, the Cabinet and the Premier.

Mr N.R. Marlborough: Is this a personal vendetta?

The **SPEAKER:** Order, member for Peel!

Mr N.R. Marlborough: He hasn't joined the Claremont Bowling Club.

Ms K. Hodson-Thomas interjected.

The **SPEAKER:** I call the members for Peel and Carine to order for the first time.

Mr C.J. BARNETT: Apart from the fact that the Premier himself is responsible, the Premier is also the Minister for Public Sector Management. We are talking about the appointment of the highest-paid government employee in Western Australia. It is beyond comprehension that the Premier does not know about this contract and this issue, which has been in the public arena for several weeks. The reason it has been in the public arena for several weeks is that the managing director of Western Power, who happens to live in Melbourne and commutes between Melbourne and Perth, happened to use a limousine that had been paid for by the taxpayers of Western Australia to go to Perth Airport and to go from Melbourne Airport to his home. The Government denied that he was doing that. However, the Government was proved to be wrong, because he did use taxpayers' money; it was only when he became aware that the matter was to be raised in the Parliament that he made arrangements to refund that money. This matter has been highly contentious. It is therefore quite appropriate - indeed, quite proper - that the shadow Minister for Energy, the member for Darling Range, would ask that question. We accepted on Tuesday that the Treasurer and Minister for Energy was not here. Therefore, on the Wednesday we advised the Premier, who knows the answer - there is no doubt about that - that we would be asking the question of him. However, the Premier refused to answer because the Minister for Energy was not here. It is now day three of this sitting week, and the Minister for Energy is not here again. We gave the Premier two hours notice that we would be asking him a straightforward question today; namely, will he table the employment contract and give the details of this matter. However, the Premier sits there, with his document on accountability and with his commitment to open and accountable government, and refuses to answer. What possible excuse -

Dr G.I. Gallop: I have answered it! What are we arguing about?

Mr C.J. BARNETT: What are we arguing about? Does the Government stop because the Deputy Premier has a cold? Is that what it is about? We have been asking the Premier for this information for a week, and he refuses to provide it. It needs to be put on the public record of the Parliament of Western Australia that for a week the Premier has been refusing to answer a question that falls within his responsibilities as Premier and Minister for Public Sector Management. There is no doubt about that at all. What makes this even more overwhelming is that the Premier said on radio that the information would be provided. The Premier gave that commitment on radio because it suited him, yet now that the Premier is in the Parliament and is among his peers and has to answer to the people of this State, he refuses to answer the question. What is the Premier's motivation for refusing to answer the question? The Premier is refusing to answer the question because he knows that the answer will be embarrassing.

Dr G.I. Gallop: Not at all.

Mr C.J. BARNETT: Then answer it! This is the Premier's opportunity to be accountable and answer the question.

Point of Order

Mr J.C. KOBELKE: I have allowed the Leader of the Opposition to speak for about five minutes before taking a point of order, but in that time the Leader of the Opposition has not once addressed the motion before the Chair, which is a motion to suspend standing orders. Clearly the Leader of the Opposition should be given a few minutes to say what is the substantive issue and how that feeds into why we need to suspend standing orders and why there is urgency. However, the Leader of the Opposition has not in any way addressed why we should suspend standing orders now rather than use other forms of the Parliament, nor has he addressed the urgency of the substantive motion that is before the House.

Mr R.F. JOHNSON: Normally the Chair allows a bit longer than five minutes for a member to give the reasons that a motion to suspend standing orders is put before the House. The Leader of the Opposition has been putting quite clearly the reasons that we need to suspend standing orders to move the substantive motion. The reasons are quite simple. What is at question here is the openness and accountability, or lack of it, of the Premier. We need to suspend standing orders to allow that debate to take place. The Leader of the House and the Premier will obviously gag that debate and not let it take place. I suggest that we allow some time so that the Leader of the Opposition can give the reasons, genuinely and openly, that we need to suspend standing orders.

The SPEAKER: Order! The Leader of the House is correct about motions of this type to suspend standing orders. However, in this type of debate it is normal that about five minutes into the debate one side or the other will object to the time taken to get to the motion. We have not quite reached the point at which the Leader of the Opposition needs to be directed. However, the Leader of the Opposition knows what the rules are, and I am sure he will shortly go to the motion.

Debate Resumed

Mr C.J. BARNETT: This is about accountability. The executive summary of Labor's accountability document states that a Gallop Labor Government will aim for "the highest standards of openness and accountability in government". The reason we should suspend standing orders is that this Premier is displaying anything but the highest standards of openness and accountability. The Premier made a public commitment on radio that this information would be provided. If the Minister for Energy were here it would be appropriate for that information to be provided by the Minister for Energy. However, the Minister for Energy was away on Tuesday, so we let Tuesday go by. We then sought that openness and accountability on Wednesday. We advised the Premier half an hour beforehand that we would be asking the question. The Premier's office has the answer - there is no doubt about that - because the contract would have gone through the Premier's office and Cabinet. That was how the managing director was appointed. We are seeking openness and accountability. The information is there. Today we gave the Premier two hours notice that we wanted to ask him the question, because the Minister for Energy is not here. The reason that we need to suspend standing orders is that the Premier has not displayed the highest standards of openness and accountability. Indeed, the Premier has displayed the lowest standards. The Premier has refused for a week to answer a simple question.

Dr G.I. Gallop: I have answered the question.

Mr C.J. BARNETT: The Premier has not answered the question.

Dr G.I. Gallop: Of course I have.

Mr C.J. BARNETT: If the Premier has answered the question, then he should indulge me, and the House, and pass me a copy of the answer.

Dr G.I. Gallop: Read it in *Hansard*.

Mr C.J. BARNETT: The Premier has not answered the question; and if he is saying that he has, he is not telling the truth to this Parliament and the people. All of the 57 members of this Chamber know that the Premier did not answer the question yesterday and he did not answer the question today. The Premier should tell the truth to this Parliament, not say that he has answered the question when he has failed on two occasions to answer it. The Premier is charged with responsibilities in this Chamber. The reason that we should suspend standing orders is that the Premier claims that he has answered the question, yet for two days he has failed to answer it. The Premier is not being truthful, and the people of this State need to know that.

Dr G.I. Gallop: Come on!

Mr C.J. BARNETT: The Premier says, "Come on!" There is the Premier's policy! Why will the Premier not answer the question? The Leader of the House may agree to suspend standing orders - as he should - and we can then have a brief debate on this matter and give the Premier the opportunity in his own words to display the highest standards of openness and accountability. What possible reason can the Premier have for not answering the question? What possible reason can there be?

Dr G.I. Gallop: Because he is not here! That is why!

Mr C.J. BARNETT: But the Premier is here, unless what I am seeing is an illusion, or unless the Premier is a hologram of a Premier. Is the Premier a hologram? Is that it? The Premier is here. The Premier is the Minister for Public Sector Management. The Premier heads the Government, and he chaired the Cabinet when the appointment was made. The Premier knows the answer to the question. His staff handled the material six months ago. It has been in the public arena. The Premier gave a commitment to the people of this State on radio that the information would be provided, yet he is refusing to do it. Why is the Premier refusing to do it? Why is the Premier refusing to be accountable to the Parliament? If there is one place in which the Premier is meant to be accountable it is this Parliament. It is a straightforward matter of fact. We are not seeking opinions or comments. We simply want to know what are the terms and conditions of that contract. It has been reported -

Dr G.I. Gallop: You will get to know. You will see it.

Mr C.J. BARNETT: I am sorry, but as the Leader of the Opposition and member for Cottesloe - a member of this Parliament - I am asking the Premier to answer the question now. We have been asking all week.

Several members interjected.

The SPEAKER: Order!

Mr C.J. BARNETT: See how the members on the opposition back bench represent the attitude of Labor! When I say as the Leader of the Opposition and member for Cottesloe that I have asked a question and I want an answer, and when I say that the member for Darling Range has asked that question on two successive days and we want an answer, what do the backbench members of the Labor Party say? Tough! That is what they say, and they all repeat it.

Dr G.I. Gallop: No.

Mr C.J. BARNETT: That is the Government's attitude on the public record. Why will the Government not agree to suspend standing orders? It is because the answer might be embarrassing for the Premier? What other reason could there be? This is all about media standing, presentation, public relations and spin.

Dr G.I. Gallop: No.

Mr C.J. BARNETT: It is because the answer will not be a very good one. It will display that the head of Western Power -

Mr N.R. Marlborough interjected.

The SPEAKER: Members! I call the member for Peel to order for the second time.

Mr C.J. BARNETT: There is no other reason that the Premier will not answer the question. He has had a week to find the answer. The question has been asked on successive days. It is about a simple matter of fact on an aspect of the employment of the most highly paid government employee in Western Australia; someone who receives a salary -

Points of Order

Mr J.C. KOBELKE: This point of order relates not only to the fact that the member is not speaking to the motion, which clearly he has been debating for more than 10 minutes now, but also to the fact that it is an abuse of the procedures of the House for the member to pull this sort of stunt. The Opposition had an opportunity last night during private members' business and it will have another opportunity next week to move this motion. The Leader of the Opposition is seeking to mount an argument on accountability, as he sees it, which should properly

be raised in debate on the motion. However, his argument does not relate in any way to the reason for suspending standing orders now. It is an absolute nonsense and he has gone beyond the fair latitude given to him to address the motion before the House.

Mr R.F. JOHNSON: I object to and disagree with the point of order, for obvious reasons. The Leader of the House has said that we could have used private members' time last night to move this motion and we can use private members' time next week. We have moved to suspend standing orders today because we did not get an answer to the question today. We gave the Premier another chance to answer the question and to be open and accountable. He did not do that.

The SPEAKER: What is the point of order?

Mr R.F. JOHNSON: It is the same point of order that the Leader of the House made. That is why we must suspend standing orders today. The Leader of the Opposition should be allowed to put the case for suspending standing orders.

The SPEAKER: The Leader of the House is quite correct. I am sure the Leader of the Opposition knows that he is now at a point when it is time to refer to the motion before the House. He has had some 11 minutes to put the reasons and should now address the suspension.

Debate Resumed

Mr C.J. BARNETT: I have 49 minutes available to make the case but I do not intend to use them. The motion is to suspend standing orders. We have moved to suspend standing orders, as the leader of opposition business in the House said, because the question was asked of the Premier for the second time today barely half an hour ago. The suspension will give the Premier an opportunity to answer the question, to be accountable and to explain to the public whether the Managing Director of Western Power is in line for some form of bonus or success fee if he succeeds in splitting up Western Power. That is a matter of public interest. I hold the view that it is deplorable if such a component is in his contract. It goes against all the standards of public sector employment and it goes against all the responsibilities under which a managing director of a corporation, while it is publicly owned, is required to operate according to the liabilities and responsibilities of company directors. There are all sorts of reasons why this motion should be dealt with. This motion is urgent today because the Premier has had a week since he committed on radio to deal with this issue, and he has failed to do so. I am giving the Premier an opportunity, in front of his colleagues, to be open and accountable. I am giving him the opportunity to rise and answer the question - or is he going to sit there and scowl, as he is doing now? Will he fail to keep to his policy of openness? Will he fail in his responsibility as a member of Parliament and as a Premier to answer questions in this Parliament, just as he so spectacularly failed two weeks ago with his proposal for standards of conduct? I will not go back into that deplorable debate. It was a shameful day for this Parliament when deplorable and foul language was used.

The SPEAKER: Does the Leader of the Opposition know that he is supposed to be addressing the motion before the House?

Mr C.J. Barnett: Yes, that is right.

The SPEAKER: What happened last week or the week before in this place has nothing to do with the motion before the House. I direct the Leader of the Opposition to the motion and the reasons for suspending standing orders.

Mr C.J. BARNETT: A reason for suspending standing orders in a Parliament is a Government's failure to act. If a Government fails to act on standards in the Parliament, action should be taken. If a Government fails to act on accountability, action should be taken. If a Premier of the State fails on successive days to answer a simple question, the Parliament must bring him to account. It falls on me, as the Leader of the Opposition, to make the case. However, it is the Parliament that must demand that ministers and Premiers answer questions. The Premier should be grasping at the opportunity to answer the question. If the Parliament cannot require the Premier to answer a question after a week, it will have failed as spectacularly with its responsibilities to accountability as it failed spectacularly with parliamentary standards two weeks ago. It is therefore up to the Premier. Will he be accountable or not?

Question to be Put

Mr J.C. KOBELKE: I move -

That the question be now put.

Question put and a division taken with the following result -

Ayes (26)

Mr P.W. Andrews	Mr S.R. Hill	Ms S.M. McHale	Mrs M.H. Roberts
Mr C.M. Brown	Mr J.N. Hyde	Mr A.D. McRae	Mr D.A. Templeman
Mr A.J. Dean	Mr J.C. Kobelke	Mr N.R. Marlborough	Mr P.B. Watson
Mr J.B. D'Orazio	Mr F.M. Logan	Mr M.P. Murray	Mr M.P. Whitely
Dr J.M. Edwards	Ms A.J. MacTiernan	Mr A.P. O'Gorman	Ms M.M. Quirk (<i>Teller</i>)
Dr G.I. Gallop	Mr J.A. McGinty	Mr J.R. Quigley	
Mrs D.J. Guise	Mr M. McGowan	Ms J.A. Radisich	

Noes (18)

Mr R.A. Ainsworth	Mr J.H.D. Day	Mr M.G. House	Ms S.E. Walker
Mr C.J. Barnett	Mrs C.L. Edwardes	Mr R.F. Johnson	Dr J.M. Woollard
Mr D.F. Barron-Sullivan	Mr J.P.D. Edwards	Mr B.K. Masters	Mr J.L. Bradshaw (<i>Teller</i>)
Mr M.F. Board	Mr B.J. Grylls	Mr P.D. Omodei	
Dr E. Constable	Ms K. Hodson-Thomas	Mr M.W. Trenorden	

Pairs

Mr J.J.M. Bowler	Mr M.J. Birney
Mr R.C. Kucera	Mr R.N. Sweetman
Mr A.J. Carpenter	Mr A.D. Marshall
Mr E.S. Ripper	Mr T.K. Waldron

Question thus passed.

Standing Orders Suspension Resumed

Question put and a division taken with the following result -

Ayes (19)

Mr R.A. Ainsworth	Mr J.H.D. Day	Mr M.G. House	Mr M.W. Trenorden
Mr C.J. Barnett	Mrs C.L. Edwardes	Mr R.F. Johnson	Ms S.E. Walker
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Mrs D.J. Guise	Mr M. McGowan	Ms J.A. Radisich	

Pairs

Mr M.J. Birney	Mr J.J.M. Bowler
Mr R.N. Sweetman	Mr R.C. Kucera
Mr A.D. Marshall	Mr A.J. Carpenter
Mr T.K. Waldron	Mr E.S. Ripper

Question thus negatived.