

**COMMITTEE REPORTS AND MINISTERIAL STATEMENTS - CONSIDERATION**

*Committee*

The Chairman of Committees (Hon George Cash) in the Chair.

*Standing Committee on Environment and Public Affairs - Swimming Pool Fencing - Sixth Report*

Resumed from 6 March on the following motion moved by Hon Christine Sharp -

That the report be noted.

Hon SIMON O'BRIEN: I was surprised, as I am sure other members were, to learn of the content of the ministerial statement made by the Minister for Local Government and Regional Development on Tuesday, 4 March 2003. It was a pre-emptive response to this committee's report. It was made before the Chamber had considered the committee's report. I do not recall whether the report had been tabled -

Hon Tom Stephens: It had.

Hon SIMON O'BRIEN: It certainly came hard on the heels -

Hon Tom Stephens: It had been tabled for ages.

Hon SIMON O'BRIEN: The minister is correct; the report had been tabled, but it had not been considered by the Council.

Hon Tom Stephens: That is correct.

Hon SIMON O'BRIEN: The first offering we had from the Government on this issue was the ministerial statement of Hon Tom Stephens, which, although it thanked the committee for all its work, in effect said that he would ignore its findings.

Hon Tom Stephens: You are not a good listener.

Hon SIMON O'BRIEN: I have the minister's written statement in front of me, and I do not believe he departed from it when reading it.

Hon Tom Stephens: Then you must not be a good reader. It does not say anything of the sort.

Hon Norman Moore: I think it might be full of spin.

Hon SIMON O'BRIEN: There might be some spin in it. The minister's words are -

I take this opportunity to acknowledge and thank all the members of the Standing Committee on Environment and Public Affairs for their work in considering the government regulations that deal with the fencing of swimming pools. This is an important, contentious and complex community issue. . . . I advise the House that the Government has decided to maintain a mandatory requirement for isolation fencing around new swimming pools.

If that does not basically say that the committee has done a lot of work and presented a report but that the Government will not take any notice of it and, in fact, will do the contrary to what is recommended, I do not know what does.

Hon Tom Stephens: Are you on the committee?

Hon SIMON O'BRIEN: I am not on the committee.

Hon Tom Stephens: The report deals with an extensive number of issues. The only significant difference of opinion between the Government and the committee was the single issue highlighted in that quote.

Hon SIMON O'BRIEN: That is the key issue of the matter.

Hon Tom Stephens: It is an important issue but it is not the only issue. As I said in my statement, many of the other recommendations will be embraced and the Government will act on them. I have already acted on some of the recommendations. Additional steps will flow as a result of the committee's work.

Hon SIMON O'BRIEN: That is just Jim dandy. However, on this occasion the committee has been snubbed by the Government. The Government has rejected the key recommendation, and that will adversely impact on 70 000 or more households in this State that have swimming pools. The Committee is considering the sixth report of the Standing Committee on Environment and Public Affairs. I acknowledge that this is a complex matter. The standing committee did the right thing by investigating this issue; it involved a great deal of work. Most of us know how much work goes into an inquiry such as that. Although members of the committee

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thought they were participating in a worthwhile exercise, they might now be inclined to ask why they bothered. They might wish to take up that matter. There is no point crying over spilt milk, but if members of the committee want to take issue with the Government about it, they are entitled to do so.

I had examined the report before we received the Government's response, and as a result I have made further inquiries to explore some of the issues in a little more depth. Thousands of privately owned swimming pools had been installed over decades in compliance with the rules of the day. In recent years a series of changes have been made to the requirements of swimming pool fencing, some of which are retrospective. As a result, the previous rules have been changed and the people who are affected are entitled to ask why.

Hon Tom Stephens: On the basis of that logic we would never have had a standard railway gauge across Australia.

Hon SIMON O'BRIEN: It has nothing to do with standard railway gauges and the minister knows it.

For the sake of simplicity the standing committee report refers to categories 1, 2 and 3. Category 1 refers to isolation fencing, which means that the pool is surrounded by fencing. It may include other barriers on the premises that block direct access to the pool. It requires a barrier between the house, the property perimeter fences or the street etc so that the pool is isolated. Category 2 refers to barrier fencing, which is a variation on the theme. The key difference is that the residence, or some out buildings, can be included as part of the barrier as long as certain treatments are undertaken to doors and windows that open onto the immediate pool area and through which someone could gain access to the pool. Category 3, which is called perimeter fencing, can include any of the aforementioned elements. However, the minimum requirement is that a childproof fence surround the property to ensure that children do not access the pool from neighbouring properties or the street, unless they are able to negotiate the gates or other barriers that are prescribed, together with the gates that comply with the normal regulations that have been set down by local governments for many years. These include self-closing and positive self-latching mechanisms. The Government has wrestled with this problem, and, with the great ingenuity it displays on occasion, has promptly decided on the solution that is least palatable to the vast majority of pool owners in Western Australia. Many pools legally comply with the rules that existed when they were installed.

Hon CHRISTINE SHARP: I preface my remarks by saying that - I always make this clarification - I will speak as a member of the committee, not as its chairman. My remarks will be entirely my own, although I would like to think that my views are shared by other committee members. The committee does not have an overall position on the Government's response to its report.

Hon Tom Stephens' statement in response to the inquiry of the Standing Committee on Environment and Public Affairs into swimming pool fencing is a disappointment. I understand that, in the overall scheme of things, parliamentary standing committees are not terribly important to the Executive Government. If an audit were taken on the hard work undertaken by committees, I am sure we would find that most of the recommendations regularly tabled in this place are not adopted by government. That is a great pity. Clearly, in the interests of good government, we must have a well-functioning committee system. I am proud of the Standing Committee on Environment and Public Affairs. On behalf of this Parliament, it is doing a lot of good work in its inquiries into numerous and significant issues. As members know, the Standing Committee on Environment and Public Affairs considers all the petitions that are tabled in this place, which contributes to its onerous workload. One of the committee's achievements has been to remain focused on providing good and impartial advice to Government and the Parliament; that is, it does not dominate, protect or defend government interests, nor does it seek to damage government. Our committee is not dominated by political polarisations, which is a credit to its members. Therefore, the committee not only performs hard work on important issues, but also provides Government with good and impartial advice. As a result of a request from the minister, our committee stopped other inquiries and took up the task of inquiring into the Government's regulations to see what the research suggested was the best approach for the Government to adopt towards swimming pool fencing regulations. We quite cheerfully took up that inquiry, fitted it in, sat for extra hours and did a very exhaustive survey of the scientific literature. We also held hearings and listened to all the key stakeholders. Our research officer, Mr Rhys Brown, did a magnificent amount of work in producing the evidence for the committee to consider. It was therefore disappointing for us, having finally tabled what we thought was an informative report, to find that those recommendations were rejected by the Government. It is also particularly disappointing when one suspects that the reasons for the rejection are political. The committee considered the evidence that had been gleaned from studies in Queensland, New South Wales and Western Australia about the most effective way to prevent drownings in swimming pools, in particular the tragedy of young children drowning in swimming pools, and found no evidence whatsoever to suggest that the use of four-sided fencing - category 1 fencing - as opposed to three-sided fencing plus a building wall, with appropriately locked doors and windows, as the fourth side of the

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fencing - category 2 fencing - is a superior category of fencing to prevent drownings. In fact, some of the evidence points to the fact that category 2 fencing is superior to category 1 fencing. It is true to say that the committee was somewhat surprised by these findings. However, the committee took an evidence-based approach in preparing its report. It might not be what people want to hear, but this is what the science says to us.

Since then, the committee has discussed the issue further. A couple of weeks ago a conference was held in Perth at which delegates discussed some of the swimming pool fencing issues, and the committee has received certain information about further evidence that has become available within the past two weeks. Nevertheless, none of that contradicts the findings of the committee, which is that it is very hard to build a case that category 1 fences are superior to category 2 fences in preventing drownings.

The Government and the minister accepted this in an oblique way when he said in a statement to the House on 4 March -

However, the Government is of the view that a lack of statistical evidence is not a sufficient reason to amend the Government's policy on isolation fencing.

The Government is basically saying that it accepts that the evidence supports both types of fencing; however, for whatever reason, the Government has chosen to reject the category 2 fencing and prefers to reject the committee's findings. I am not deeply interested in swimming pool fencing and I have no background in the subject whatsoever, which I believe is true of most members of the committee. However, we did our homework and we read the evidence. As non-experts in the field, we looked at the evidence of the findings in favour of category 1 or category 2. Each scientific study has slight differences, and I will not bore members by regurgitating the details. However, commonsense would suggest that at the end of the day any differences between category 1 and category 2 are fairly marginal; they are probably just as effective as one another. In one year in one State there might be more drownings in one category and in another year in another State there might be more drownings in the other category. Overall, over time and over the nation there was no outstanding evidence one way or the other. I have been told by a member of the committee that a child drowning occurred two weeks ago in Western Australia in a category 1 fenced swimming pool. Of course, the Government has decided that it prefers category 1 fencing. I have come to the view that there is not a lot of difference between the two categories and that therefore it makes good sense to allow both. In that way, people can design their backyards to suit the architectural circumstances of the buildings.

The committee found that there is overwhelming evidence that neither type of fencing is any substitute for parental surveillance. The single most important way of ensuring that children do not drown in swimming pools is the parents' keeping an eye on them. That is pretty obvious. Indeed, the committee was provided with evidence that builds on that fact. It suggests that a good public education campaign at the beginning of summer to emphasise to parents the importance of ensuring that children do not gain access to swimming pools really makes a difference in preventing drownings. Page 12 of the report contains a graph that compares public awareness funding with child drownings in Western Australia. In both 1996 and 1999 when no budget was allocated for public awareness campaigns, 14 young children were drowned. However, in the years 1997, 1998 and 2000 when \$150 000 was spent on public awareness campaigns, there were eight, six and five drownings. That compares 14 drownings in both years when money was not spent on advertising with eight, six and five drownings in the years when a public awareness campaign was conducted.

It is a further regret that the Government, despite the level of exposure in the media, does not appear to have come up with a firm financial commitment for what is perhaps the most important point of all. We can bring in one scientist who will argue about one type of fencing and another who will argue about another type of fencing, but what everybody does agree upon is the importance of surveillance and the usefulness of public awareness campaigns to promote that surveillance by parents.

I would like to know whether the minister can give an indication that the Government will deliver on that matter and establish a home swimming pool safety advisory group that includes major stakeholders. I would also like to know whether the Government will resource the Royal Life Saving Society to provide executive support for the home swimming pool safety advisory group. Will the Government deal with the critical issue, which is to ensure that there are enough resources for people to check that fencing, of whatever type, meets the regulations? Will the Government fund a public awareness campaign to ensure that parents know that no fencing in the world is a substitute for the parental eye?

I have two final points. Members of the committee, one of whom in particular provided good insight, were struck that stakeholders in the community who are particularly interested in swimming pool fencing and who gave evidence to the committee, should get their act together. It is ridiculous that two groups are arguing about one set of evidence. For goodness sake, one would think that all stakeholders could develop a more cooperative and consensual approach. They are the people for whom this is a core issue. They should get together to

develop consensus in the swimming pool industry, including academics who study swimming pool safety, and community advocacy groups. All stakeholders need to communicate better with one another and come up with a uniform approach that can help government with this difficult and complex matter. Unfortunately, as coincidence would have it, because of the changed sitting arrangements of this House, several members of the committee are not present today. One in particular, Hon Frank Hough, who has been quite passionate on this issue, will, like the other members, regret missing the opportunity to put his views on the record. I am grateful that the minister is listening to this debate, and understand that he is not personally responsible for the decision made by the Government. I know it is a cabinet decision and not necessarily the decision the minister would have made.

It is a coincidence that the day after the minister made his statement to the House, it sent another matter to the committee. It requested that the committee reconsider a prayer for relief. In the same week, the Government decided to support an opposition motion requesting the committee to conduct a second inquiry on a matter it had already inquired into and reported on unanimously. I believe that is unfair to a committee that is working in good faith. Our committee sits frequently in non-sitting weeks. The majority of members, including me, come from the country for those special meetings. The Government should show us a little more respect for the fact that we are trying to do a good job on its behalf, on behalf of the Parliament and on behalf of the community of Western Australia.

Hon RAY HALLIGAN: People in this Chamber will know how I feel about committees and the work they do. I commend them. I know they do an enormous amount of very good work, providing detailed information and recommendations to this House. Certainly, if members of this House wish to debate the arguments put forward by any committee, that is their entitlement. If they disagree with any of the recommendations, that is their entitlement. All I would say to those members who place themselves in that position is that they should be prepared to stand up and argue their case, and show committee members where their thinking may be astray.

In this instance, the situation with swimming pool fences is complex. What appears to have been lost sight of is the fact that any Government, whether it be this Labor Government or any future Government, needs to concern itself with the good governance of this State, and the good governance of this State involves the consideration of many issues. Certainly, one would not wish to and would not ignore any drownings, whether they be of young people or people of any age. If one is in government, one must say to oneself that if going down a certain path is in fact a bandaid treatment, it will not correct the issue that appears to be the concern -

Hon Peter Foss: It ignores the issue.

Hon RAY HALLIGAN: Often it does ignore the issue. In fact, it goes around the issue and provides the people of this State with a situation with which they are not necessarily comfortable. I do not believe it is good governance to go down that path. I will give some reasons that I am thinking in that way. If it is said that isolation fencing, or category 1 fencing, as is mentioned in the report, is the only way to stop drownings in swimming pools, why do we not insist that there be isolation fencing around each and every pool in this State? No, this Government has decided that the 72 000-odd pools that were constructed prior to 1992 do not require isolation fencing. For some reason, those 72 000 pools will not attract young children who are likely to drown themselves. I am sorry, I can only assume these things. If suddenly, come November 2001, every pool that is constructed from that day forward must have isolation fencing for the reason that it will stop, or at least reduce considerably, toddler drownings, why has the Government ignored the 72 000 pools? What is the difference between the two? I cannot understand that.

Hon Peter Foss interjected.

Hon RAY HALLIGAN: That is a very good analogy from Hon Peter Foss. The same principle applies. I am not denying the difficulty or the complexity. All I am suggesting is that the answer provided by the Government is nonsensical. It is not good governance of this State. The Government is alienating people and costing them a lot of money. It is taking away from people their prime responsibility, which is to look after their own children. If the Leader of the House were to take his children to the beach, where there are no fences, he would look after them, would he not?

Hon Kim Chance: At my age I would expect them to look after me!

Hon RAY HALLIGAN: Nowadays that might very well be so, but in the Leader of the House's early days and in his children's early days he would have been looking after them. If parents take their children across the road, the majority of them will grab their children by the hands. They will not just say, "Go across and I will meet you on the other side", because they know the dangers involved. If parents take their children to one of the beautiful parks in Perth, such as Hyde Park, which has a large lake in it, the majority of them will not allow their children to just go running off to do their own thing but will keep an eye on them, and if they are getting a little too close

to the lake they will call them back or grab them by the hands and bring them back. However, the message that this Government is apparently giving to the people of this State is that if they have an isolation fence, their children are protected. All that they are required to do is have a bit of iron around this dangerous hole in the ground that is filled with water - and, believe me, pools can be very dangerous and can create enormous problems. The Government appears to be saying to people who own pools and whom the Government has insisted have isolation fencing that that is all that is required. I know the Government is not saying that in so many words, but that is the message that these people unfortunately may well receive.

The report suggests that by weight of numbers - I am talking about ratios here - the majority of drownings have been in category 1 pools. Admittedly, there were 25 drownings in category 3 pools, which are pools that have purely perimeter fencing, which were the original pre-1992 pools - the 72 000 pools. There were 15 drownings in category 1 pools. I do not have the figures before me, but I imagine that pro rata there have been a greater number of drownings in category 1 pools. I have to make some assumptions, because no-one has this information. However, the report states that there is no evidence to suggest that category 1 pools are safer than category 2 pools; so at this point in time I have to make the assumption that the owners of category 1 pools, which are the pools with isolation fencing, believe that their children are protected. They have ignored the fact that they still need to keep an eye on their children. They have sat back in comfort, unfortunately often to their detriment and, of course, to the detriment of the 15 young children who have drowned.

Hon Kim Chance: As a result of the child opening the gate or the gate being left open?

Hon RAY HALLIGAN: In a lot of instances it has not been a matter of the child opening the gate; the child has dug underneath the fence, or the dog has dug underneath the fence and the child has followed the dog into the pool area.

Hon Peter Foss: It often happens when the parents are in the pool area and take their eyes off their children. It takes only a few seconds

Hon RAY HALLIGAN: Yes. We know it can take only a few seconds. To digress slightly, children have drowned in a few centimetres of water in a bath when their parents have gone out to answer the phone or get a towel, or whatever.

Hon Simon O'Brien: There have been multiple drownings of Western Australian infants in buckets of water.

Hon RAY HALLIGAN: Yes - the young child falls into the bucket of water head first and cannot get out. It is a most unfortunate situation. I am agreeing yet again with the Government. It is a very difficult problem. However, I do not believe necessarily that the Government has shown good governance in reaching its conclusion. It is looking to the future and ignoring -

Hon Kim Chance: What is already there.

Hon RAY HALLIGAN: I was about to say the past, but that causes people to believe it has gone and is finished. However, 72 000 swimming pools installed pre-1992 still exist. If something is about to be done about pools built tomorrow, something must be done about those 72 000 pools already in the community. If the minister has a difference of opinion about what happens to each of the groups of pools outlined in the report, he needs to argue his case. However, no argument I am aware of has come forward. It was an election promise to go down the path of isolation fencing, which the Government is doing. However, the Government is abrogating its responsibility by differentiating.

Hon LOUISE PRATT: This report follows an interesting inquiry in which to participate. It was quite a journey committee members undertook to weigh up the evidence before them. The committee's priority was always to ensure the greatest safety possible for young children in a swimming pool environment. I certainly stand by the recommendations outlined in the report. Notwithstanding, I understand that the Government has a very clear pre-election policy that it wants implemented. I do not see implementing that policy as being in any way detrimental to child safety in a swimming pool environment, but we need a more comprehensive approach to the complexity of issues involved, which I think the committee addressed well.

For example, I find it a little incongruent to continue with two standards of swimming pool safety; namely, those before 1992 and those after.

Hon Ray Halligan: Those before 2001 and those after.

Hon LOUISE PRATT: Everyone is expected to comply with the standards after 1992, which can be either category 1 or 2. We need a universal standard that the community can understand so everyone is committed to reach the same standard. The committee noted in some evidence presented to it that yet another set of regulations apply to swimming pools in regional areas. Considerable onus is placed on new swimming pool

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owners, yet some water bodies are outside regulation. We may appear to be tough with category 1 pools, but with many other water bodies we are not paying paramount attention to child safety.

Hon Ray Halligan: There are even exemptions with category 1.

Hon LOUISE PRATT: That is right. The committee also noted different perspectives put by different stakeholders on these issues. I note that the Swimming Pool and Spa Association of WA had considerable concern about the economic impact of the regulation changes. The committee did not give a great deal of weight to that concern, as its first priority was to child safety, as it should be; that must be the number one priority. I highlight that to honourable members.

Considerable debate takes place about which is the most appropriate form of fencing and the best universal approach to enforcement, inspection, and public education and awareness. As Hon Christine Sharp highlighted, stakeholders need to come together to form a universal view about the issue that can be relied upon. It was a little disheartening for us to sit down in the middle of a bunfight and have the different perspectives offered to us on this matter. There should be enough experts in this field willing to get together and sort these issues out amongst themselves. Looking at the whole of the committee's recommendations, I am hopeful that the Government will be able to take on board some of the approaches we have recommended, so that there is a more holistic approach to swimming pool safety in the interests of children in this State.

Hon PETER FOSS: I thank previous speakers for their very thoughtful contributions. As one of those who voted in favour of sending the petition back to the committee, I apologise. No insult was intended and I hope that the committee does not flag in its excellent work. I will talk from my own personal experience. I put in a swimming pool some 25 years ago. At the time there was no compulsion to use isolation fencing, although pool owners might have had to use perimeter fencing. I decided that I believed in isolation fencing, so I have both a perimeter fence and an isolation fence, just to be totally secure. As a parent, it became very obvious to me that, as Hon Ray Halligan pointed out, there is no substitute whatsoever for parental vigilance. That became very clear when I heard of a couple of incidents of children actually drowning inside an isolation fence, when the parents just looked away for a very short time. Those incidents make the point that children drown very silently. The parent might turn away for only a second while the child is in the water, and in no time at all the child has drowned, unnoticed because there is no noise. Most emergencies that children get themselves involved in are quickly followed by a loud scream, but drowning is not. I would not get rid of my isolation fence or my perimeter fence, but it is important that parents do not rely upon these, thinking that they substitute for parental supervision. All they do is assist in parental supervision. Hopefully, they will keep the next-door neighbour's kids from coming in without the pool owner's knowledge. My isolation fence will enable me to supervise, not my children now, but my grandchildren, when they are in the pool. One of the worrying things about this issue is that a fence is only as good as the person watching the child. There will be such contradictory statistics because one year parents with one kind of fencing, and another year parents with a different type of fencing, will take their eyes off the children. Whether it is barrier fencing or isolation fencing, there is equal likelihood of disaster if parents do not keep their eyes on the children.

The worrying thing about this debate is that, for the proponents on either side - I am sure the committee members are well aware of this - it has now become an article of faith. It is very hard to get people down to the facts when they are acting on faith. I do not know why they are not prepared to look at the facts. It is always puzzling when people act like that. As a minister, on a number of occasions people came to me with an argument that at first seemed unresolvable until I made them sit down and work out the facts. Once there is some sort of agreement on the facts, the rest seems to follow. Half the problems in government arise from people who cannot be bothered to sit down and work out what the facts really are.

Hon Kim Chance: I think it was Nietzsche who said that when all the facts are known, all reasonable people will eventually agree.

Hon PETER FOSS: It happened very often.

Hon Kim Chance: There are a couple of broad assumptions in that.

Hon PETER FOSS: There are, but the minister might recall that when I was the Minister for Health I set up many country health boards. I did that in part because the decisions to be made with regard to country health were obvious. The advantage of having a country health board was that the community made the decisions. All it needed was the facts. The board probably made better decisions than the Government, but more importantly, it made the decisions. By being in charge, the board's members were forced to think about the issues, which created a source of people in the community who "knew" what had to be done, as opposed to "believed they knew" what had to be done. That is why this Government is stupid for closing country health authorities. It is taking away a pool of people who know the facts and are more likely to make the same decisions as government, but make them on behalf of the community.

The same thing applies to swimming pools. Until people are told the facts, there will never be agreement. One of the things that this Government must do, not only from the point of view of making people save their children's lives, but also to get some measure of agreement in this community, is to tell people about the factors that matter. To tell people that a swimming pool fence is only an aid to parental supervision is probably a good starting point. Swimming pool fences should not be relied upon. I regret that the Government has made this decision. It has decided to follow the people who it thought would be publicly perceived as better to follow - the faith that the Government thinks has more public credibility. I can see why this Government did that. Governments tend to get that way especially after having been in government for a while. Surely, though, after two years, it should not be making that sort of decision. This Government should still be capable of making a decision based on what is right. It is sad when Governments get to that state - most of them do - but it is sadder when that state is reached within two years.

Hon Kim Chance: That is based on the presumption that the decision is wrong, which is not agreed.

Hon PETER FOSS: It is based on the presumption that that is the reason for the decision. There is a difference. If I thought the Government had made the decision because it thought it was the right one, then I would have no problems with it. I have serious doubts that the reason behind the Government making the decision was that it saw it as being publicly unacceptable to be seen backing one side rather than the other. It is just a guess or a perception - I may be wrong. Nevertheless, that is what happened. It is sad and it is not good government. It is a pity that the committee tried to find out the facts and did find out the facts, which were by no means obvious. The facts are fairly clear but not obvious about what they mean. The committee was able to say what was capable of being said from those facts and what was justifiable in terms of an imposition on the public.

If the Government was right in its decision, we must come back to Hon Ray Halligan's argument. If it is right and if it really makes that much difference, why is there an exception? Why do we not have a speed limit that does not apply to drivers who were licensed before 1970?

Hon Kim Chance: We did precisely that with the seatbelt legislation, if you recall. We did not insist on retrofitting backwards from 1974.

Hon PETER FOSS: That is different from speeding. Speeding affects other people. The seatbelt legislation was for the benefit of the people wearing the seatbelt themselves -

Hon Kim Chance: And their passengers.

Hon PETER FOSS: The wearing of seatbelts by a passenger is for the benefit of that passenger, not the driver. The wearing of a seatbelt by a driver is not for the benefit of -

Hon Kim Chance: As is isolation fencing for the benefit of third parties.

Hon PETER FOSS: The difference is that the wearing of a seatbelt by a person is for that person's benefit -

Hon Kim Chance: And their passengers.

Hon PETER FOSS: No, only if they are wearing one.

Hon Kim Chance: No. The legislative requirement for seatbelts was for the benefit of passengers as well as drivers.

Hon PETER FOSS: However, if a person was under the age of 70, he had to wear a seatbelt, even if the driver did not.

Hon Kim Chance: Yes.

Hon PETER FOSS: The point is -

Hon Kim Chance: My point was that the 1974 requirement did not require retrofitting.

Hon PETER FOSS: No.

Hon Kim Chance: Just as the Government's decision on pools does not require retrospective fitting.

Hon PETER FOSS: Sorry, the minister is giving a totally different example. He is giving an example of seatbelts, which affects the person who is driving and not any people who might be hit. For instance, what if someone were hit by one of those cars? That would not hurt the person who had no involvement whatsoever with that car. That is why we go around taking all the nasty bits off cars. I will go back to Hon Ray Halligan's point. He is saying that if it is a good idea, why does the Government not do it for everybody? If the interests of children are motivating the Government, it really must consider not making that distinction. The point is whether the reason for the minister's decision is a case of his merely hitching himself to an article of faith in cases that are more popular, or whether there is a real reason.

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Hon JIM SCOTT: Like my colleague Hon Christine Sharp, who is the chairman of the committee, I am a member of the committee, but I would like to speak not as a committee member but in my own right on this debate. A difficult issue was handballed to the committee because the minister did not want to make a decision himself. He could see that strong arguments were coming from both sides, so he decided to pop this matter over to the committee to get it to make a decision. In that way he would not have to cop the flak for doing the right thing. However, something happened along the way: he ended up not making the right decision. The reason he did not make the right decision is that a Stanley trimmer was taken to the decision. There is no doubt that the Stanley trimmer made the difference. I am talking about the influence of Professor Fiona Stanley. It is clear to me that the decision was also based on information given to Professor Stanley by Professor Pitt, who based his information on one of his own reports on pool fencing in Queensland, which was incredibly flawed. That study by Professor Pitt compared category 1 swimming pool fencing not with category 2 fencing, but with category 2, category 3 and even pools that were not fenced at all. His results included a comparison of the number of deaths in pools into which anyone could wander from anywhere. Unfenced pools probably also hold the record for the number of drowned dogs. This unscientific and poor research by Professor Pitt has overturned the more modern statistics that have been compiled by a variety of groups, and flies in the face of information put forward by the Western Australian Royal Life Saving Society, which could not see a difference between category 1 and category 2 fencing.

Unfortunately for the truth of this matter and the decision that was to be made, it just so happened that Processor Stanley had recently been given the honour of becoming the Australian of the Year. One phone call to the Premier, I imagine, was followed by a cabinet meeting, and a sensible decision was overturned. The Stanley trimmer was taken to this decision. We are now in a position in which not enough emphasis is being placed on the number one problem, which is parental supervision. It was obvious that a number of problems arose when parental supervision was handballed to older siblings or teenagers, and that the principal cause - that is, lack of supervision - has now gone down the list of importance in the Government's approach.

We will now rely on the Government's regulatory approach, rather than the parental supervisory approach, which is best.

I do not have a love for backyard swimming pools. I live close enough to the ocean, so if I want to go for a swim, I go there. I find it unusual to have swimming pools this close to the coast, but I am not against other people having them. The minister has made a decision that is detrimental to the swimming pool industry in this State, because a lot of backyards or gardens or front gardens will not be suitable; they do not have the room to put in complete isolation fencing. This will mean that some people who could have had swimming pools will not have them, given the shape of the remaining areas of their building lots.

Hon Ray Halligan: They may have wanted them for therapeutic purposes.

Hon JIM SCOTT: They could have wanted them for any purpose. There is another anomaly in all of this. At one stage I purchased a house with a very large fish pond, which had a waterfall down to another fish pond and so on. I did not boundary fence that fish pond when I had a young child; I put a fence on top of it - I put grating over the whole lot until she was old enough. In reality, I did not have to do that because there was no requirement to do so. If I had not done that, she probably would have had one or two visits into the pond at different times, because it was a straight walk out of the back door. As I said, there are no successful alternatives to supervision and a bit of commonsense in these instances. I do not know whether it was the minister's or the Cabinet's decision to take this path, but there is no doubt that it was the wrong decision. Therefore, people who may have wanted swimming pools will no longer be able to have them, there will not be a decline in the number of deaths, and - as Hon Peter Foss said - kids will not necessarily be safer because there is a perimeter fence. Evidence shows that a lot of young children are very clever at getting around, over, under and through fences because they use items to climb over the top or -

Hon Ray Halligan: They like the challenge.

Hon JIM SCOTT: They do indeed. Sometimes that is before they are able to swim properly. It is regrettable that this decision was made, and it is also regrettable that it was made as a result of flawed and totally inaccurate research. More accurate research should be done to differentiate between categories 1 and 2, but the evidence before us clearly shows that there was no difference between the two. The minister has been dazzled by the Australian of the Year award; he has fallen over on this one to maintain an appearance of caring, when he has been worried about his own popularity.

Hon PADDY EMBRY: I could not agree more with Hon Jim Scott. It is a recognised fact that parental supervision is the ultimate form of supervision. However, parental supervision should not cease with the owners of the pool. Many pool owners have no children or have older children. I believe that children who use a neighbour's pool should be supervised by their parents. I want members to understand that I am not criticising



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members of the committee. However, I understand from the committee's chairman that the committee looked only at the Government's legislation. Committees might work that way - I am not sure. The committee received a lot of publicity on the airwaves. Several people asked me why the committee did not consider covers over swimming pools. If I remember correctly - it has been a while - some of those people were from Britain. There, people put covers over their pools, largely because of falling leaves and also to retain the heat in the water. The covers they use are not made of flimsy plastic and they have found them to be very efficient. Of course, pool covers do not create an eyesore, unlike fencing. I asked them what would happen if the owner of the pool forgot to put on the cover. The telephone might ring, for example, or any number of things could happen. They told me that they knew of no case in Britain in which a drowning had occurred because of that. I know the committee has been busy, but I wonder whether an ongoing investigation could take place that looks beyond the boundaries of its scope.

Hon John Fischer: It is already going to Canada.

Hon PADDY EMBRY: It could do some work in Canada during the night.

Hon Peter Foss talked of children drowning silently. I am happy to tell the House that my own family had a near experience of that. We were staying with some friends in Perth who had a swimming pool and my wife was supervising a group of children. As a schoolteacher, she is used to supervising children. However, in hindsight, there were probably too many children in the swimming pool. Members know what children are like, particularly boys. They yell, "Look at me" when they jump in the pool or whatever other antics they might be up to. Someone asked my wife whether one of the children was all right. Our daughter was on the bottom of the shallow end of the pool, only a matter of inches away from my wife's feet. My wife had neither seen nor heard our daughter disappear. Fortunately, not much time had elapsed and our daughter was fine. The point is that a swimming pool fence would not have prevented that accident. The issue gets back to parental supervision.

I was interested also in Hon Jim Scott's comment that, on such a divisive issue, the minister wanted the matter to go to a committee. In fact, Hon Tom Stephens approached me and asked whether I would support that proposal. I will never forget it, because that was the occasion when he distracted me and debate was cut short on a dreadful piece of legislation. I will never forget that. I believed the member when he said that he was not trying to distract me but just wanted to get away from the flak he was receiving over the Bill. Whatever members may wish to believe, I think perhaps it was a bit of both.

Hon CHRISTINE SHARP: So that this matter may be continued next week when other members are present in the Chamber, I move -

That the Chairman do now report progress and ask leave to sit again.

Question put and passed.

The CHAIRMAN: For the interest of members and for the record, 36 minutes remain for debate. That will be recorded on the Notice Paper when we recommence next week. Members will be aware that there is a limit of one hour and 45 minutes for debate on issues raised in the time set aside for committee reports and ministerial statements.

*South West Metropolitan Railway Master Plan - Statement by Parliamentary Secretary to the Minister for Planning and Infrastructure*

Resumed from 14 August 2002.

*Motion*

Hon PETER FOSS: I move -

That the statement be noted.

I am pleased to have an opportunity to debate this ministerial statement, which was made on 14 August 2002. It was actually made by the Parliamentary Secretary to the Minister for Planning and Infrastructure, and it is therefore an interesting question as to whether it is a ministerial statement.

Interestingly, the statement refers to a number of matters, which I found a little difficult and about which I have been trying for some time to get information. The statement refers to what the Government now calls the "fast, direct route for the south west metropolitan railway". I congratulate the parliamentary secretary on that useful little phrase. It will be a direct route, but we cannot find out how fast it will be because it is extremely difficult to get precise figures from this Government. The second paragraph of the statement reads -

The master plan shows significant gains in patronage, with modelling that uses current land use data showing all-day, weekday boardings from Mandurah to Perth for 2006-07 of 24 950. There will be 3 500 additional weekday boardings at the station at Spencer Road, Thornlie - a total of 28 450 - which is

a massive increase of 58 per cent over the patronage expected under the Kenwick deviation. Given the current land use projections, the patronage projection for the Kenwick route would be 17 980 in 2006. The current patronage model shows that for the section of railway common to both the Kenwick and direct routes - that is, from Glen Iris southward - the Kenwick deviation would attract 11 290 boarders a day, while the direct route will attract 15 890 boarders a day, an increase of 40 per cent. Because the direct route is approximately 11 kilometres shorter than the Kenwick route, this will be achieved by using 20 per cent fewer trains and with 50 per cent greater efficiency of the railcars.

That is a very interesting statement as to patronage. It states categorically that a greater number of passengers will use this new route. Now that we have seen the documents that were tabled by the minister in the other place - which were the only documents available at that time - it is fascinating to see that they actually show the reverse. We were told that the Government was preparing these figures and we would get them when they were ready. We know that a draft document was available in November 2002. This year we received the final assessment. When we got that document we saw that it added nothing to the earlier information that the Government said it would add. More importantly, the figures now appear to match the figures in the parliamentary secretary's statement in August, whereas the document dated the end of July 2002 did not.

The document from that time - I have already raised it in this place - shows a greater number of people using the other line. The concern I have had all along has been to try to get some idea about the origin of these bald statements by the Government. The Government makes a statement. Where is the evidence upon which that statement was based? I keep asking it to give me the documents. When we get a document, we find that it does not show what the Government said it would. It shows the reverse. How was the parliamentary secretary able to say what he said in this statement when the only document the Government has given us that is dated from that time - it was tabled in the other House - shows the reverse? Why did it take him so long to give us the document that shows these figures if he had it in August 2002? Why did we have to wait until this year before we saw a document that supported the statement made by the parliamentary secretary? Why is it that every time I asked for these documents, I could not get them? I still do not have a document that tells me how the minister was able to say when announcing the decision that preliminary studies showed certain things. There does not seem to have been any such preliminary studies because the preliminary studies that are available show the reverse. We have a puzzlement, which is - not to refer to another debate - one of the reasons I still want those documents. I want somebody to tell me that there are no more documents so that I can establish that there was absolutely no basis for the statement, or to give me the documents. I still cannot get them. We have another example of a statement by this Government providing the figures even though at that time it did not have a study to justify them. The study that did exist unfortunately and embarrassingly came out the wrong way.

As recently as Tuesday, I asked a question about why the Government says the so-called fast, direct route will attract more people than the other route. I would have liked to have followed up this question on Wednesday, Thursday and today but, due to the absence of the minister, I am not able to get an answer. The basis upon which the Government is able to say that 12 minutes will be saved and extra people will be attracted to the line is contained in this statement, which we will also deal with another time. I asked on Tuesday -

Some notice of this question was given on 19 March. I refer to the reference made by the parliamentary secretary and the minister to the modelling underpinning the patronage forecasts for the Mandurah to Perth rail line, revealing an elasticity of demand of 0.54 to 0.65.

The Government has claimed that because the travel time will be 12 minutes shorter, we will see the full amount of elasticity. That is not the way it works. The modelling document shows the total amount the Government says demand can - rather than will - vary as a result of the travel time. That will not happen if the time is varied by one minute or even 20 minutes. The model shows the rate of elasticity of demand because of time. The biggest change turns out to have nothing to do with the route but relates to the change in population forecasts. These huge claims of increased numbers in passengers have nothing to do with the new route; numbers appear to have increased because of a revised method of looking at the population of Perth. In August last year a bald statement was made, which I am pleased we can now debate as it is still being bandied around as correct, although members opposite do not know whether it is. My question illustrates how little they know. It reads -

Is this an independent variable that has been achieved using the manual option of explicitly defining the independent variables to be used? See page 44 of the Asymptote Consulting report of February 2003.

How was the variable arrived at? Was it done based on the manual option of explicitly defining the independent variables to be used? Surely the answer to that is yes or no. It is not a complicated question. The person who wrote the report was Dr Peter Lawrence. I have a lot of questions about Dr Lawrence's credentials. He appears to have had an official position with the Perth urban rail development, and has now moved across to the Department for Planning and Infrastructure. However, he is treated as a consultant. He works under the name of

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Asymptote Consulting, a world famous French consulting firm. He uses a logo that was used by the French firm until a few months ago. His reports contain the old logo; he obviously has not caught up with the fact that the French have changed it. I do not know where he fits in with Asymptote.

Hon Simon O'Brien: Doesn't he have a lot of people working with him?

Hon PETER FOSS: I think his firm comprises just him and he does the modelling. He now has an official position in the department. I asked a simple question. The minister needs to refer to only one man and ask if he did something a certain way - yes or no. It is not a complicated question. My question continues -

- (2) If so, was it derived using the processes described at paragraph 5.3.2 and figure 7.2 on pages 44 and 58 of the Asymptote report?

The same man should be able to answer yes or no. He wrote the report; he must know what the processes are. It has been referred to as "intuitive or almost an artistic process - these things are tried out until they look right".

Hon Alan Cadby: Until you get the answer you want.

Hon PETER FOSS: I did not say that; it would have been unfair to do so! That was not what Dr Lawrence said. He said "until it looks right". I will not paraphrase him by saying "until he gets the right answer". We should keep in mind that the statement by the parliamentary secretary in August 2002 is not in accordance with Dr Lawrence's work in July 2002 but, conveniently, in accordance with his work of February 2003. It is interesting how the intuitive method and the adjustment of people and commonsense gave the wrong answer in July but that the right answer was given in a statement to this House in August 2002. Obviously, the minister and the parliamentary secretary were more intuitive than Dr Peter Lawrence. They knew in August what he did not know. He thought more people would use the Kenwick line, whereas they intuitively knew it would be fewer. They sent him back to reconsider it, but he must have continued to get the wrong answer until about November. In November, for the first time, information in a document indicated that Dr Lawrence's intuition finally got it right.

Hon Alan Cadby: It is called backtracking. You know the solution and you work backwards so that you can manipulate the variables.

Hon PETER FOSS: Hon Alan Cadby is a cynical mathematician who is putting motives into the mind of Dr Lawrence, which I would hesitate to do! I must confess, however, that is a possible interpretation. It may not be that Dr Lawrence worked at it until he got it right intuitively. It could be that he was told the answer and he had to work on it between July and November until the answer matched his intuition. However, that is a fairly cynical conclusion.

One would think that we could find out whether the calculation was made using certain processes. The question continues -

I also refer to the parliamentary secretary's statement on page 4084 of *Hansard* . . .

What is most important is the further modelling that is to be carried out in preparing the supplementary master plan for the direct route

- (3) Has further modelling been carried out?

That is another easy question, because if Dr Lawrence is the project modeller, it should be easy to answer whether he has done any more modelling. One would think that the answer to that would be yes or no. The question continues -

- (4) If so, has it resulted in -

(a) data output;

That question is a bit legalistic, because obviously modelling produces data. I am trying to make sure I drive the point home. If modelling had been carried out, there would have been data output. The question continues -

(b) reports . . .

There may or may not have been reports. That is not a difficult question, because one knows whether they have data and reports. The question continues -

- (c) tables like those attached as B1-B7 of tabled paper No 474 of 2002;

That tabled paper was produced by the previous Government. We undertook the modelling and provided the tables that showed the extremes. Different cases are used in modelling so that people can judge whether the intuition used is fair and whether it sits properly. The question concludes -

. . . if so, will the parliamentary secretary provide me with copies and table them in the House?

I asked that question on 1 April, after giving notice on 19 March.

Hon Graham Giffard's answer is as follows -

I thank the member for some notice of this question, which, as he advised, was given on 19 March. I am advised by the minister that the answer is still current as of today. The answer provided by the minister is -

Unfortunately, due to the level of detail requested by the honourable member, I am not able to provide an answer within this time frame. I therefore request that the member place the question on notice.

What detail? I wanted to know what method was used. I wanted to know whether a particular process had been used - yes or no? I wanted to know whether further modelling had been carried out - yes or no; and, if so, had it resulted in data output, reports or tables - yes or no? That is not a lot of detail, especially given that I gave notice of the question on 19 March and did not ask it until 1 April.

Hon Kim Chance: Perhaps the minister wants to give you a detailed answer. Perhaps she is unwilling to provide bland "yes or no" answers and wants to provide quality answers.

Hon PETER FOSS: It might be that that part of the question in which the minister states that "unfortunately due to the level of detail I would like to provide the member, as opposed to that he requested" was misplaced. Maybe Hon Kim Chance is right and the minister wants to provide me with a lot of detail, even though I did not request a lot of detail. Admittedly, there has not been a lot of that in the questions I have asked the minister to date. Generally speaking, when I have asked for something I have been told "Get stuffed; we are not going to tell you".

Hon Kim Chance: We would never say that!

Hon PETER FOSS: Perhaps in parliamentary terms.

I would be very pleased if the minister overwhelmed me with detail. It would be very nice if, for the first time in the two years I have questioned this issue, I were overwhelmed with detail. I shall wait expectantly, but I do not believe that will be the case. The minister does not want to answer my questions because they go to the very basis of her statement.

Hon Kim Chance: I will be sure to bring your comments to her attention.

Hon PETER FOSS: I would be pleased if she were back in the State for the member to do so. The reality of the matter is that - I am pleased that the Leader of the House is listening to this debate, because it is important that he do so - all along I have said that Governments can make decisions on any basis they like. I would not have a problem if the Government made its decision by tossing a coin that came down heads, and heads meant the direct route. I may criticise the Government for the consequential decision, but as long as it is stated how it arrived at its decision, the Opposition would have to admit that the Government had been open, frank and accountable.

Hon Jim Scott: You would say, "Are you sure that was his?"

Hon Alan Cadby: The best of three.

Hon Ray Halligan: A double-headed penny.

Hon PETER FOSS: It landed on its side. It sounds like the decision was: if it is heads, it will be Kenwick and if it is tails, it will be via Fremantle. However, it landed on its side, so it will go up the freeway. That is what I think is really the answer.

Hon Kim Chance: What if it does not come down at all?

Hon PETER FOSS: There we are! That sounds even more likely to be the basis of the decision making.

Several members interjected.

Hon PETER FOSS: Maybe that is what Hon Alannah MacTiernan thought happened, but I cannot say that that is actually what happened.

Several members interjected.

Hon PETER FOSS: I think that was an unfortunate comment by the Leader of the House.

Hon Kim Chance: I think it is a fascinating thought.

Hon PETER FOSS: There are other explanations for why it might be thought not to have come down.

The point I was trying to make was that from time to time some quite categorical statements have been made by the Government on this issue. That would be fine if it were prepared to give us the information on which they

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were based. I am still struggling to get either that information or a positive confirmation that it does not exist. That is upsetting to me, particularly when very precise statements have been made, such as that the patronage projections for the Kenwick route will be 17 980 in 2006. How accurate that number is we do not know, but it is very precise. Unless people sat around thinking what would be a good number and then wrote it down, presumably that number was based on something, and we keep asking what that was.

Hon Kim Chance: The precision of the number indicates that people believe they have been through a process.

Hon PETER FOSS: That is right. If the figure turns out to be 17 981, I will not say that they got it wrong, but it gives the appearance that it has been thought through and that there is some logical reason for it.

Hon Kim Chance: And you just want to know what that is.

Hon PETER FOSS: Yes, and I do not think that is unreasonable. If the minister had said that there would be an increase of approximately 20 per cent, which is the sort of figure she was using at one stage, obviously that would be a bit of a shoot from the hip-type of number; however, 17 980 is not a shoot from the hip number. The minister has said also that this is what the preliminary studies show. What preliminary studies? She is now backtracking and saying that the studies she means are the ones that the previous Government undertook. However, the ones that we undertook did not show this. I do not criticise the Government for using a model, and I do not criticise it for using the methods that have been referred to in this document. That is necessarily what modelling is about. As long as we know that that is what modelling is all about, there will not be a problem with it. The big problem is caused when people say that the model will happen, whereas all it does is help people get a feel for the factors that are important. I am sure the model is correct when it indicates that speeding up the time of the journey will have an effect on patronage. Of course it will. It is not the only factor, but we cannot guarantee how much of a factor it will be. We just know the degree to which people may be influenced by it, as well as the parking and the other factors that are involved with the model. All these factors have an impact. That is all they do. They give people a feel for it, which helps them make their decision, and, ultimately, they have a degree of faith in it. However, I object to the Government's trying to fob off onto the public the suggestion that it has something more positive than that and that it does know and, more importantly, telling the public that it has these figures when it is still working on them. At this stage, the figures give the totally reverse view.

The interesting thing is that when I first referred to this matter, it was suggested that there must be a logical explanation for what happened. I am still waiting for the logical explanation for the supposed inconsistencies. I can understand that when people are going through things they get different results, but this document is dated 5 July 2002. We were told that it was the most current document at the time the statement was made on 14 August. It is interesting to see how much it matches up. The total figure given in the statement is 28 450 boardings, but that figure does not appear in the document. What does appear is that the total number of all-day boardings factored for change in land use is 23 070 for Kenwick. The figure was changed by 5 000 downwards by the time the final figures came out. I do not know how the Government, without any other document, can justify saying in August that the benefit was the other way. Have we been fed a line? I am rather interested to know.

I have always kept asking what was the basis of the statement. I have asked for it to be shown to me. It might be an envelope tabled in the House on which somebody has done some calculations. It might be a print-out, although, looking at the question I have before me, it is pretty unlikely. We could be given anything, but please let us not be given false statements. I do not know whether everybody has read about the Vietnam War and Lyndon B. Johnson. LBJ used to carry round in his pocket a series of cards with false statistics on what was happening in Vietnam. He would pull them out and read from them all the time. He would tell people his version of what was happening in Vietnam; it was totally wrong.

Hon Jim Scott: Nothing has changed.

Hon PETER FOSS: That is what we are trying to find out. The fact that the president kept pulling these cards out of his pockets and giving precise figures was his way of holding to his faith that he had made the right decision. We seem to have another LBJ in this Parliament who keeps reaching into her pocket and coming out with statements of precise figures for which there seems to be no basis in fact. I cannot say there is not; all I can say is that despite my best endeavours to get the facts during the estimates committee hearings, to ask for them afterwards and to bring a motion to have them tabled, I cannot get any information. I am therefore not unreasonably saying at this stage that I do not think that they exist, because the parliamentary secretary has told me that he has given me everything that we need to have. If he is telling the truth - I obviously assume that he is - they do not exist.

My concern with the statements at this stage is that they are like the figures used by LBJ; let us see the pocket cards that are being read from, because I do not believe what I am hearing. The reason I do not believe it is that

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despite my best endeavours to get the facts from the minister, she will not let me have them. I am fast coming to the view that at the time that this statement was made, there was no basis for the claims that were made. I am open to correction because I am coming to that conclusion on the basis of the absence of documentation. I cannot get that documentation. It is up to the parliamentary secretary to show us that it is the case.

The statements in this House to date and those made and tabled in the other place to date indicate to me that the figures in the statement have no basis in fact or genuine opinion. That concerns me because I am not a person to say that the decision is absolutely and objectively wrong. It is my opinion that it is wrong. I can say objectively that the Government has not provided the information on which it said it based its decision. That is all I am saying. It would be a brave person who could say there is no doubt the decision is wrong. I am struggling to get information; I have been continually fobbed off. I find the answer totally unacceptable.

Hon Simon O'Brien: There is one avenue of recourse left to you.

Hon PETER FOSS: That is true.

Hon Simon O'Brien: It relates to the standing committee.

Hon PETER FOSS: Not only the standing committee. I am getting sick of these statements, which I think are wrong. In the past I have used a slow, measured and non-confrontationist way of getting at this. In the future, if I think I am being misled I will use the standing orders to move immediately for consideration of the matter. It worries me that my tolerance in this matter and my care in following processes may mean that I will never get the information. I do not particularly like privileges committees as a way of dealing with matters. It is always much easier to slowly tighten the screws so that people, at one stage, realise that the requests being made are fair. If the only way I can get a result is to use Standing Order No 155 because I believe the House is being misled, I will. I give notice that it is not my preferred or chosen method. If I do not get results by the other method, I will get out the sledgehammer and start whacking around with that. It is not the right way for this House to proceed. We have the capacity to work in a considerably more measured and polite way. Though the mills of God grind slowly, yet they grind exceeding small.

Hon Kim Chance: I think the member has made his point. I will make the minister aware of what he has said and ask for details to be provided.

Hon PETER FOSS: Thank you, that is very good. This also has a bearing on my other motion, which the minister, as the Government, has to consider. It is my slow and measured way of proceeding. If I am not successful with it I will obviously use another method. I raised this because I am concerned about it and I hope the Government will deal with it.

The CHAIRMAN: I will say this only this week: I advise members that, for the record, there is one hour and 13 minutes left on this debate.

Debate interrupted, pursuant to sessional orders.

*Sitting suspended from 3.45 to 4.00 pm*