

*Standing Committee on Estimates and Financial Operations — Eighty-seventh Report —  
Consideration of the 2022–23 budget estimates — Motion*

Resumed from 16 August on the following motion moved by Hon Peter Collier —

That the report be noted.

**Hon NICK GOIRAN:** In the remaining one minute I have to discuss the eighty-seventh report of the Standing Committee on Estimates and Financial Operations, I encourage members to look at page 24. There members will note the following. I quote —

A number of answers to questions submitted prior to hearings were received beyond the Committee's deadline. This increases pressure on the Committee to consider, process and disseminate the answers for the benefit of all Legislative Council Members in time for the hearings.

However, this year, the Committee encountered an unusually long delay in the provision of answers from WA Health and the Mental Health Commission.

Given that there has just been a debate about health, it is interesting that as far back as a year ago we continued to have these delays within WA Health and the Mental Health Commission. It seems to be a symptomatic disease of the health system in crisis.

**Hon KLARA ANDRIC:** I thank the honourable member for his contribution. I think it was outstanding, considering that it was a minute long!

I, too, rise to speak on this eighty-seventh report of the Standing Committee on Estimates and Financial Operations. I have spoken on this report previously, as has Hon Nick Goiran, and I will try to focus on some other issues in this report I have not previously mentioned in this chamber. As members know, the eighty-seventh report was tabled in October 2022. I often do not have the opportunity to thank members of the committee because I usually leave it until last, so I have created a new practice when speaking on committee reports, which is to acknowledge and thank them at the beginning of my remarks. I stand to be corrected because we have had a few changes, but the committee members include Hon Peter Collier, who is the chair; Hon Samantha Rowe, who is the deputy chair; Hon Dan Caddy; Hon Nick Goiran and Hon Dr Brad Pettitt. I understand that at the time the eighty-seventh report was tabled Minister Jarvis was on the committee. However, she has been replaced by my very good colleague Hon Dan Caddy. I thank those committee members for the hard work they do. I also want to acknowledge some other very important people, who are the staff, ministers, parliamentary secretaries, public servants and all involved who assist the committee with its consideration of the estimates.

The Legislative Council Standing Committee on Estimates and Financial Operations is tasked with considering and reporting on estimates of expenditure, which are laid before the Council each year. The 2022–23 budget outlines the government's priorities, not only for that financial year but for the next three. In the eighty-seventh report the committee considered the budget broadly, including a more thorough examination of 16 agencies, so there were 16 hearings, and a less detailed examination of a further 21 agencies. The second point of the tabling statement said —

These hearings covered many topics, reflecting the wideranging interests of the committee and participating members. A summary of the topics discussed at agency hearings can be found in appendix 2 of the report.

The committee made two findings and four recommendations in the report. The first recommendation of the report is found on page 16, and I will bring it to the attention of members today. It states —

The Treasurer direct the Department of Treasury to include the outyears for each special purpose account listed in the relevant Appendix in the Economic and Fiscal Outlook.

I note from the government response that the government fully supports recommendation 1.

**Hon Peter Collier:** It is a very good recommendation!

**Hon KLARA ANDRIC:** It is a very good recommendation, honourable member!

Further to that, I will bring to members' attention recommendation 2 outlined in the report, which states —

The Treasurer direct the Department of Treasury to explicitly identify funding from major special purposes accounts in an agency's asset investment program 'funded by' section and the financial statements.

I am also pleased, as I am sure Hon Peter Collier is as chair of this committee, that the government supports this in its response to this recommendation. It states —

Treasury will ensure this information is included in future Budgets.

I was also pleased to read something in the conclusion of the executive summary that is worth pointing out. It said —

The Committee considers the process provided an appropriate level of scrutiny of the 2022–23 estimates. That is very positive.

The 2022–23 budget was centred around four government goals, which I found on page 2 of the report. I may have mentioned these in my previous contributions on the eighty-seventh report, but in case I have not, as my memory is not that good, I will read them out to members today. I will read the four major goals of the government has structured around 2022–23 budget. The report states —

- Investing in WA’s future: tackling climate action and supporting the arts, culture and sporting sectors to promote vibrant communities.
- Safe, strong and fair communities: supporting our local and regional communities to thrive.
- Strong and sustainable finances: responsible, achievable, affordable budget management.
- WA Jobs Plan: diversifying the WA economy, creating local jobs for the future.

They are all very positive goals of the government and ones I fully support. Many of us here know just how very hard this government has worked on investing in those goals across sectors of various areas.

I wish to bring the attention of members “Special purpose accounts” on page 15 of the report, which is under the heading “Observations on the Budget Papers”. “Special purpose account” refers to specific funds or accounts established for designated purposes. Page 15 states —

The *Appropriation (Capital 2021-22) Act 2021* authorised the Government to place \$5.7 billion into specified special purpose accounts. In 2022–23 —

Which is the time referred to in this report we are talking about today —

the Government is seeking Parliament’s approval to provide a further \$1.3 billion to specified special purpose accounts.

Repeating last year’s requests, the committee sought receipts and payments for the out years of each special purpose account. The Department of Treasury advised that it could only provide unpublished forecasts for the Treasurer’s special purpose accounts. I refer to the section on special purpose accounts from the 2022–23 budget on page 15 of the report.

**The DEPUTY CHAIR (Hon Stephen Pratt):** Members, before I give the call to Hon Steve Martin, I wish to say that I have been advised by the clerks to amend the record for the results of the previous division on the question that the motion be agreed. The correct result is ayes 12, noes 19. The question was resolved in the negative.

**Hon STEVE MARTIN:** I welcome the opportunity to make a few remarks on the eighty-seventh report of the Standing Committee on Estimates and Financial Operations. Congratulations to the hardworking members of that committee. I was subbed in for one of its reports, so I am aware of the amount of work they do.

I want to bring members’ attention to one of the findings of the report, which is located on pages 14 and 15. It relates to a hearing with the Forest Products Commission, in which I took part. Two or three questions into the hearing, my colleague Hon Nick Goiran pointed out to the representing minister and the representatives of the Forest Products Commission that its budget figures in the out years were identical to the figures from the 2021–22 budget. They were unchanged. That is about the only thing in the forest industry in Western Australia that is unchanged from 2021–22.

The budget outlooks of the private businesses in the forestry sector in the coming years are far from unchanged. In fact, if they are in the hardwood sector, they are just about zero. In an extraordinary effort, the Forest Products Commission just cut and paste the figures. I note that finding 1 states —

The 2022–23 Budget Papers would have benefited from an explicit notice that some of the Forest Products Commission’s financial estimates for 2023–24 and 2024–25 were sourced from the 2021–22 Budget.

In fact, they were cut and pasted from that budget. The response from the commission states —

In this process, the budget numbers in the out years are based on the [2021–22] budget prior to the announcement [of the ban on native forest logging from 2024]. Your two questions—the numbers relate to growing revenue and then equivalent growing costs to do those growing revenues.

Apparently, Treasury advised that it cut and paste those numbers because it could not “model what the volumes will be”. Obviously, it is not the only organisation that cannot model what those numbers will be but it does not matter if it is in the public service—they just cut and paste the numbers, the budget is fine and all those public servants get paid, but the small businesses in the hardwood sector of the forestry industry are out of business. In fact, after many decades of operation and more than \$10 million of recent investments, Redmond Sawmill, just north of Albany,

closed its doors this week. As we heard from the forestry minister, it will receive some of the payout organised by the government. I think Redmond's payout will probably be a little over \$1 million. It does not take Einstein to do the numbers. It will be significantly out of pocket as a result of what happened to the hardwood sector. The people in the Forest Products Commission went on to advise when it would be able to update its budget. Treasury advised the commission to leave the numbers in the out years and acknowledged "that they will not be very accurate". That is an interesting way to describe it. Treasury said —

They will vary once we know what the new forest management plan determines as available volume and subsequent revenue, and then expenses.

When will that happen? The report continues —

They will be updated ... so when the 2024 forest management plan is released, just prior to 2024 ...

It is now the end of August, and it has not happened yet —

... in the 2023–24 budget process will then have that information to be able to model what the revenues will be and what the expenses are.

Again, that is fine for the public service. The Forest Products Commission will charge ahead. In fact, its staff numbers are growing, interestingly, but again the small businesses in that industry have been smashed by this decision. I think the performance of the Forest Products Commission during this estimates hearing was indicative of how it has performed in the hardwood sector for some time.

We come to today. Yesterday my colleague Hon Dr Steve Thomas asked whether any sawlogs have been delivered in August 2023. The *Forest management plan 2014–2023* still exists. The sawmills that are left—there are not many but there are some—believe they had contracts for the delivery of logs right up to the end of this management plan, which we have heard is sometime late in 2023. Everyone in that industry is telling me that those logs are not being delivered and the forest management plan is not living up to the details of those contracts, which is very disappointing for the few small businesses that are left. Some timber is being felled. Apparently, if we talk to the sawmillers, the vast bulk of that jarrah is now being used for firewood, which is an interesting outcome when the government trumpeted its environmental credentials around this logging decision. As members would be aware, mining hectares are being felled and they will continue to be felled. Apparently, the vast bulk of that timber is going to firewood supplies, which I think is a very interesting decision of the Forest Products Commission and the forestry minister.

I will move on to some other issues in the committee's eighty-seventh report. Some issues were raised around the planting of hectares for the investment from the state government into the growth of the pine plantations. We have been asking questions for some time about where those hectares are being bought and the impact that is having on agricultural land in the high rainfall region of the south west. Now the government, through the well-funded Forest Products Commission, is competing with farmers in general to purchase agricultural land. We often hear about the drying nature of the Western Australian climate, particularly in the south west. That has made rainfall on farm land very valuable. Now the government is bidding against the locals, in effect, with its \$350 million war chest to acquire land to prop up the pine industry. Of course, it will take 25 years before it hits the pine mills. That is the lag time. There will be some thinning over the next 10, 15 or 20 years, but that is a long-term investment. I assume that sort of bidding goes on and on in that market. Those local farmers grow food and produce fibre. They are now in a market that is hotly contested by the state government and large carbon-emitting miners and gas companies that also have their eye on some lovely high rainfall agricultural land on which to plant trees for carbon abatement purposes. The government needs to be very careful about the impact it has on the real estate market through that investment.

There is the possibility that as that demand for land gets greater, they head further north and away from the rainfall. We have seen that happen before with the blue gum plantations that were planted further north because there was not enough rain.

The supply of firewood going forward is interesting and was also touched upon in the Forest Products Commission hearing. The firewood sector has not been able to get any guarantee that there will be an ongoing supply of timber once the hardwood harvesting ceases at the end of this year. It is late 2023 and the small but wonderful furniture manufacturing sector in Western Australia does not know what will happen early next year when the new forest management plan comes into place.

The committee briefly discussed ecological thinning. That might keep a few mills afloat, but again in the Forest Products Commission's submission to estimates, we do not know how many hectares or how many tonnes that will involve and that is very disappointing for the timber sector. Thank you.

**Hon KYLE MCGINN:** It is good to rise and talk on the Standing Committee on Estimates and Financial Operations' eighty-seventh report—*Consideration of the 2022–23 budget estimates*. I note that quite often we talk about estimates

and financial operations reports. It is good to get to one for 2022–23. I also acknowledge the committee members and staff and all the hard work that goes into writing a report. This was the first year in which I was called upon to represent the minister, which was really good. I found it to be quite an interesting experience and lots of questions were asked in the portfolios, which was also really good.

Hon Klara Andric referred to part 3 on page 2 of the report where it describes the goals of the government, and that really got me thinking. The first bullet point under part 3.1 states —

Investing in WA’s future: tackling climate action and supporting the arts, culture and sporting sectors to promote vibrant communities.

That can really be seen to be happening on the ground. I was in the goldfields on the weekend and watched the local hockey games. I think they were in their playoffs for their finals coming up this weekend. I saw the new lighting for the hockey fields that had been delivered by this government. It was good to hear the responses from people and to see how happy everyone is at those hockey nights. It is not my sport, but it was good to watch and I realised just how dangerous that sport really is with that ball flying around at 100 miles an hour. The lighting was fantastic. The member for Kalgoorlie, Ali Kent, was there along with John Bowler and members from the City of Kalgoorlie–Boulder. It was great to see that project delivered.

I spoke briefly during the last sitting about the delivery of a new BMX track in the goldfields, which has been very positively received by the BMX community and in line with what this report states around promoting a vibrant community. Once a year on the WA Day long weekend, this BMX track brings people from around WA to the goldfields. BMX is one of those sports in which the parents and the families really have to take part in it in a big way—volunteering, travelling, driving, camping and doing everything that needs to be done to get their kids to those events. We see a vibrant community in Kalgoorlie on that weekend. This BMX track plays a pivotal role in the community, but that is not the only event held on that weekend. The government also supports other events on the same weekend such as the Goldfields Cyclassic. For some crazy reason, people get on pushbikes and ride all the way to Leonora. First they ride to Menzies, where the Shire of Menzies gets an opportunity to show how vibrant its community is by putting on a feed for the cyclists. The next day they cycle another 120 kilometres to Leonora. What is happening in Leonora on that day? It is the Leonora Golden Gift. Talk about innovation! We are going to hold a running race down the main street.

**Hon Martin Aldridge:** Are you doing it?

**Hon KYLE MCGINN:** No, Hon Martin Aldridge. I have not quite got my time trials up to anything under 50 minutes yet. I do not want to embarrass myself, but what we do see, Hon Martin Aldridge, which is fantastic, is the young kids running with professional athletes. Kiara Reddingius is a sprinter who has won the mile before and who went on to compete in the bobsledding event at the Winter Olympic Games. She went from Leonora to the Winter Olympics, and it started with a government-supported event. I want to acknowledge the local governments that support those events as well. Although we sometimes may not agree with local governments, they are trying to make their communities strong and vibrant.

I am also very proud of the member for Kalgoorlie, Ali Kent, for her role in getting a brand new basketball stadium built, which is well underway, for the Goldfields Giants. The giants were struggling with their current facilities that would have potentially seen them struggle to stay in the competition. In the spirit of building a vibrant strong sporting sector, the government has stepped up and we are working our way towards the delivery of that project. Anyone who has been in the goldfields would be well aware of the Giants and their fantastic community values that pervade the community.

With these reports, as I have done with previous reports, I like to go the appendix and get a bit of an idea on the questions —

**Hon Martin Aldridge** interjected.

**Hon KYLE MCGINN:** No, I am not going to the “miscellaneous” section. I have not found that one in this report, but it is always my favourite. I like to get an understanding of the questions that were asked because I can pick up a bit of a vibe of how the hearings went. Page 30 refers to the hearing on 20 June with the Department of Justice in which some very pointed questions were asked, so we can see that the committee put in a lot of time to ensure it asked a broad range of questions.

I turned to the hearing with the Department of Education and I could not help but stop at the mention of Country Week. I was very intrigued to see what the committee’s intent or questioning was around Country Week. Country Week is a fantastic initiative that happens right across WA in which the regional kids go to the city to play off. They return to the region full of pride and with many stories. I am very proud to say that the goldfields teams always come back with a bag full of medals.

**Hon Peter Foster:** The same with the Pilbara.

**Hon KYLE MCGINN:** The Pilbara is not too bad, but the goldfields teams are pretty fantastic. The Kimberley teams do well and so too do the North West Central teams. It is really good to see the young kids going to the city and meeting up with other kids from regional Western Australia. They get to hang out with their team mates, they get away from home and they get a taste of what is happening in the city. They also get to compete at a higher level and the opportunity to be spotted and scouted, which probably does not happen most of the year for regional kids who play their sport 650 kilometres to 1 000 kilometres away from Perth. I am very interested in Country Week and I hope that the committee got some positive feedback out of that line of questioning. I look forward to seeing Country Week continuing to be on our calendar and being supported by, again, the parents and volunteers. A lot of these sporting programs require hours of volunteering and also fundraising. The Bunnings sausage sizzles held on Saturdays are often run by a school or a sporting club that is selling hot dogs to raise funds for their teams to get to Country Week. Terence, a young fellow from Kalgoorlie–Boulder, has just been selected for the under-18 Australian darts team. He had to raise \$1 700 within a couple of weeks to get across to that, but the community came in and did a fantastic job.

It would be remiss of me not to mention the community sporting and recreation facilities funding. I often get a lot of feedback from sporting organisations about this and it is all positive. When a sporting club comes to talk to me, I tell them to go have a look and put in an application for it. This has been a very successful program right across WA, and I cannot stress enough how many clubs love that fund and how many other clubs hear about that fund after another round has been released and they come straight in and ask what they can do to access that funding.

The government is well and truly delivering on the first dot point on what its goals are —

Investing in WA’s future: tackling climate action, supporting the arts, culture and sporting sectors to promote vibrant communities.

I look forward to talking about this report again once we have run out of speakers.

**Hon PIERRE YANG:** Thank you, deputy chair, for the opportunity to say a few words on the consideration of the eighty-seventh report of the Standing Committee on Estimates and Financial Operations, *Consideration of the 2022–23 budget estimates*. We have heard from Hon Nick Goiran, Hon Klara Andric, Hon Steve Martin and Hon Kyle McGinn, who have made contributions on this report. I want to echo the sentiment of Hon Klara Andric’s contribution about the four governmental goals of the 2022–23 budget. I will quickly talk about the second dot point, which states —

Safe, strong and fair communities: supporting our local and regional communities to thrive.

This is part of the overall governmental goals of the state government in the 2022–23 budget.

The government has demonstrated a strong desire to serve the people of Western Australia with fiscal discipline to stiffen our resolve to keep WA safe and strong. That goal has been achieved over the past six years of the McGowan and now Cook Labor governments, especially when we talk about emerging out of COVID. We had the best health response in managing that once-in-a-lifetime or once-in-a-century occurrence—generally, that is longer than a person’s lifetime. This was a once-in-a-century pandemic, and we emerged out of it with stronger health and economic outcomes.

Over the past six years, we have demonstrated that the state government has worked tirelessly to diversify the economy. Western Australia has benefited over the past 60 or 70 years from the gift of natural resources. The mining and energy sectors have a huge number of different industries within them. One thing that has popped up over the past year is lithium, which has taken over liquefied natural gas as the second-largest export for Western Australia, only after iron ore. That is a testament of the government’s 2019 future battery strategy, which was aimed at supporting other industries in Western Australia to have a diversified outlook.

This report last came up for debate a few months ago on 15 February 2023. Hon Peter Collier was the first speaker to talk on this report. In an exchange with Hon Sue Ellery he made a very interesting point. I want to relate my experience as the Parliamentary Secretary to the Minister for Water and my attendance at the budget estimates hearing in June this year.

During the exchange back in February, Hon Peter Collier, in his contribution, talked about the committee’s process. He states —

The chair was responsible for the conduct of hearings and provided guidance on procedural matters as well. No questions were ruled out of order and that was because the chair does an exceptional job.

Hon Sue Ellery then jumped in and said —

We are listening; we can hear what you are saying about yourself.

Hon Peter Collier replied, “That was actually funny!” He quickly moved on and talked about Hon Samantha Rowe, the deputy chair, and her occasions of chairing the committee.

I want to commend Hon Peter Collier. As the Parliamentary Secretary to the Minister for Water, I was involved in the budget process when the Department of Water and Environmental Regulation was called to give evidence. Hon Darren West, as the Parliamentary Secretary to the Minister for Environment, and I were in the same hearing, and I can testify that Hon Peter Collier did a fantastic job as the chair on that occasion. This is a bit of a trend! He did a good job in the hearings for the 2022–23 budget and he did a good job in the 2023–24 budget cycle.

**Hon Peter Collier:** I have my moments!

**Hon PIERRE YANG:** Yes!

The report was tabled back in October 2022, some five or six months after the last 2022–23 budget was handed down. It is worthwhile reminding ourselves that when the 2022–23 budget was announced by the state government, we were merely a few months out of the COVID situation. Western Australia was in a state of uncertainty given that we had a number of waves of the Omicron variant of COVID in our community. It is a good outcome, some 18 months later as we stand now, that we can say that Western Australia did the right thing in following the health advice, and the state government did its part to make sure that the safety and wellbeing of Western Australians was protected during that period of uncertainty.

As we have seen around the world, uncertain economic times lie ahead of us. We have seen an enormous increase in inflation, but some good news came out yesterday in that inflation went down some 2.49 per cent. Nevertheless, there are still challenges that we as a state should be mindful of. That is why I was particularly pleased when the state government announced the cost-of-living measures such as the \$400 electricity assistance, which will be paid in two parts of \$200 in the July billing cycle and another \$200 later this year. I think that is a good measure for the government to take. However, let us not forget that for the state government to be able to do that, the 2022–23 budget assisted in many ways. A windfall income cannot be had in just one year and then be spent. A government needs to demonstrate and prove that it can manage the economy, like the way that this government has done over the past six years. For that, I think the state government deserves credit for managing the state's economy. I would like to commend the state government for that. Deputy chair, I would like to seek another opportunity to speak further at another date.

**Hon NICK GOIRAN:** We are on the eighty-seventh report entitled *Consideration of the 2022-23 budget estimates*. I indicated earlier this afternoon that I encourage members to specifically take a look at page 24 of the report. I asked members to do that because this is the chapter of the report in which the Standing Committee on Estimates and Financial Operations made some observations about the hearings that took place last year. As I indicated earlier this afternoon, one of the observations that the committee made was in respect of the late delivery of answers to questions prior to hearings.

I now want to turn to another observation that was made by the committee. It is apparent that the committee was concerned by the occasional ministerial interference, so much so that the committee made recommendation 4, which states —

Attending Ministers and Parliamentary Secretaries re-familiarise themselves with the Committee's procedure policy for conducting budget estimates hearings.

It is unfortunate that, from time to time, we have ministers and parliamentary secretaries who are not across procedural policy. That includes that members of the committee are able to ask questions of public servants who attend. They are witnesses at the hearings. It is not acceptable for a minister to obstruct the processes of the committee. That is why the committee has recommended that ministers and parliamentary secretaries re-familiarise themselves with the committee's procedure policy for conducting budget estimates hearings.

In addition to that, I note that of the various topics covered in the budget estimates hearings last year, one of them was the nondisclosure of costs by the government. Those costs were the significant legal costs incurred by taxpayers of Western Australia because there was a dispute in the Supreme Court between a magistrate of the Children's Court, Magistrate Crawford, and the President of the Children's Court, Hylton Quail. There was an unedifying legal spectacle when, in essence, we had a magistrate suing her purported boss, the President of the Children's Court, at the expense of taxpayers—certainly in respect of the legal costs of President Quail. I think it is important to mention on the record that to the best of my understanding, and to the extent that questions have been asked and answered in this place, Magistrate Crawford has not sought reimbursement from the taxpayer for her pursuit of this matter. President Quail certainly did. It was appropriate for the taxpayers of Western Australia to understand exactly how much those costs were. However, this government has had the propensity to keep information secret from the taxpayers of Western Australia.

In this particular instance, one of my lines of inquiry was whether the costs had ultimately been taxed. What is meant by taxing those costs is that there is a formal legal mechanism in which a person who is responsible for paying a lawyer's bill—that is, the legal cost—can have them taxed. The taxation of costs is a formal process by the courts in which they ascertain whether the legal costs have been reasonable or not. My question to government

was: have we checked that the costs incurred by the taxpayers of Western Australia were indeed reasonable? This does not just apply in respect of the unedifying legal spectacle between Magistrate Crawford and President Quail. I might note in passing that Magistrate Crawford now has a matter in the High Court against the state of Western Australia. I believe that the matter has been remitted to the Federal Court and that a hearing is set to take place in October, if I am not mistaken. In any event, it can be seen that this expensive saga continues on. I will be very interested to see what the final resolution of this matter is and what the final cost to the taxpayers will be.

However, that is not the only example. Of course, we know that former Premier Mr McGowan was at great pains to hide the costs of his legal spat with a billionaire. It is a matter of public record that the former Premier was found by the Federal Court to have defamed that billionaire. It is also a matter of public record that that billionaire was found to have defamed Mr McGowan. Who paid for all of that at the end of the day? The taxpayers of Western Australia. I have been pursuing this for quite some time, not only in these budget estimate hearings but subsequent to them. I note that in a sneaky media release distributed before Christmas, we were told that WA's net costs to date associated with defending the defamation action brought by Mr Palmer and the cross-claim were calculated at \$2 021 665. The point being is that is more than \$2 million.

In this very sneaky fashion by the at-the-time McGowan government, it talked about defending the defamation action brought by Mr Palmer. Yes—defending the action that they lost! Mr McGowan defamed Mr Palmer, and had he not defamed him, there would be nothing to defend! How much did the indiscretion and lack of statesmanship of the former Premier cost the taxpayers of Western Australia? In a very sneaky fashion, they tried to amalgamate all the costs together with what is referred to as the cross-claim. The reason that they did that is because they are quite proud, in a sense, of the cross-claim because it had partial success. However, as any astute lawyer will know, when doing the taxation of costs, the lawyer has to identify by line item the distinguishing costs of their defence and cross claim. They do not get to say before the court “Well, it is all just one pot of soup and here it is” The court would not tolerate that. It would want to understand each of the ingredients in that pot of soup. Would it be too much for us to ask of the government to provide such itemisation? Apparently so. To this day, the government still has not released an itemisation of what those costs have been, yet it was quite happy before Christmas to sneakily advise people that the cost had been \$2 million. Yes, okay, the cost had been \$2 million, but how much of that was avoidable? How much of that was unnecessary? How much of that \$2 million can be attributed directly to the defamatory remarks of Mr McGowan? How much have the people of Western Australia had to pay simply because Mr McGowan could not keep his mouth closed? That is a fair and reasonable question for a taxpayer of Western Australia to ask, yet this government chooses to keep the answer secret. We will continue to pursue this matter until it is revealed. Perhaps it will be another element of the terms of reference of the inquiry to which Hon Tjorn Sibma referred a little earlier. It is not Mr McGowan's money and it is not the Cook government's and ministers' money, it is the money of the taxpayers of Western Australia.

I would be happy to seek the call again, Mr Deputy Chair.

**The DEPUTY CHAIR (Hon Dr Brian Walker):** I give the call again to Hon Nick Goiran.

**Hon NICK GOIRAN:** Thank you, Mr Deputy Chair. I really hope that at some point somebody will come clean about these costs as ordered by the Federal Court. Indeed, what is the current status of that? I know that a number of ongoing negotiations were taking place to finalise the various cost matters. As bad as the behaviour was of Mr McGowan, of course his opponent, the billionaire with very deep pockets, was also badly behaving at the time. His bad behaviour has also contributed to the cost to Western Australians. A number of costs orders were made at the time, but we have not received—not that I can recall this year—a statement by a minister or parliamentary secretary updating the house on what those costs are. Where are those negotiations at? Is it continuing to cost the taxpayers of Western Australia money, much like the Crawford v Quail saga? Is the ongoing saga that is McGowan v Palmer continuing to cost the Western Australian taxpayers money? We ought to be told this information.

In the meantime, members might be interested to know that the eighty-seventh report outlines 23 instances in which information was not provided to the committee. Members will be well aware that section 82 of the Financial Management Act 2006 provides that when a minister decides that it is reasonable and appropriate not to provide certain information to Parliament, the minister is required to notify each house of Parliament and the Auditor General of this decision. As I said, there were 23 instances when information was not provided.

Page 20 of the report lists the 23 instances that impacted on the following ministers at the time: the Minister for Agriculture and Food, the Minister for Emergency Services, the Attorney General, the Treasurer, the Minister for Forestry, the Minister for Housing, the Minister for Child Protection, the Minister for Health, the Premier and the Minister for Road Safety. All of those individual ministers, certainly at the time of the budget estimates hearings for 2022–23, deliberately chose to not provide information to Parliament. They are entitled to deliberately not provide information to Parliament, but the consequence for that deliberate decision is that they must, as a matter of law, provide a section 82 notice. It is for those reasons the committee recommended —

Relevant Ministers listed in Table 6 consider issuing a notice under section 82 of the *Financial Management Act 2006* for those occasions of non-provision of information due to claims of Cabinet confidentiality, commercial confidentiality, agency resourcing issues and preparation for Parliament.

Has it happened? Have those ministers complied with their obligation under the law as outlined by the committee? What has the Minister for Agriculture and Food done? What has the Minister for Emergency Services done? What has the Attorney General done? What about the Treasurer; the Minister for Forestry; the Minister for Housing; the Minister for Child Protection; the Minister for Health; the Premier at the time, Mr McGowan; the Minister for Health at the time, Mr Cook; the Minister for Emergency Services and the Minister for Road Safety? What have they done? Have they continued to thumb their nose at the law of Western Australia and have blatant disregard for this?

It is interesting that it was left to the then Premier, Mr McGowan, on 19 December last year to respond to this report. In the letter that he sent to the chairman of the committee on this specific recommendation he says that ministers will be reminded that when applicable, a notice in line with section 82 of the *Financial Management Act 2006* is required to be tabled. That is what Mr McGowan said in December last year. He said that it is required to be tabled. Has this happened? Has it happened in any of the 23 instances outlined in table 6, which begins on page 17 of this report and continues to page 20? We simply do not know that, yet again there would be an opportunity for a minister at the beginning of the day in statements by ministers and parliamentary secretaries to come clean and indicate what has happened with this matter. However, we get the contemptuous attitude towards these recommendations of the committee and are simply told that these things will be noted and that ministers will be reminded, but there is little point in reminding ministers of their obligations to follow the law of the land if nobody then follows it up and if there is no enforceability on these matters.

I also want to draw to members' attention that the budget hearings saw ministers not provide information to Parliament and ministers provide late delivery of answers to questions prior to hearings, particularly the Department of Health. Imagine trying to start a hearing and at the start of the hearing was the first time receiving the answers prior to the hearing. It might suit the public servants and the Minister for Health, but it certainly does not provide for a productive, efficient and effective public hearing when members of Parliament scrutinise the budget that has been proposed by executive government. It would not be tolerated in any other circumstance. Imagine the Department of Health appearing in the state Coroner's Court disclosing information and evidence on the day of the hearing. What kind of response would the Department of Health expect to receive from the presiding coroner on that day? It would be a reprimand of the highest order, possibly causing the delay of the hearing. However, there seems to be a different attitude taken by the Department of Health when it comes to Parliament—that the hearings of Parliament are somehow lesser things or unimportant things. That flies in the face of the important principle of responsible government in which the executive is held to account by the Parliament of Western Australia.

**Consideration of report postponed, pursuant to standing orders.**

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