

have been handled in a much better way all round. However, the Official Corruption Commission has the ability to report to this Parliament and we being the masters of that body have to make a decision. I was concerned to read the second front page of *The West Australian* dated 3 December, remembering that we received an early edition at around 10.00 pm or 11.00 pm and the editors furiously worked into the early hours of the morning to produce this sensational front page of the second edition headed "Charge Premier: travel probe".

The PRESIDENT: Order! I am loath to interrupt Hon Reg Davies, however I have a message from the Legislative Assembly in response to a message sent to it requiring the attendance of three members of this Chamber at a Conference of Managers at 1.45 am. As the House cannot sit while the committee is in conference, I will leave the Chair until the ringing of the bells.

[Continued on p 8075.]

## FREEDOM OF INFORMATION BILL

### *Assembly's Further Message*

Further message from the Assembly received and read notifying that it had agreed to the Council's request for a conference and had appointed Hon D.L. Smith, Mrs Edwardes and Mr Kobelke as managers for the Assembly, the conference to take place in the Select Committee room at 1.45 am Friday, 4 December.

*Sitting suspended from 1.45 to 4.15 am*

### *Conference Managers' Report*

**HON PETER FOSS** (East Metropolitan) [4.15 am]: I present the report of the Conference of Managers of the Legislative Council and the Legislative Assembly. The conference agreed to delete all of the amendments on which the Houses disagreed and to substitute the following amendments -

No 1

Clause 37, line 13 - To insert after "77" the following -  
 ,85(2) or 87(2)

No 2

Clause 38, page 25, after line 18 - To insert a new paragraph (c) as follows -  
 (c) it ceases to apply by reason of an order under section 87(2)

No 3

Clause 38, page 25, line 20 - To insert after "Subsection (1)" the following -  
 other than paragraph (c),

No 4

Clause 45, page 29, lines 7 to 11 - To delete the lines.

No 5

Clause 85, page 56, line 14 - To delete "a" where it first occurs and substitute the word "any".

No 6

Clause 85, page 56, lines 15 to 24 - To delete all words after "application" and substitute the following -

(2) An appeal lies to the Supreme Court from a decision -

(a) of the Commissioner refusing or failing to make a decision of the kind mentioned in section 77(3); and

(b) by the Premier confirming an exemption certificate pursuant to section 77(4).

No 7

Clause 85, page 57, lines 7 and 8 - To delete the lines.

No 8

Clause 87, page 58, line 2 - To insert after "appeal" the following -  
under section 85(1) or (2)(a)

No 9

Clause 87, page 58, after line 11 - To insert the following lines -

(2) On the determination of an appeal under section 85(2)(b) the Supreme Court may order that an exemption certificate no longer apply to a document.

No 10

Clause 91, page 60, after line 4 - To insert the following lines -

(2) The Supreme Court is entitled to access to and to view documents for the purpose of determining an appeal under section 85(2)(b).

Hon PETER FOSS: I move -

That the report be adopted.

Question put and passed, and a message accordingly returned to the Assembly.

## MOTION - OFFICIAL CORRUPTION COMMISSION REPORT

### *Amendment on the Amendment*

Debate resumed from an earlier stage of the sitting.

**HON REG DAVIES** (North Metropolitan) [4.20 am]: An article in *The West Australian* of 3 December refers to a letter that was tabled in this House. Members in this House were not privy to the details of who or what was being investigated, yet *The West Australian* was able to inform us that it was the Premier and that she should be charged under the Criminal Code. That was an astounding revelation. Either there has been a leak of information from the Official Corruption Commission, from the Director of Public Prosecutions or from the police; it could well be any department which was privy to that information. It is not good enough to accept the information contained in the newspaper article. We must ask why this information was given to *The West Australian* to print on its front page when members of Parliament were not privy to the information. When the letter from the OCC was tabled, members were sitting in this place wondering to whom the letter referred. The next day we read in the newspaper those revelations as well as complaints made by members of Parliament in the other place to the effect that the commissioner contacted them and asked them for assistance with legislation affecting the OCC. The OCC made startling allegations about the Premier's travel arrangements and indicated that an offence might have been committed. However, he stated that he needed someone to complain before he could investigate. We should be letting the commissioner know that we are upset about these sorts of activities. The business of the OCC should not be conducted in this manner. The commissioner should be responsible to this Parliament and that is no way of going about business or of ensuring respect for that high office by the public of this State. The newspaper article contained fairly serious allegations. The Parliament has had a request from the Official Corruption Commission asking it to take certain actions. It appears, as a result of newspaper revelations, that we know the member to whom the OCC referred. If it is the Premier, she has not been heard and she has a right to be heard. I am sure that could be remedied within a matter of hours. The letter from the Official Corruption Commission states that -

Taking account of the delay which will be involved in following the proper procedures and of the need to inform the Parliament at the earliest possible time, it is apparent that should the Commission decide that a report is to be made, it cannot be submitted before the Parliament rises but should not be delayed until the next Parliamentary session in 1993.

Surely the matter is not that urgent; it has been discussed on every news bulletin and newspaper for several days. I am at a loss to understand what is going on here. Including a time frame in the motion was not such a bad idea, as a lot of questions need to be answered and our concerns should be submitted to the author of that letter. Different options may be available to each House, although according to the Act the commissioner must report to both