Parliamentary Debates
(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2019

LEGISLATIVE COUNCIL

Wednesday, 10 April 2019

Legislative Council

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THE PRESIDENT (Hon Kate Doust) took the chair at 1.00 pm, read prayers and acknowledged country.

LIQUOR RESTRICTIONS — PILBARA

Petition

HON JACQUI BOYDELL (Mining and Pastoral — Deputy Leader of the Nationals WA) [1.01 pm]: I present a petition containing 781 signatures, couched in the following terms —

> To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.
>
> We the undersigned are opposed to the Liquor Restrictions to be implemented in the Pilbara on the 31st March 2019. We feel that the restrictions do not offer the correct assistance to those who are affected by excessive alcohol consumption and erode the right of choice for the general population. We understand that the implementation of the restrictions is a harm minimisation measure, however similar restrictions have been in place in Port Hedland for a number of years and they still have very high statistics related to alcohol abuse and harm.
>
> We therefore ask the Legislative Council to support the immediate removal of the liquor restrictions and instead facilitate the immediate implementation of a Banned Drinkers Register.
>
> And your petitioners as in duty bound, will ever pray.

[See paper 2608.]

CITY OF SWAN — LOT 52 VICTORIA ROAD, WEST SWAN

Petition

HON CHARLES SMITH (East Metropolitan) [1.03 pm]: I present a petition containing four signatures, couched in the following terms —

> To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.
>
> We the undersigned are opposed to the conduct of the City of Swan pertaining to the quiet enjoyment and development of the former proprietor of Lot 52 Victoria Road in West Swan, John Bruce Martin. We believe that the City of Swan have been heavy-handed in their dealings with the proprietor and did not act ethically by placing undue hardship and financial and emotional stress on the proprietor of this land, preventing his quiet enjoyment, occupation, and use of his land by means of (but not limited to) restrictive covenants and we believe the restrictions placed upon the proprietor, and the unwillingness of the City of Swan to rezone the area, has significantly reduced the commercial value of this land and use and/or developmental value of this property.
>
> We therefore ask the Legislative Council to recommend an inquiry into the behaviour of the City of Swan towards John Bruce Martin and his business situated at Lot 52 Victoria Road over the period of 1990 to present.
>
> And your petitioners as in duty bound, will ever pray.

[See paper 2609.]

SUSTAINABLE HEALTH REVIEW

Statement by Parliamentary Secretary

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [1.04 pm]: I rise to inform members of the house that the Minister for Health; Mental Health this morning released the "Sustainable Health Review: Final Report to the Western Australian Government". After nearly two years of consultation, consideration and planning, the final report provides an ambitious blueprint for the future of health services in Western Australia and it lays the foundations for the next decade.

This government has made significant inroads in addressing the rate of expenditure growth in health, which has fallen from an average of nine per cent over the past decade to under 2.5 per cent in the past two years. To continue to manage our health expenditure, while meeting the needs of our growing and ageing population, we must embrace cultural and behavioural change.

The final report highlights that we need transformational reform in mental health services and for services to be consumer focused, with care in a community setting when possible and where appropriate. The final report has

eight enduring strategies and 30 recommendations, which will support a shift towards more focus on and investment in prevention and community-based care. I am pleased to inform the house that the McGowan government has accepted all of the eight enduring strategies and recommendations and will invest $26.4 million in the 2019–20 budget to support a range of initial projects that will lay some of the critical foundations identified in the final report. One of these projects will include the relocation of King Edward Memorial Hospital to the Queen Elizabeth II campus, with $3.3 million being committed for planning to begin this exciting project immediately. The final report also highlights the need for increased capacity at key pressure points in the health system, such as Peel–Murray, Armadale and Bunbury. The Department of Health and health service providers will now commence planning for the implementation of the recommendations. Implementation will be overseen by an independent oversight committee, which will report to the Minister for Health; Mental Health. Professor Hugo Mascie-Taylor will lead this committee. The government believes that the outcomes and improvements identified by the report are achievable and necessary to ensure that patients are always put at the centre of what we do. Business as usual is no longer an option, and this is an opportunity to ensure that our health services are sustainable and innovative and will continue to provide the best health care for all Western Australians.

Acknowledgement is given for the significant work of the review panel, led by Ms Robyn Kruk, AO, participants in the clinical and consumer reference groups and the support staff at the Department of Health. I take this opportunity to table the report and look forward to all sides of the house working together to ensure the sustainability of our health system.

[See paper 2610.]

POLITICAL DONATIONS

Motion

HON ALISON XAMON (North Metropolitan) [1.07 pm]: I move —

(1) That this house acknowledges the increasing public concern about the role large corporations play in influencing public policy, recognises the urgent need for donations reform at both the state and federal level, and calls on the government to urgently increase the transparency of political funding by —

(a) abolishing third party donations;

(b) instituting real-time reporting of gifts and donations; and

(c) banning foreign donations.

(2) That this house further calls on the government to work through the Council of Australian Governments' processes to ensure that financial disclosures to both federal and state bodies uniformly reflect the highest standards of transparency.

I moved this motion today because I think the issue of transparency around electoral donations is particularly important and it is very much at the forefront of people's minds as we move into a likely federal election to be called any day. Many of us are familiar with the concern raised by members of the public that parties do not represent average people anymore; instead, parties have allowed themselves to become beholden to what we term "the big end of town". Transparency International, in commenting on the issue of political donations, stated —

> Donations to political parties and campaigns are a way for the public to participate in politics. However, donations are also tools used by vested interests—including illicit, private and international interests—to exert undue influence over the agendas of political parties and candidates. This can lead to policy that reflects the narrow interests of donors at the expense of the wider … interest that parties purport to represent.

I am particularly interested today in unpicking that issue of undue influence. In recent years we have seen some of these concerns come to a head in the eastern states, where a number of governments have introduced a range of measures to address this concern. The sorts of measures implemented in other state jurisdictions include things like banning donations from certain industry sectors. The Greens have a strong position on that. We are particularly concerned about developers, tobacco companies, the gambling industry and the gun lobby. Some states have introduced uniform caps on donations, and something that is very close to real-time reporting, which I will speak further about later, and have severely limited or even entirely banned donations from foreign entities, which I think is a very important reform that needs to be considered in this state. Unfortunately, Western Australia has most certainly not been leading the charge in ensuring that our systems and processes are as transparent as they can be and as immune as they can be from undue influence. There is a genuine need for reform in this space in this state, and there remains a desperate need for reform in the federal space as well.

There is a general perception that the government and particularly the older political parties are held in thrall to the big end of town. It is easy to see why. There is a mismatch between the priorities that we know we are facing

locally and globally and the policies that are subsequently pursued. We are consistently seeing long-term concerns shunted aside for the pursuit of short-term profits. For example, we are starting to see very clearly the effects of climate change in Western Australia. We have once again had the hottest summer on record—2.5 degrees Celsius above average across the state—and, as a result, our agencies are starting to respond to this. Our Water Corporation is begging us to save water, overtly due to climate change. Our agriculture department is advising people about what to grow and how to diversify to deal with the impact of climate change. Even the Minister for Health recently announced an inquiry into how the health system will manage the impacts of climate change. We can see, through the actions of government, that we all know climate change is real and that it is being caused by our actions, and yet we are seeing efforts by our environmental agencies to genuinely impact the big polluters being immediately undercut by the government frantically, and with unseemly haste, declaring that it will not make decisions based on Environmental Protection Authority guidelines. We see the announcement, instead, of millions of public dollars being put towards expanding those polluting industries rather than growing the industries that are doing substantially less harm. The global rethink that we need is not occurring.

The High Court of Australia has identified the real risks of corporate donors influencing decision-making based on a reliance on their patronage. The court said that, unlike straight cash-for-votes transactions, such corruption is neither easily detected nor practical to criminalise. It may not be practical to criminalise, but I assure members that Western Australians can sniff out dodgy conduct when they smell it. Anyone who believes that people cannot draw a line between large corporate donations and the policies that are subsequently espoused by the major parties is delusional. Legislation and policy is deadly serious business, with massive impacts on people's lives. It is one of the reasons I pay such close attention to what occurs in this place. The feeling around the nation is that the profit-making concerns of large corporate donors are far more to the forefront of government decision-making processes than the real issues of everyday citizens.

I turn to an examination of the current situation. One of the big challenges of our current system is that it is surprisingly easy, unfortunately, to obscure where money is coming from. Part of this is because we are, in large part, reporting under the federal scheme, which has a much higher disclosure floor for donations. To give members an idea of the difference in the disclosure floor, in 2017–18, federally it was $13 500, as opposed to the state level of $2 300; and in 2018–19, the federal floor is $13 800, as opposed to $2 500 at the state level. State parties must effectively report to the Australian Electoral Commission, and the Western Australian Electoral Commission will accept an AEC form as sufficient, even though it falls very far short of what is desired by Western Australia. There is also a fantastic loophole in the commonwealth law that allows parties to simply not declare donations if they come in multiple chunks that are under the disclosure threshold. We see this in the differences between what the political parties report and what the donors report. For example, in the 2017–18 annual returns, accounting and consulting firms say that they have donated $131 485 to the WA Liberal and Labor Parties, yet only $48 488 shows up in the information reported by the WA Labor and Liberal Parties to the AEC. Within that information, even the amounts recorded by the parties and the donors do not match each other. We have one substantial chunk of $46 061, labelled as a donation by one single corporation, that does not appear in the reporting by the receiving party at all. This very clearly demonstrates that the existing rules simply do not provide anything remotely like the transparency that people are entitled to expect.

There is no requirement to not disclose a smaller amount if parties so wish. Parties could make the choice to be substantially more transparent. The gap between what we know about and the total income of political parties is currently called grey money. A proportion—we do not know how much—of that grey money is paid to parties and associated entities by corporations as cash for access to ministers. I already have before this chamber a bill calling for the banning of these sorts of programs—they are what I refer to as "ministers for sale"—but unless and until that bill is passed, funds from cash-for-access activities should be disclosed. There have been repeated calls for that, particularly from the Greens, but also, I note, from sections of the media. That has not been forthcoming. The public deserves to know who is buying time with their ministers and elected representatives.

I will talk a bit more on the current situation between the commonwealth and the state. It is significant, which is why it has been overtly referred to in the motion before the house. There is a massive gap between the federal and state reporting regimes. An annual report to the commonwealth lodged by 20 October 2018 is publicly available on the first working day in February following year, and the annual report to the WAEC by 30 November is publicly available on the website from the first working day after 28 December. Likewise, gifts to political parties, whether they be for elections or more general purposes, are reported only once a year, and gifts to candidates, whether grouped or ungrouped, are required to be reported 15 weeks after polling day. That is far, far too late for electors, when making their vote, to assess whether they believe that there is a link between the election platforms with which they have been presented and donations. The WA laws are substantially more restrictive in the amounts of money that conveniently cannot be counted. However, there is no requirement for donor disclosure, which is one of the ways that we have been able to unpick where funding is coming from.

I particularly point out the lack of transparency in the operations of the 500 Club as an example. We simply do not know who is donating, so we are unable to find out subsequently who is effectively trying to influence. If we are to have any sorts of caps or limitations on donations, we will need transparency so that people know what on earth

is going on. It would be less of a concern if parties disclosed to the Western Australian Electoral Commission standards, rather than simply choosing to follow the Australian Electoral Commission rules. Clearly, there is a desire to circumvent any transparency rules that appear to be simply too strict.

The federal Parliamentary Library has put out a quick guide that summarises the differences in political disclosure laws around the country. I am happy to table this later if members wish, although, of course, they are able to access it quite readily themselves. Some of the key things to note are that, universally, the states have set much, much lower reporting thresholds than the feds and New South Wales and Victoria have imposed donation caps across the board.

New South Wales and Queensland have banned donations from certain industries and, importantly, people who are closely associated with those industries. If we look at what we are able to see about which industries are funnelling money into political parties and associated entities, it makes for interesting reading. We can see that the property development industry, despite being banned from donating in Queensland and New South Wales, is still one of the largest groups providing money across Australia.

Of the states, only WA, South Australia and Tasmania have not already banned foreign donations. A ban on foreign donations is one of the most common regulatory measures around the world. We know that foreign donations increase the risk of undue influence or loss of self-determination of Australians and, of course, they weaken the ties between the parties that are the recipient of those foreign donations and regular Australians. Despite the federal legislation, which has restricted foreign donations, WA state parties are still allowed to accept foreign donations for the purposes of state elections. We have just seen Pauline Hanson's One Nation officials at a federal level caught, outrageously, making promises to potential foreign donors to campaign on gun control issues in exchange for donations. That was an absolutely disgraceful turn of events. Literally nothing in our laws stops a party from picking a state issue of similar significance and selling out the people of Western Australia for foreign money. We need to change this legislation in Western Australia as soon as possible.

At the very minimum, people should be able to see as close to real-time as possible who is donating money to political campaigns and to political parties. In 2011, the federal Joint Standing Committee on Electoral Matters recommended moving towards contemporaneous disclosure. I hope that this will be picked up here in Western Australia, but it also needs to be picked up at the Council of Australian Governments level. The Schott report reviewed the New South Wales electoral funding and disclosure laws in 2014, and also recommended real-time reporting of donations. Queensland has come the closest to achieving this. It has brought in a system that enables and requires reporting within seven days. Those reports are immediately then made public and this is absolutely, in my opinion, the sort of textbook play that we should be following and need to look at introducing here in this state.

Beyond donations, there are numerous other areas of inconsistency in our political and electoral disclosure laws across the country. It is very complex. Unfortunately, these inconsistencies across jurisdictions are simply enabling loopholes to be created, even though we should all be striving to ensure that we are as transparent as possible. Frankly, the system is a mess. It has very, very little transparency. We can solve some of the issues around the disjointed systems across jurisdictions ourselves. We can ban or cap foreign donations. I personally would be very strongly in support of banning foreign donations in their entirety for all political parties and all associated entities within Western Australia. However, some issues can be resolved only if we are doing it in conjunction with those other jurisdictions. Unfortunately, if there is a desire to work around the disclosures, those differences are facilitating that. That is why I am calling on the government to raise the issue of donations through the COAG process and ensure that it is working towards creating transparency in political financing and restoring the public's faith in people participating within the political realm. Harmonising and tightening political funding disclosure laws is one way to demonstrate that we are acknowledging this real problem and actively working to resolve it. There is an opportunity here for Western Australia to collaborate with the other states and the commonwealth government to really make an effort to implement reform, and this absolutely needs to be prioritised. Reporting time frames as short as a week are already in place in states such as Queensland. We can replicate that working model here within Western Australia and I think that we can make it easy for political parties to report against both the Western Australian and the federal government's standards.

I note that the McGowan government made a range of electoral promises about how it would change our donations laws. I am interested to hear from the minister responsible what progress has been made, if any. Hopefully, the minister might be able to give some indication of which areas are in particular need of being prioritised and whether there will be reform in that space. I am also really interested in hearing from the minister about whether there is an appetite to have those future discussions at the COAG level as well. I think transparency in donations reporting is a critical area in which we should all be taking a very keen interest. I, for one, am constantly discouraged by the malaise that seems to be felt towards all political parties and the lack of faith that the people in this place are working in the best interests of the community as a whole and not simply for vested interests. The reality is the system is set up so we receive donations and I think that we need to firmly limit that. At the very least, full transparency should be at the forefront of a reform process, and I hope that we will see some progress on that very soon.

HON RICK MAZZA (Agricultural) [1.28 pm]: I thank Hon Alison Xamon for bringing this motion to the house. I have a couple of issues with the motion as it stands. One of those issues is in the first part, which refers to the role of large corporations influencing public policy. I think a lot of other organisations besides large corporations influence public policy, and I will come back to that a bit later. The other couple of issues I have are about looking at the federal level. We are talking about Western Australia looking to possibly change the way that we have electoral funding in this state.

I do not know that we need to look at the Council of Australian Governments and try to influence the federal arena. It is up to the feds to make those changes. The federal government has imposed a ban on foreign donations, which I think is a positive step. The threshold of $13 800 may be a little high, and perhaps the federal government could look at that. However, that is for the federal government and those involved in the federal arena to contemplate.

I must say that the Greens are not immune to receiving donations.

Hon Alison Xamon: Not at all.

Hon RICK MAZZA: I refer to an article in *The Australian Financial Review* of 1 February 2017 headed "Greens bank $3.9m in donations including $600,000 from Graeme Wood". The article states, in part —

> The Greens received more than $1 million from two big donors last financial year, helping bankroll the party's campaign for the July 2 federal election.
>
> Wotif founder Graeme Wood donated $600,000 to the party, the largest contribution to the Greens' $3.9 million in donations and other payments in 2015–16.
>
> Mr Wood, who was responsible for the largest single political donation in Australian history before Malcolm Turnbull's $1.75 million donation to the Liberal Party last year, also gave $6000 to the Queensland Labor Party.
>
> Reclusive Queensland mathematician, investor and high-end gambler Duncan Turpie continued his large contributions to the Greens, donating $500,000 to the party before the July 2 election.
>
> The Gold Coast-based algorithm specialist is a member of the secretive Punters Club gambling group connected with Museum of Old and New Art founder David Walsh.
>
> Mr Turpie, who has long shunned media attention, has donated to a range of progressive and left-wing causes in recent years, including Greens' branches around Australia, activist group GetUp! and online magazine New Matilda.

Many political parties have been subjected to influence by big donors. It must be very difficult for political parties that have very big donors to not be influenced in some way by those donations. Therefore, we should look at other ways of funding political parties. New South Wales and Victoria have made major changes to the way political parties are funded. We know from the inquiries by the Independent Commission Against Corruption that New South Wales had a lot of issues with property developers, which has led to that state changing the way political parties are funded.

I refer also to an online article entitled "Not-for-profit Law" that was published in July last year. The article is about the Electoral Legislation Amendment Bill that was passed in the Victorian Parliament last year. It states, in part —

> The *Electoral Legislation Amendment Bill 2018* (the **VIC Bill**) passed the Victorian Parliament on 26 July 2018, with new laws being phased in from 1 August 2018 by way of the *Electoral Legislation Amendment Act 2018* (Vic).
>
> Under the legislative changes to Victoria's political donations regime:
>
> - Donations from a donor are capped at $4,000 over a four-year parliamentary term (both single donations and aggregated donations from the one donor must not exceed the $4,000 cap), completely eliminating large donations to political parties, associated entities and third-party campaigners.
> - Disclosure limit is reduced from $13,500 to $1,000 per financial year —

That limit in Victoria of $13 500 was quite high —

> - Donations from foreign corporations and foreign nationals are banned
> - Tougher penalties are introduced for failing to comply, including up to 10 years' imprisonment for breaches
> - Party bunting (signage) at polling stations are banned, and —

That is interesting —

> - Real-time donations will be introduced that reveals who donates and when.

The disclosure period in Victoria is 28 days.

Yesterday, my colleagues in the Shooters, Fishers and Farmers Party in the Victorian upper house sent me an email to say that what transpired from those negotiations is that an administration amount is paid to each political party, namely $200 000 for the first member, $70 000 for the second member, and $50 000 for the third and subsequent members, to a maximum of 45 members. The Victorian taxpayers are funding a substantial amount of those administration payments—without donations from anywhere else; that is where they are at. The website of the New South Wales Electoral Commission states that for 2019, the payments from its administration fund each quarter were $89 300 if the party has one endorsed elected member; $153 000 if the party has two endorsed elected members; $191 200 if the party has three endorsed elected members; and, if the party has more than three endorsed elected members, $191 200, plus $30 600 for each additional member up to 22 members. The taxpayers in those two states pay a substantial amount of money to political parties. My understanding is that they cannot use that money for electoral funding. My colleagues in those states have also told me that the auditing process is very stringent. Audits must be conducted quarterly, and the cost may run into tens of thousands of dollars, which is a bit of a negative, especially for smaller parties. That might be a bit of an overkill, but that is how closely political funding in that state is scrutinised. That money cannot be used for electoral campaigning, but there is a system of advance payments for electoral funding on a per-vote basis. Substantial changes have been made in those two states to try to minimise the influence of interest groups on political parties and members of Parliament. However, it comes at a cost. If parties are not receiving donations from corporations or interest groups, or whoever it might be, it will fall back to taxpayers to fund those parties.

Victoria and New South Wales have also put a ban on who is eligible to donate to political parties in their state. New South Wales has banned anonymous donations over the reportable limit of $1 000; and indirect donations over $1 000 in value, such as the provision of free equipment or accommodation, or payment of other electoral expenses. Failure to record details of reportable donations or reportable loans is also prohibited. In addition, property developers, tobacco businesses, liquor or gambling businesses, or their close associates, are banned from making donations. New South Wales has specifically, even at that low level, banned those people from making donations to political parties in that state.

If we are serious about changing the way we fund political parties in this state to ensure they cannot be influenced by interest groups, obviously a lot of work will need to be done. We also need to be mindful of the fact that it will fall back to taxpayers to fund those political parties.

I now want to get back to the wording of the motion and move an amendment to the motion.

Amendment to Motion

Hon RICK MAZZA: I move —

To delete “large corporations” and substitute —

interest groups

The PRESIDENT: Members, Hon Rick Mazza has moved an amendment to the motion. The amendment is that the words “large corporations” be deleted and the words “interest groups” be inserted. So the first question is that the words proposed to be deleted be deleted.

HON ALISON XAMON (North Metropolitan) [1.38 pm]: I rise to indicate that the Greens will not be supporting the amendment. Our specific concern is the influence of large profit-making machines on governments of all persuasions. The reality is that we are talking about an environment in which governments are responsible for making the regulations and laws that often determine how these large entities carry out their business. Much ministerial discretion is afforded to the ministers who make these decisions. The Greens hold grave concerns about these corporations. This was never about trying to preclude regular people from being able to participate in the process, although I completely concur with the idea—it is useful—to place caps on individual donations. Indeed, it is Greens policy, recognising that the Greens have been the recipient of very large individual donations. We support the reform of the type that has been described. The influence of large corporations specifically is of particular concern, which is why the motion has been worded in that particular way. This amendment would effectively take away from precisely the point that we are trying to make.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [1.40 pm]: The government will not be supporting the amendment.

HON SIMON O’BRIEN (South Metropolitan) [1.40 pm]: The Liberal Party is inclined to support the amendment, even though it does not have a particularly strong view about it. The amendment tends to broaden the application and make the issue more relevant for our times.

HON MARTIN ALDRIDGE (Agricultural) [1.41 pm]: I rise on behalf of the Nationals WA to indicate that we will be supporting the amendment for reasons similar to those of other members who are supporting the amendment. I am not sure that the issue that Hon Alison Xamon describes relates exclusively to large corporations. Indeed, small to medium corporations that make donations could equally be in a position to influence public policy, not to mention trade unions and other third party organisations. From that perspective, we will be supporting the amendment.

HON COLIN TINCKNELL (South West) [1.42 pm]: I bring to the house's attention that One Nation will be supporting the amendment. We would like the amendment to include large corporations and interest groups.

HON AARON STONEHOUSE (South Metropolitan) [1.42 pm]: I am just looking at the amendment to the motion. I am not a fan of the motion to begin with. It is rather misguided and a little silly and naive of how politics functions in the first place, but I will have more to say on that when we debate the substantive motion. If members of this place take issue with unscrupulous characters influencing political parties with money, we may as well apply that to all large groups, not specifically corporations. I am not even necessarily sure what is implied by "corporations". I might have missed an important part of the debate while I was away on urgent parliamentary business. Are we talking about businesses or all incorporated bodies? I am not too sure. At least the amendment casts a slightly wider net and applies the principle of restricting evil groups from influencing political parties a little more consistently. On that note, I support the amendment.

Division

Amendment (deletion of words) put and a division taken with the following result —

Ayes (15)

Hon Martin Aldridge	Hon Colin Holt	Hon Robin Scott	Hon Dr Steve Thomas
Hon Jacqui Boydell	Hon Rick Mazza	Hon Tjorn Sibma	Hon Colin Tincknell
Hon Peter Collier	Hon Michael Mischin	Hon Charles Smith	Hon Ken Baston *(Teller)*
Hon Nick Goiran	Hon Simon O'Brien	Hon Aaron Stonehouse	

Noes (14)

Hon Robin Chapple	Hon Sue Ellery	Hon Martin Pritchard	Hon Alison Xamon
Hon Tim Clifford	Hon Diane Evers	Hon Matthew Swinbourn	Hon Pierre Yang *(Teller)*
Hon Alanna Clohesy	Hon Laurie Graham	Hon Dr Sally Talbot	
Hon Stephen Dawson	Hon Kyle McGinn	Hon Darren West	

Pairs

Hon Jim Chown	Hon Samantha Rowe
Hon Colin de Grussa	Hon Alannah MacTiernan
Hon Donna Faragher	Hon Adele Farina

Amendment thus passed.

Amendment (insertion of words) put and passed.

Motion, as Amended

HON CHARLES SMITH (East Metropolitan) [1.48 pm]: I rise to make a few short comments on the motion, which is a good motion. The mover of the motion has raised many valid points and I have plenty of sympathy for those points, albeit I will make one or two comments about them.

Members may recall that earlier in the year during non-government business, I spoke about lobbying reform, which is very similar indeed to the motion we are debating today. In that speech, I stated that although lobbying has its uses, it is in desperate need of critical assessment. I encourage members to revisit that speech because it is very relevant to today's discussion. As I said in my speech, as globalisation intensifies, power and capital become increasingly closely related. This modern relationship has slowly but surely transferred power from sovereign states to multinational corporations. That includes lobbying and donations by those corporations. That is the crux of my interest in this motion. That is the central theme of where my party sits in postmodern politics. By that, I mean that we have choices in front of us. We can choose continued globalisation, whereby multinational global corporations move into countries and dictate policy that governments put down to us, or people can believe, like I do and my party does, that governments have to retake control of their own country. It is a real concern to me that multinationals are becoming bigger and more powerful than the government of the country they operate in. The sovereign state should dictate who comes into this country and how much taxation and royalties they pay to the Australian government. If I may, this is where modern nationalism comes in. It is merely an overdue reaction against governments that have imposed economic globalisation upon their citizens at a pace that is entirely inconsistent with the human life span and at the speed that we can adapt to change. By that, I mean the free movement of people, large-scale immigration and the apparent steady dissolution of the nation. They are all imposed upon us by ideologically motivated elites with little to no public consultation. This is the real raison d'être of the One Nation party.

Moving on, there are a number of parts to this motion. Firstly, it calls on the government to abolish third party donations. Despite the outrageous "hit job" against the federal party, under which I operate and which, I note, was designed by former ABC senior journalist Peter Charley, One Nation WA absolutely supports the motion to

remove foreign interference in our political system. In January last year, the activist group GetUp! attacked the Turnbull government's proposed crackdown on foreign political donations. It stated that the legislation would "destroy the revenue streams of grassroots groups and minor parties" because said changes would economically ruin the group. In 2018, the group disclosed the $106 000 it received in foreign donations for that year. GetUp! is on the federal transparency register as a political campaigner and it spends over $500 000 on electoral expenditure. Although, to its credit, it does not donate to political parties, I note and understand that it protests and runs ads for or against political parties or individuals. Similarly, last year the Independent Commission Against Corruption raided the New South Wales Labor Party headquarters. Hundreds of thousands of dollars in donations were given by so-called straw donors—that is, middlemen donating money on behalf of another group. In this case, it was the so-called Chinese Friends of Labor. I need not remind honourable members of this house about the Labor government's trips to China and a subsequent $200 million-plus deal with the Huawei telecommunications company.

One Nation, Western Australians and indeed all Australians, I would think, generally support greater transparency in political donations. I agree with the honourable member who moved the motion that self-interest appears within our political establishment at every possible waking moment. It is conniving and calculating how to squeeze every possible advantage to its position. Access to superannuation funds, jobs for the boys, seats on boards and consultancies, and lobbying are all stitched up while members are in Parliament. But the good news is that confidence can be restored in our politicians. It can be restored by enforcing more robust regulations that are firmly policed. I commend to the government the following solutions, which I shall repeat as per my non-government business: caps on political donations; lower donation disclosure thresholds; real-time reporting of political donations; bans on foreign political donations; and, lastly but not least, a two-year blackout period for public servants joining private operations that stand to benefit from insider knowledge. There is simply no downside to this. This will help restore the public's faith in the integrity of their public institutions, and I commend those solutions once again to the house. The Australian public deserve transparency. They deserve honesty and a government that represents them. In a representative democracy, officials are voted into office to speak for and on behalf of their electorate. It is their job to do their best in their representation and to do what they can to aid the people they represent.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [1.55 pm]: It is my pleasure to rise on this motion this afternoon, but what a hypocrite that last speaker is. What an absolute hypocrite! I have *The West Australian* from Wednesday, 27 March, with the front-page article titled "Gun Nation". Why is that? It is because One Nation operatives were in the United States trying to do dodgy deals with the National Rifle Association and were saying they would soften weapons laws in exchange for cash. So how can people who are hypocritical make such comments in this place? Xenophobia was also alive and well today in this chamber, because the Chinese could not give money to people in Western Australia or in Australia, but the Americans, the NRA, can. It shows an element of racism in the member's contribution as well. That is shocking and shameful.

It is disappointing that the motion before us was amended, but we were not supporting it in the first place and we will not be supporting it now, as I understand many other people and many other parties in this chamber will be doing. I appreciate that being a minor party, its members quite often get the opportunity to grandstand, raise a flag and tell everybody that everybody else is bad, and that they are righteous and the only people who should be listened to. But the reality is, and I have said this in a recent contribution, that the Greens, like One Nation, like the Shooters, Fishers and Farmers Party, the Liberal Party and the Nationals WA, are all political parties in this place. There are no old or new political parties. We cannot say, "The two old parties do this stuff", because guess what? The newer parties do the same stuff too. We have only to look at the Australian Electoral Commission and Western Australian Electoral Commission annual returns over a few years to see that donations have gone into different political parties, including the Greens. It shows that the guy from Wotif gave the Greens $1.6 million. Unions, business people and academics put massive amounts of money into its coffers. And over the last while we have seen in the media, and certainly since the last election, that the Greens got more donations than the National Party, yet its members are sitting there as pious as all hell as though they are righteous and the only people who do the right thing. That is absolutely wrong.

We went to the last election with a clear set of commitments for electoral reform in this place. Madam President, I do not seek to drag you into the debate this afternoon, because obviously that would be unruly, but I acknowledge the fine work of the former shadow Minister for Electoral Affairs when we were in opposition, who worked on the policies that we brought to the election. We have committed to making changes to the Electoral Act, and our commitments include reducing the public threshold disclosure amount from $250 000 to $1 000. I look forward to introducing that legislation in the second half of the year. I look forward to the pious members of this place supporting that legislation, because we all know it is the right thing to do. I look forward to that. We will have a great debate.

Several members interjected.

Hon STEPHEN DAWSON: We will have a fantastic debate on that issue.

The PRESIDENT: Order! Members, I am finding it very difficult to listen to the minister. Listen to him quietly, please.

Hon STEPHEN DAWSON: Thanks very much, Madam President. I do not like shouting in this place, but it is hard to make my voice heard over the unruly interjections from some quarters.

As I said, we are working on amendments that will seek to modernise Western Australia's disclosure system. I have listened to all the contributions so far this afternoon and I am sure that we will have no problem gaining support for those amendments when they come before this house. Whatever systems are developed as a result, these changes need to be not only transparent but also efficient and user-friendly. We are all members of political parties, and our parties will be required to jump, however frequently, through the reporting hoops, as a result of changes to the legislation. We have to be mindful of that.

I think it was Hon Rick Mazza who referred to the significant funding that parties in Victoria now have to get as a result of changes in that state. That is something that we will have to grapple with and be aware of here. I know from Hon Aaron Stonehouse's contribution that he is not a supporter. He thinks it is perverse. He is on the record as saying that it is perverse that the public should be funding political parties. He made those comments when Hon Charles Smith's motion was debated in this place late last year. There are a range of views in this house on this issue, but we have to be mindful that wherever we settle, it needs to be achievable for parties. I heard strongly today that there is not support from certain quarters in this place to fund political parties to do what would be required of them as a result of legislative changes.

As many members have indicated, the motion before us has some merit, but we are not supporting it in total. None of us can be pious in this place. All political parties have sought donations. Hon Simon O'Brien can be pious at various times, but certainly many of us cannot be pious if we are representatives of political parties, because we have all had fundraisers in the past, and we all continue to have fundraisers. Hon Senator Pauline Hanson held a fundraiser in Kings Park when she was last here and charged $5 000 a head. The Liberal Democrats received money from the tobacco industry. Hon Rick Mazza's Shooters, Fishers and Farmers Party has received money from a range of people. All the political parties have received donations; that is the system that we have in place in Western Australia. Although we support transparency and the need to move with the times, we also have to be mindful of the political system that we have in this state. I do not think we can compare our situation with the ills of days gone past in New South Wales when property developers were giving brown paper bags full of cash and all sorts of things. Hon Charles Smith tried to drag the Labor Party of New South Wales into it, but the Liberal Party in its last term lost many, many members of Parliament as a result of underhandedness and laws being broken.

Hon Simon O'Brien: Which laws were broken?

Hon STEPHEN DAWSON: I am not talking about here; I am talking about New South Wales, and that party losing members—as the opposition did—as a result of laws being broken.

We have come a long way over the last hundred years or so in this state and, thankfully, the laws have changed with the times. It was not too long ago that women could not vote in this state or have a seat in Parliament. Thankfully, those laws have changed. It was not too long ago that Aboriginal people could not vote in this state. It was not really that long ago that people in this state could vote in multiple electorates. There was a plural vote; one person was able to vote in 44 electorates. Thankfully, those laws have changed. As Minister for Electoral Affairs, I am open to changing the laws. We are certainly committed to ensuring that the commitments we made at the last election are carried out, and I am looking forward to the support of members in this place, so that when the legislation eventually comes forward, we can make these changes.

We see differences between state and federal parties in this place. Certainly, we saw it with the contribution from One Nation today, when it said that it vehemently opposes this, yet its federal colleagues are out there trying to get money from the National Rifle Association to do deals to change the laws. Also, we have seen differences between the state Greens and the federal Greens. There was a plan last year to increase transparency in federal Parliament, and federal Greens colleagues spoke against it. There are differences between the various parties in this place. I want to make sure that once we have legislation in this place, it is legislation for the times. It should allow us to continue to do the job that we need to do in representing the Western Australian community, to be transparent, and to be able to report in a more timely fashion. However, I am not supportive of abolishing third party donations. I think we should have a conversation—a dialogue—with the community, but the flip side is that if we ban third party donations to political parties, the state will have to cough up significant amounts of money. In the current climate, that is certainly not something that the government will countenance. We are fully committed to our election commitments and we will bring those forward.

Hon Alison Xamon: What about discussions with COAG?

Hon STEPHEN DAWSON: I am certainly happy to discuss further reforms that need to happen with my colleagues in not only this place but also the commonwealth and, indeed, around the Council of Australian Governments' table. I have an issue with the fact that under the federal legislation, someone can donate up to $13 500 without having to disclose it. In Western Australia, at the next election in 2021, any donations over $2 500 will have to be disclosed, unless we change the law. We are hoping that it will be $1 000. People should be proud to participate in the political process. People should be proud about donating to political parties. We are in here doing the work of the people, so people should not be hiding behind laws and saying that they do not have to disclose. We should absolutely be disclosing. We should be doing it more frequently. Although I certainly believe in some of the things that Hon Alison Xamon has moved today, we do not support it all, so we will not be supporting the motion.

HON AARON STONEHOUSE (South Metropolitan) [2.06 pm]: We debated a similar motion put forward by One Nation not long ago, and I put on the record then my views on political donation, so I will not repeat those comments. However, I would like to observe how interesting it is to see Pauline Hanson's One Nation and the Greens in furious agreement.

Hon Simon O'Brien: "Pauline Hanson's Greens"!

Hon Stephen Dawson: Or "Green Nation"!

Hon AARON STONEHOUSE: "Green Nation", perhaps.

Several members interjected.

The PRESIDENT: Order, members!

Hon AARON STONEHOUSE: Indeed, I think if we took Richard Di Natale and Pauline Hanson, put them in a room and did not let them talk about immigration or climate change, we would probably find that they agree on many things. I do not subscribe to the horseshoe theory, but listening to the contributions of One Nation and the Greens today, it certainly seems to hold some merit.

We heard a lot said about foreign donations and foreigners interfering with our democracy, whether they are Chinese or American. It is interesting, depending on who we ask and what side of the political debate they are on, some foreigners are bad while other foreigners are good. Perhaps on one side of politics, donations from Americans are okay but donations from Chinese are bad, whereas another group would say that donations from Chinese are good but donations from Americans are bad. It seems that this kind of xenophobia and the fear of foreigners interfering in our elections spreads across the political divide.

The original motion refers to large corporations, which is interesting. I do not know why we need to distinguish between large and small corporations. Are large corporations more evil than small corporations? Are smaller corporations just a little bit evil and it is the large ones we really need to worry about? Are they the nefarious evil-doing ones? Luckily, we have amended the motion—I do not have an amended version here—to capture other groups. I still will not be supporting it.

Maybe I can summarise the argument to target corporations, I think people are afraid that corporations are sitting around being "corporational" and using their corporate money to do something bad. I do not know what that is exactly, but simply by nature of being a corporation, there is something inherently bad and evil about it. It seems that one that is motivated by profit is evil, whereas one that is not motivated by profit is altruistic. That is how good and bad organisations are determined.

Groups may not donate directly to political parties, but that does not mean that they do not participate in the political process. Organisations such as GetUp! do not make direct donations to political parties, but they make what could be considered as in-kind contributions. They doorknock and lobby and certainly influence elections. They target marginal seats and try to unseat sitting members of Parliament. Even if it is not a direct donation, it is certainly political activity. Why are we so worried about direct political donations, but not concerned about those kinds of activities? In my view, both are fine and part of the political process. I think it is a little naive for members to focus merely on direct financial contributions and ignore all the in-kind contributions that are made throughout the political process.

For the most part, people who are concerned about donations to political parties are misguided. If money really influenced politics in the way they think it does, Prime Minister Ronald McDonald would be running the country. The corporations truly would be running the Parliaments and governments in this country, but that is clearly not the case. If the left's critique of the federal coalition is that it is owned by corporations, how the heck does it ever lose elections? With the almost infinite funds of its supposed corporate overlords, surely it would have every election sewn up. That is clearly not the case. Money is important in politics—corflutes do not print themselves—but it is not the be-all and end-all. Ultimately, members of Parliament and politicians are motivated by the votes of the public. It is the votes that matter! A party can have all the money in the world, but it will not win an election unless it can convince people to get out and vote for it. A politician may have some electoral success with money alone. Clive Palmer is probably a good example of that, but he is an exception to the rule; he is not the rule. If he were the rule, Clive Palmer would be Prime Minister; he is not. Money is not the be-all and end-all of politics.

Actual corruption is bad and we should focus our efforts on stamping out real cases of corruption when it can be found. Merely pointing at donations and saying, "That's bad because reasons", is not sufficient. Real corruption should be found and prosecuted. The laws we already have should be enforced. Transparency is also good. I think everyone agrees that donations should be more transparent. Let the electors make up their own minds through more transparency. Particular types of donations do not need to be banned in order to do that.

My final point is that if the alternative to foreign donations, third party donations or large corporate donations is publicly funded political parties, that is horrible. The Victorian model is garbage. Politicians should get their grubby hands away from the taxpayers' purse. Taxpayers do not need to fund their corflutes, DL flyers, letter drops, circulated emails and ads in the paper. Politicians should fund campaigns themselves. They should not

expect a Liberal voter to fund Labor Party propaganda, or a Labor voter to fund Liberal Party propaganda. Let these people vote with their wallets and contribute how they like, rather than slugging taxpayers for the ridiculous advertising that some political parties put out. I gave this example last time and I will repeat it now. I am sure that a dyed-in-the-wool Greens supporter would be absolutely horrified to know that their money is going towards Fraser Anning's election campaign. Honestly, I can think of nothing more unconscionable —

Hon Alison Xamon: Than Fraser Anning.

Hon AARON STONEHOUSE: Fraser Anning, perhaps.

I can think of nothing more unconscionable than someone who, with every fibre of their being, disagrees with what someone like Fraser Anning says being forced to fund his election campaign. In the same way, I am sure that a member of the Shooters, Fishers and Farmers Party would be mortified to know that their money was being taken from them and spent on the Animal Justice Party or Socialist Alternative or some other fringe left-wing group. Let the people decide where their money gets spent and do away with this nonsense. I am all for transparency and for prosecuting corruption, but we should get away from the public's money. The public should not be funding politicians' election campaigns.

HON SIMON O'BRIEN (South Metropolitan) [2.14 pm]: I want to make one thing clear right from the outset. Despite what has been alluded to or even stated explicitly in this debate so far today, I want to make it quite clear that the Liberal Party now and always makes it absolutely clear in all its dealings that it does not allow its decisions to be influenced by financial contributions. That is based on my very long experience, including within cabinet. If members want to disbelieve that, they can do so, but I tell them sincerely that that is the case. It has been exhibited in public and in private by successive leaders with whom I have had the privilege to serve. The Labor Party can make the same assertion, if it wishes. I suspect that most of its members who are in policymaking positions also understand that same basic precept. They are not bought and sold by whoever has a wad of cash. That is the first thing members need to understand about how things work in Australia, in Western Australia in particular. I am sure that it is possible to point out examples of the contrary happening in certain quarters in the past, but that has not been my experience. I want to make that clear right at the outset to all the conspiracy theorists backing this motion.

The Liberal members will not be supporting this motion for a number of very good reasons. I am sure members will appreciate it if I were to enumerate a number of them. I note that Hon Alison Xamon has asked us as a house to acknowledge certain things that are highly debatable, and not matters of fact. Is there an increasing public concern about the role large corporations play in influencing public policy, or has there always been that nagging conspiracy theory about the place? Is it increasing? I do not know that it is any different from what it may have been in the past. Again, it would be something of a leap of faith for the house to adopt that view by agreeing with this motion. Do we call on the government to urgently increase the transparency of political funding by several means? I will go through those in just a moment. The second part of the motion is —

> That the house further calls on the government to work through the Council of Australian Governments' processes to ensure that financial disclosures to both federal and state bodies uniformly reflect the highest standards of transparency.

All members know that I hold Hon Alison Xamon, the mover of this motion, in a great sense of regard and fondness. That only grows when I contemplate the wording of this motion. What sweet innocence she exhibits on this occasion! It is positively endearing. She has come in here in some sort of gesture of hopeful optimism and asked us to join in having faith in calling on that government over there to engage in a process involving the highest standards of transparency. It is absolutely delicious, is it not? Sadly, I shall have to have a cup of tea with the honourable member outside and shatter a few illusions for her. Those are some of the reasons that we will not be supporting this motion. I will come to a few more. In doing so, I will look at the major items the member has cited in the motion and ask a few questions that clearly need clarification before the house can collectively accept the premise of these dot points as fact, because we do not accept that. I am sure members will come to agree, along with their Pauline Hanson's One Nation colleagues, that we have not demonstrated that these things are matters that need fixing, much less urgent fixing.

In talking about abolishing third party donations, one is tempted to ask: what really is a third party donation? When does it move from being a second party donation to the party of the first part, to a third party donation to the party of the first part, perhaps going through a second party to get there? What really is a third party donation? I do not think it is beyond anyone's imagination here to contemplate the thought that the most insidious of third party donations and exercises in deliberately attempting, through payment, to exercise control over policy are those that do not come to notice, and will not come to notice. I am sure that in Australia and Western Australia they are the rarest of occasions. I have already indicated my basic faith in members of the government, like the Minister for Environment. My faith is not only in their integrity that they would not accept cash and allow that to influence policy, but also that they would not be so stupid as to accept cash in exchange for changing policy. For whatever motive—being as pure as the driven snow, or as pure as the driven slush—the fact is that that is not something that happens overtly. No system of disclosure will uncover that.

It always disturbs me—well, it gives me something to grizzle about—that lefties, as I am wont to call them—with great affection, of course—always want to make it harder for everybody to go about their business by introducing more and more laws, more restrictions, more statistical returns and more reporting disclosures. They do not seem to understand that we can have all the laws, all the rules, all the regulations and disclosure requirements, and more and more of it, and all it does is inconvenience people who are trying to go about their regular business and dissuade them from participating in whatever their business might be—and specifically, in this case, dissuade them from participating in the political processes—while at the same time failing to understand that no matter how much inconvenience and how many possible hurdles we may put before the Labor Party's general secretary or the Liberal Party's general secretary, or whatever we call him these days —

Hon Matthew Swinbourn: The Liberal Democrats' general secretary.

Hon SIMON O'BRIEN: It is the Liberal Democrats' general secretary as part of the huge secretariat that I am sure it has running somewhere. All of the volunteers, campaign helpers and honorary secretaries of branches of political parties are all trying to facilitate people participating in the process. Despite all the inconvenience that might be put in their way, the real crooks will still be at it. Fortunately, in our system, they are a very small part of the political landscape. That has been my observation and that of most members here over many, many years. If someone is improperly giving cash to parties that have members of Parliament, do members seriously think they are going to say, "While we are at it, we had better submit a return in triplicate admitting what we are doing"? Of course they are not. This is more bureaucracy and red tape, or green tape in this case, for no good reason.

What are third party donations? Heavens! We just had a division in the course of this debate on whether we are talking about the role of large corporations, or should that be—what was the thing we voted on?

Hon Rick Mazza: Interest groups.

Hon SIMON O'BRIEN: It was on interest groups. Apparently that is worth dividing on. I thought we were meant to be debating improper influences wherever they come from. It raises the question of what a genuine third party is. Does anyone going along to support the notorious leaders' forum of the day doubt that they are filling the Labor Party coffers as they rub shoulders with Labor Party luminaries over a meal? Of course not. When we see those functions take place, we know what is going on. When we see the returns from a leaders' forum published in due course and the big sums of money spent, it does not surprise anybody. Does anyone not know that The 500 Club in this state supports what it calls the coalition parties—the Liberals and the Nationals? Of course not; it is quite open. But do we really need the names and addresses of the members or need to know the donors to that body? Do we need to know where their kids go to school? I would not have thought so. I do not see how that advances anything.

There is nothing wrong with a party that is in government, or an opposition party that aspires to be in government—all governments come and go—associating with big corporations, which is a pet peeve of the member opposite. What is wrong with members of Parliament from any side going along as a group or individually, depending on what they are spokespersons for, to a briefing from a major player in the sector for which they have responsibility? Nothing. It might be the disability sector. A member can visit those involved in that sector and learn things. They should engage with members—they will engage with them—and, if they do it right, and if in the eyes of members their arguments have merit, they will influence members and their party's policy as they approach the next round of elections, or whatever the next occasion might be. That is how it should be.

Many donations to the Liberal Party come from sources that want a Liberal government because they believe that a Liberal government promotes the environment that helps not only them, but also the community, to thrive. A whole lot of donations go to the Labor Party. Those donors want to see the Labor Party in power because they believe that would result in a society or a regime that is more conducive to what they would like. What is wrong with that? People who have contributed to any campaign I have been involved in over the years do so because they identify with me and what I stand for and they want to see me in Parliament. I am sure Hon Martin Pritchard is about to interject that that is a splendid investment—and he would be right. There is nothing wrong with that, but they do not do it to say, "Get in there so you can sling a few dollars our way." That is not how it works, and neither should it. If anybody is elected on that basis, they need to be found out. Once in a blue moon we see the odd participant in politics found out. However, as we all know, they are an extreme minority. No disclosure regime will find them out. People will not admit that they are doing the wrong thing.

Members talk about instituting real-time reporting of gifts and donations. I am not sure what "real-time" means. Perhaps it is a way to discourage people from participating in the process. Let us say that a big group such as the Construction, Forestry, Maritime, Mining and Energy Union—I do not know whether it is talking to the Premier at the moment—makes a big, fat donation to the Labor Party. Are they worried about that being made public? No, but some private citizens, perhaps in the building game, may prefer not to have it known that they are supporting a Liberal candidate in a particular area. Why does everyone need to know, in light of all the other things I have had to say? Is it about creating offences, so that those people can be harassed if the reporting does not take place in whatever the definition of real time is? Those are the things that concern us, and should concern the house. As for finding ways

around it, do we really need to know who is supporting someone in an election campaign, with real-time donation reporting? Why not just hang on and donate at the last minute? The information is not much use then, is it?

Hon Alison Xamon: The donation is not much use in the election campaign either.

Hon SIMON O'BRIEN: No, indeed it is not, but it would still be reported in real time. There are ways around all these things, but they inconvenience only those who are acting in good faith and trying to participate, not those whose insidious activities one might seek to curtail.

The motion also wants us to have a look at the transparency of political funding by banning foreign donations. This is not about increasing transparency; Hon Alison Xamon just decided she wanted the house to go straightaway to banning foreign donations. What are foreign donations? How are they defined? Do the Greens WA, "Pauline Hanson's Greens" or otherwise, have any dual citizens amongst their number?

Hon Alison Xamon: I am not a dual citizen.

Hon SIMON O'BRIEN: I think they may have the odd one or two, and that is quite permissible.

Hon Alison Xamon: We do not.

Hon SIMON O'BRIEN: They do not? Have they renounced their dual citizenship? If someone in this house who has dual citizenship—I believe a number are at least entitled to it—or was born overseas, contributes to their political party, is that a foreign donation in any way, shape or form? I would not have thought it was. What if their parents or their family offshore, to whom they are still very close, say, "Great, you're running for Parliament; we're so proud of you; here's $10 000"? Is that a foreign donation? Where do we draw the line? Let us say some hypothetical squillionaire based in the United States wants to set up a foundation—this is getting into the realm of third parties again—and wants to donate cash or in kind to certain causes? Is that the kind of thing the Greens want to ban? What is stopping them from participating? If what the Greens would call a big, evil multinational corporation that makes a lot of money digging up bits of rock and shipping them overseas invests millions trying to unseat a sitting member, is that a foreign donation? They are not donating it to anybody, but, by gee, they are involved in the political process, are they not, with some very considerable effect?

Because of that lack of precision, I do not think this motion even knows what its target is, and what exactly it is asking the government to do, as it pursues the highest standards of transparency. Even if we could work all that out, and be satisfied, members on this side do not have any faith that the government the Greens are appealing to will necessarily deliver what in our definition would be the highest standards of transparency. With every bit of respect and mark of affection that I can possibly muster up on behalf of Her Majesty's loyal opposition to the mover, I have to say that unfortunately we will not be supporting the motion on this occasion.

HON MARTIN ALDRIDGE (Agricultural) [2.34 pm]: I rise on behalf of the National Party to make a contribution to the debate on this motion. Before outlining the National Party's position, I want to talk about the way we undertake reforms to our electoral legislation in Western Australia. Obviously, there have been a number of debates in this chamber over time, and in fact a number of bills. I acknowledge and thank Hon Alison Xamon for giving us the opportunity today to discuss the matters before us, and I also recognise that she has a bill before the Parliament dealing with two matters—one, as I understand it, to do with financial disclosure and another to do with voting ticket reform.

In the last Parliament, I introduced a bill to amend the Electoral Act 1907 and the Constitution Acts Amendment Act 1899 that passed this chamber, but was then blocked from introduction into the Assembly. I do not want to reflect on that specifically, but one of the issues that was raised at that time was the process by which we engage in reforming legislation such as the Electoral Act in Western Australia, which affects each and every one of us in this chamber, and every voter in our electorates. I do not think it is acceptable that we leave it to the government of the day to do that in isolation from the other parties and members and the constituencies that they represent. Interestingly, that view was expressed during the consideration of my bill, and I think there was raging agreement, or certainly interest, in establishing a joint standing committee on electoral matters. It was also the view of the Community Development and Justice Standing Committee of the other place, in its second report, in February 2018, on the 2017 WA state election. Recommendation 1 states —

> That a joint standing committee into electoral matters is established to inquire into, consider, and report to Parliament on any proposal, matter, or thing concerned with the:
>
> - Conduct of parliamentary elections and referendums in Western Australia.
> - Conduct of elections under the *Local Government Act 1995*.
> - Administration of, or practices associated with, the *Electoral Act 1907* and any other law relating to electoral matters.

That is a position that I support. The government's response was not really a response. It stated that it was a matter for the Legislative Assembly, not the government. I note that the government has significant control over the Legislative Assembly and, as far as I am aware, we have not received from the Legislative Assembly a message

asking for the formation of a joint standing committee on electoral matters, consistent with the bipartisan Community Development and Justice Standing Committee recommendation. That would certainly advance matters such as this in a bipartisan way in this state, and, hopefully, the new Minister for Electoral Affairs will turn his mind to it, although he has been in the role for only a few months.

A number of matters in the motion before the house have merit, and an equal number of matters, if not more, concern me. I want to talk about some of those now. The first matter I wanted to talk about has now been resolved through an amendment and has been canvassed by subsequent speakers. It concerned one group, being large corporations, which was the original intention of the motion moved by Hon Alison Xamon. I think there is a greater cohort of donors who potentially would fall into a category of public concern for political donations. I do not think it is only large corporations, although it could be argued that large corporations have a greater capacity. In saying that, what about smaller corporations, perhaps property developers? New South Wales has banned donations from property developers. I do not think a corporation necessarily needs to be large to engage in using cash to influence public policy. Across jurisdictions, major reforms to funding and disclosure happen in the wake of a crisis. I do not think we have had that crisis in Western Australia in recent times, but it does not mean that we should not turn our mind to these matters to ensure that that crisis does not eventuate.

I will speak to some of the specific clauses of the motion, and certainly the question of third party donations. Hon Alison Xamon will attest that I rang her on the way to Parliament on Tuesday morning and said, "What is a third party donation?" It is not clear to me still whether we are talking about somebody who is donating to a third party or a third party donating to a political candidate or a political party. That, to me, is unclear. Certainly, one of the issues that the standing committee in the other house found that should be considered by the government was whether expenditure caps should be applied to third parties during elections. Should we allow third parties who do not run candidates and do not seek election to influence elections in a significant way? Should there be barriers or ways to curtail the influence third parties can have on elections?

Interestingly, if members look at the election return of the 2017 general election, there is a section called "Other Persons". This is what I would consider to be third parties. In fact, I think the Australian Electoral Commission actually calls them third parties, but the election return for our jurisdiction classifies them as other persons. It includes a range of organisations. A lot of them are unions. This includes the Chamber of Commerce and Industry of Western Australia and GetUp. Even unions from New South Wales are listed as other persons in our 2017 general election return. The RAC of Western Australia spent $361 000, which certainly was a figure that surprised me when I reflected on these figures ahead of the debate. UnionsWA spent $306 000. Interestingly, some unions in Western Australia claim to not be affiliated with the Labor Party or certainly do not contribute to election campaigns, but they fund UnionsWA, which then contributes to the Labor Party or campaigns to support the Labor Party. Some people in other areas might call that money laundering, but I think it is a bit cheeky to claim that they do not support the Labor Party or the election of Labor candidates when they act in that way.

Other third parties in the election return include the World Wide Fund for Nature. As I said, there is a whole realm of other persons. Probably about 75 per cent of this list of other persons are unions in Western Australia or, as I said, in other states. Of note, and probably a Western Australia first, the Chamber of Minerals and Energy of Western Australia recorded gifts of $4.36 million and a total electoral expenditure of $4.36 million. It is interesting to draw some parallels. That is by a long stretch the largest electoral expenditure of a third party in Western Australia. The Australian Nursing Federation was behind the Chamber of Minerals and Energy with an electoral expenditure of $844 000. Compare that with the electoral expenditure of the Liberal Party, which was $4.9 million. The Labor Party spent $4.6 million. The Nationals WA spent $682 000. It is fair to say that during the 2017 general election, the Chamber of Minerals and Energy spent the order of money that the Liberal Party and the Labor Party spent on their entire campaigns statewide, despite the fact that the Chamber of Minerals and Energy did not run one candidate for election to the Legislative Assembly or the Legislative Council. Clearly, I would think that this would be of concern. It is certainly of concern to me, but it would not fall within the definition, I would think, of a large corporation. The Chamber of Minerals and Energy is not a corporation at all; it is an industry organisation that represents the interests of its industry. It would be interesting to hear whether members have concerns on whether that type of activity should be curtailed. One of the recommendations of the Community Development and Justice Standing Committee was that the government ought to consider whether electoral expenditure of third parties in Western Australia should have some limit. Obviously, there is a balance in that argument. These third parties are obviously campaigning in the best interests of whatever their causes are or whatever their membership is, whether it be the RAC or the Local Government Association or the Chamber of Minerals and Energy, and should it reach a point at which they can simply outspend everyone else in the field to achieve the end that they desire? I have the view that that requires greater examination by government, and I agree with the standing committee of the other house in that respect.

With respect to the Chamber of Minerals and Energy, before I move onto the other planks, publicly in the lead-up to the election day, the then CEO Reg Howard-Smith said that it was not going to spend any more than $2 million. I am pretty sure that at that point in time Mr Howard-Smith did not realise that his organisation had to publicly

disclose after the election the money it spent on certain types of expenditure during the election period; I am sure of that, because when the time for disclosure came and passed, the Chamber of Minerals and Energy did not submit the disclosure. What transpired was that it was in breach of the Electoral Act, and this was brought to the attention of the Electoral Commissioner. It subsequently disclosed that it spent some $4.36 million during the election period.

Hon Alison Xamon: Did they get fined?

Hon MARTIN ALDRIDGE: I will come to that.

As I understand it—I am happy to stand corrected—the way in which we record electoral expenditure in Western Australia is that it relates to expenditure during the election period, which is from the issue of the writs to polling day. Who knows what it spent outside that time in the 12 months or more in the lead-up to the election day.

The fines issue was canvassed by the standing committee of the other house. The fine for non-disclosure is $1 500. Obviously, if a union has just spent $4.36 million on a campaign to make sure that its members do not pay more royalties to the people of Western Australia, that is money well spent; it would pay the fine. But I do not think the Electoral Commissioner even fined it the $1 500. Now the people of Western Australia do not have flowing into the state's coffers not only the increase of the special-lease rental, but also the 1 500 bucks that the Chamber of Minerals and Energy ought to have paid for breaching the Electoral Act of Western Australia. One of the recommendations of the standing committee is that those fines needed to be reviewed to make sure that they actually present some deterrence from not complying with the electoral laws of Western Australia.

I have real concern about paragraph (1)(b) of the motion "instituting 'real-time' reporting". I think in a pure world, why would there not be real-time reporting of gifts and donations? I do not think it is practical in a real-world scenario. I remember closing debate on a government bill in the last Parliament that was going to force local government councils to disclose within 10 days gifts and donations they received. It was not supported by the National Party. It was ultimately supported by the Council. It does not work. It captures good people in the process. We do not expect that of ourselves. Look at our annual returns. We could receive a donation on 1 July, and if my memory serves me well, we do not have to disclose it until sometime at the end of September—that is, 15 months after we receive a donation or gift or some support as a member of Parliament. If we talk about improving disclosure, maybe we should start with ourselves. That was the speech that I made when that local government bill was considered during the last Parliament. Interestingly, we now have a new local government bill in the other house that is seeks to undo, to some extent, that 10-day rule because it does not work. Certainly in the context of local government councils running for election to state Parliament, it is just a complete nightmare and a mess and needs to be further worked upon.

I do not think that foreign donations should be considered as the exclusive issue with relation to political donations. I notice that the commonwealth has acted with respect to federal donations. I think that where there is a will, there will always be a way. Certainly, I suspect that a foreign actor, whether an actor of another country or indeed just a private citizen of another country, will find a way of circumventing those commonwealth laws. That may be as simple as creating not even a publicly listed but a private company in Australia for the purpose of running some kind of business activity, but, ultimately, to influence some kind of political activity in Australia. I do not think that the foreign donation laws at the commonwealth level are foolproof, but I recognise and respect that the community sentiment is they would not like to see foreign donations influencing the state affairs of Western Australia. I would like to see how the government intends to act on foreign donations. I do not know whether it was a Labor Party election commitment. I think its commitment related to a disclosure threshold and reporting time frames. I would have thought that the Minister for Electoral Affairs would be able to knock that bill together in about 15 minutes. His predecessor had two years and did not do anything, so maybe we will give him a few more months and see how he performs before we judge him.

The Western Australian Electoral Commission produces a report after each election. The "2017 State General Election: Election Report" has a number of recommendations right at the back. I do not know whether members have read it, but I think it might be worth members reflecting on that report. A lot of it is about the statistics of how the commission performed at the election, how many people ran, how many votes were cast, voter turnout and those kinds of things. I do not think we need key recommendations right at the back of a report, because not many people get to the back of a report, but right at the back of the report, the first recommendation of the Electoral Commission reads —

> *That a comprehensive review of the Electoral Act be commenced at the earliest opportunity.*

I am not sure whether the government has responded to this report, but I keep hearing the message from the government that it is willing to talk to anyone who wants to talk about electoral reform. With respect to the government, I do not think that is the right way of approaching a comprehensive review of the Electoral Act of Western Australia, which was recommendation 1 of the Electoral Commissioner. The report continues and recommendation 6 refers to the disclosure requirements. This has been canvassed already today. Recommendation 6 reads —

> *That all registered political parties and associated entities should submit disclosure returns under a single set of rules.*

Obviously, that goes to the issue that was outlined by Hon Alison Xamon, which is that a political party registered under the state and commonwealth Electoral Acts can submit its commonwealth election return as its state return with the respective disclosure threshold. As members have mentioned, the federal disclosure threshold is $13 800 and at the state level it is $2 500. I understand that the government's commitment is to reduce that to $1 000.

I will conclude in the next couple of minutes. It is good to have a conversation about these issues when we are not in the wake of a crisis, such as a Corruption and Crime Commission report that finds people wanting. I think it is important to have a robust democracy that is based on strong rules that apply to everybody. In that context, I do not rule out having a conversation about whether we are to significantly curtail donations and the way in which people donate to political parties. For the greater good of the people of Western Australia, we have to address the issue of how political parties operate without those funds. Do people believe that political parties should not exist? I do not think that is the case. We need to have a mature, bipartisan conversation about significantly curtailing donations, whether to political parties or others, in the context of many other issues. That is why I come back to where I started: a joint standing committee on electoral matters would do the state and the Parliament of Western Australia a great deal of service.

The ACTING PRESIDENT (Hon Matthew Swinbourn): Hon Robin Chapple, before you commence, I remind you that when five minutes of the debate remains, I will interrupt you so that the mover has the opportunity to reply.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.59 pm]: Certainly. I intend to be quite brief. I want to touch on a few points. Firstly, I want to say that I respect all members in this chamber as very honourable people. Unfortunately, out there in public land, their honour has diminished from 70 per cent 15 years ago to 37 per cent today. A large percentage of that is due to the perception of the aspects of undue influence by corporations. That is reflected in a recent Social Research Institute's Ipsos poll.

I am very interested in the amendment because it allows me to identify some of the influence that industry applies indirectly to this chamber and governments. We will come to that in a second. Let us come back to Hon Simon O'Brien when he talked about a particular political party that gets a donation from, say, the union movement, industry or whatever, that is not tied. Therefore, I ask: why has the multimillion-dollar big corporate industry given the coalition more than $80 million in corporate money since 2012? Why did the Labor Party receive almost $60 million of corporate money since 2012? In the case of the coalition, $9 million was from energy and resource companies and in the case of the Labor Party, that was almost $4 million. Corporations donate to both sides of the political spectrum with the view that somehow or other because they have been nice to us, we will be nice to them into the future. I am not saying that that occurs, but the public perception is that that occurs. We also have to remember that some of these corporations do not pay any tax because they have managed to worm their way out of it and shift their money overseas. I do not mean Chinese corporations; I mean American ones.

I have mentioned this before and I will touch on it briefly again. We have been dudded over the time that we have had the petroleum and mining industry in this country, because we do not really have a sovereign wealth fund. We have $300 million and, as we know, Norway has now just ticked over a trillion dollars in its future fund. It recently did something quite interesting. It decided that although it invested a trillion dollars in Apple and a number of corporations, it would not invest any further in major corporations. It has almost come full circle. A government is saying that it will not invest in certain corporations. Certainly, I do not think those industries are going to provide any donations to the Norwegian government.

I agreed with a lot of what Hon Charles Smith had to say. There was a slight tenet about foreign donations that maybe I did not necessarily go fully with, but a lot of what Hon Charles Smith had to say was great. I want to touch on this idea that popped and undue influence was obliquely talked about. I think GetUp! was mentioned. We also have 350.org. I refer to an article recently published in *The Sydney Morning Herald* of 9 March 2019, which states —

> It's no surprise, then, that investors are increasingly questioning the wisdom of betting on oil and gas. A divestment campaign started by activist group 350.org in 2012 has already persuaded funds holding $8 trillion to back away from fossil fuels, according to its website.

One could argue that 350.org is certainly a significant influence group but then we have to look at some adverts that I think will come home very much to the National Party when I talk about this advert. The Chamber of Minerals and Energy of Western Australia, which I think is an influence group, put an advert in *The Weekend West* of Saturday, 25 February 2017. Would we call it a lobby group or a representative body of the people who fund it? The advert states, "Who'll pay the WA Nationals' $3 Billion Mining Tax?". That is another lobbying process. The CME put out a three-page advert against the resource rent tax. The Gold Royalties Response Group and BHP Billiton also put out adverts about the resource rent tax. These adverts were designed to try to influence government. These are the same people who donate extensively to both major political parties.

It gets really peculiar. It is a really odd relationship. The major corporations are donating heavily to both major political parties, but at the same time they are almost doing their bidding at another level. That sort of crossover

of influence has led to general members of the community having a concern about the political status of politicians. I will leave it at that, because my colleague Hon Tim Clifford also wishes to make a contribution.

HON TIM CLIFFORD (East Metropolitan) [3.00 pm]: I would like to reflect on what has been said in the chamber today. I fully support the original wording of the motion as moved by Hon Alison Xamon, and I oppose the amendment—sorry, Hon Rick Mazza.

On the weekend, I went to Mundaring to the Save Perth Hills rally against the proposed North Stoneville development. There is a lot of concern about that development. Over 1 000 people were at that rally, from all political persuasions. One of the common underlying themes of that protest was donations and the influence of Satterley homes over the political processes of this development. That is just one of many rallies, community group meetings, town hall meetings and special electors' meetings that I have attended. We can feel the sentiment from every community member when they get up in front of the crowd and talk about their concerns. There is deep discontent within the community about the relationship between government and big business and developers and their influence on policy makers. We need to act quickly. I hope to see some level of reform from government in the future.

HON ALISON XAMON (North Metropolitan) [3.02 pm] — in reply: I am very glad to have the opportunity to reply. I want to pick up on a couple of things. A number of the contributors to the debate raised the issue of why we want to talk with the federal government about this matter. As I outlined in my original contribution, the problem is that because of the different threshold disclosure levels and rules that apply, people are effectively able to pick their jurisdiction to avoid any sort of transparency. The clear answer to the question of why we want to have discussions at the state level with the federal government and our state counterparts is precisely because we want to remove those inconsistencies across jurisdictions. That seems fairly self-evident. I will not touch on the concerns that were raised by Hon Simon O'Brien about the capacity of the current government to undertake that in a way that would ensure transparency. Nevertheless, that is a very important discussion to have. I am glad the Minister for Environment has given an indication that there is a preparedness to have those discussions. I will be following that up, and I hope we will be able to report back favourably about the attempts to have those discussions.

Members, I point out that under our current system, not everyone who has an interest in the decisions of government is able to donate. I will spell this out. I am focused particularly on corporations for a reason. Corporations have a lot of money, and they are very interested in the environment that is created by government to enable them to undertake their business. However, that is not the case for many other groups. As members would know, I have a deep interest in the non–government organisation sector, particularly those organisations involved with mental health, suicide prevention, disability, child protection and the community legal sector. These organisations are dealing with often the most vulnerable people in our community who need to have a voice and whose lives can be directly adversely affected by the decisions of government, yet the organisations that represent those groups are prohibited by law, particularly if they have charitable status, from being able to donate to our political system. Therefore, inbuilt within our system is a disproportionate level of access to be able to influence what happens at our elections. That is already there, members. A corporation that is seeking to make a profit can go hell for leather. However, an organisation that has no money to start with, but in any event is legally prohibited from being able to donate, has no voice within that political process. Therefore, when people talk about trying to create an even playing field, I will point out that we do not have that now. An entire section of our community is prohibited by law from being able to have their voice heard when it comes to elections. What a very different landscape it would be if the most vulnerable people in our community were able to have the same access as corporations that have so much money.

I want to mention a couple of other things. The question was asked around the issue of transparency: do we really need to know who our donors are? The answer is: yes, of course. I think the average Australian expects that. People want to know who is donating to our political parties. People can know who donates to the Greens, because it is all spelt out. People have already talked about it. People are able to talk about it because it is transparent. People know exactly who is donating to the Greens. Real-time donations are a way of ensuring that people have an idea about donations before elections. The question was asked: what happens if someone donates the day before election day? The answer is: that money clearly would not be of much help to the election, would it? The reality is that if we had the same rule that applies under the Victorian model—namely, 28 days—people at the polling booth would have some idea about who has donated to the political parties that are on the ballot paper in front of them. The issue was raised that people may be able to circumvent the laws around foreign donations by making third party donations. That is all the more reason to get smarter about how we do this. I do not accept that simply because something is hard to do, we should not bother.

Finally, I want to make some comments about the issue of corruption. Of course people who inherently set out to corrupt the system will not go through this process. However, there is a fundamental difference between people who overtly engage in corrupt behaviour and ensuring the system is transparent so that we know what is going on.

Division

Question put and a division taken, the Acting President (Hon Matthew Swinbourn) casting his vote with the noes, with the following result —

Ayes (7)

Hon Robin Chapple	Hon Diane Evers	Hon Colin Tincknell	Hon Charles Smith *(Teller)*
Hon Tim Clifford	Hon Robin Scott	Hon Alison Xamon	

Noes (26)

Hon Martin Aldridge	Hon Sue Ellery	Hon Rick Mazza	Hon Matthew Swinbourn
Hon Ken Baston	Hon Donna Faragher	Hon Kyle McGinn	Hon Dr Sally Talbot
Hon Jacqui Boydell	Hon Adele Farina	Hon Michael Mischin	Hon Dr Steve Thomas
Hon Jim Chown	Hon Nick Goiran	Hon Simon O'Brien	Hon Darren West
Hon Alanna Clohesy	Hon Laurie Graham	Hon Martin Pritchard	Hon Pierre Yang *(Teller)*
Hon Peter Collier	Hon Colin Holt	Hon Tjorn Sibma	
Hon Stephen Dawson	Hon Alannah MacTiernan	Hon Aaron Stonehouse	

Question (motion, as amended) thus negatived.

COMMITTEE REPORTS — CONSIDERATION

Committee

The Chair of Committees (Hon Simon O'Brien) in the chair.

Standing Committee on Environment and Public Affairs — Forty-ninth Report — "Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material" — Motion

Resumed from 3 April on the following motion moved by Hon Matthew Swinbourn —

That the report be noted.

Hon DIANE EVERS: I would like to speak on the Standing Committee on Environment and Public Affairs' forty-ninth report, "Mechanisms for Compensation for Economic Loss to Farmers in Western Australia Caused by Contamination by Genetically Modified Material". I note the minister's response to petition 10 referred to in the report, which states —

> In particular, there needs to be an examination of whether current laws of tort are adequate or whether strict liability to cross contamination should apply as it does in European Union Member States such as Austria, Denmark and France.

This report still does not appropriately address that issue. It does not come out and state whether those laws of tort are adequate, because it states that there was not enough information and case law to go on and, therefore, we need a more thorough investigation to find why there is no case law—what issues have come up that were not taken to the courts? That is where the whole report falls down. We know there are people out there with these experiences and there was a considerable number of hearings to give them a chance to come forward, but, as I have said previously, they were not able to come forward because of the impact it would have on that person in their community. We need to recognise that the case law is not there because the system is inadequate. We have to provide another system in which people can come forward.

I have not yet discussed the impacts of GM crops. I admit that a lot of genetic engineering technology is happening and at some time in the future there is a chance there will be some revolutionary change that means we have to use it. I admit that in medical situations we are already using genetic engineering technology to extend people's lives. But in terms of the adequacy of research about the GM content in the canola and cotton crops in this state, we rely on the research of organisations that own this technology. We rely on that research for Food Standards Australia New Zealand to determine whether these products are safe for human consumption. We have not looked into, and this petition did not address, how we are going to manage that. Extensive independent research shows the issues that can arise from genetically modified food, yet we are not doing anything to address that or the idea that people want access to food that they know is not GM contaminated.

I will not continue to use the words "adventitious co-mingling" that we used previously because it sounds lovely; it makes it sound as though everything is all fine and okay, but really we are talking about contamination. A farmer is trying to raise, harvest and deliver to market a crop to sell as a non-GM crop. Contamination is when a GM component is mixed in with that crop, which means the farmer cannot sell it as GM free. As I said before, we need to find a system to address this issue when we see that the common law system does not work.

I want to touch on other issues concerning GM crops. Recently, we heard that 40 per cent of the world's insects have become extinct. We do not have absolute proof of why this is happening, or the research that we need to address the situation, but there have been suggestions that we are creating the conditions for this to happen by using extensive amounts of chemicals during the growing and harvesting of crops. It leads to other issues that we

need to address. As we have heard in previous discussions on this report and conversations and debates concerning genetically modified organisms, we are going into it with a blinkered view. Following on from the previous debate about undue influence, the owners of this technology have undue influence on not only the government, through donations and through our own department of agriculture with support for certain research that will benefit the department, but also our agricultural communities, networks, farmers' federations and such things. There is undue influence from the owners of this technology that not only stop the debate out there, but also inhibit the debate in here. We are so tied to believing what we hear in that respect that we are not continuing to research what is good for the health of people in this community and this state. We could have found a different conclusion, or at least some recommendations, in the report. There are numerous findings in this report but not a single recommendation to say, "Maybe we could try this. How about we introduce something else? Let's take this further and do something, because people out there are saying that there is a problem. The problem is not being addressed; we have even suggested solutions for how this could be addressed", yet it continues on and we get nowhere.

It is important that this sort of issue continues to be raised, because we are not the ones making the decisions; the people making the decisions are those who own this technology and that does not seem to be a reasonable way of running government. Until we can get in all the alternative views and unbiased research to show us what the real facts are in this case, we are not going to address it properly.

Hon DARREN WEST: I, too, would like to take the opportunity to speak on this report from the Standing Committee on Environment and Public Affairs. I begin by acknowledging the work of the committee: the chair, Hon Matthew Swinbourn, MLC; Hon Samantha Rowe, MLC; Hon Dr Steve Thomas, MLC; Hon Colin Holt, MLC; and Hon Tim Clifford, MLC. There is certainly a wide range of views and opinions on this subject within that committee that I am sure helped it in its deliberations.

As the farmer in the chamber, I need no reminder that the genetically modified organism debate has been very divisive in our sector. There are those with very strong views about this on each side of the argument. I have spoken at length about that, but I will remind members of the history of genetically modified crops and foods in Western Australia. It was the then Labor Minister for Agriculture, Hon Kim Chance, who first introduced the Genetically Modified Crops Free Areas Act 2003, which gave the minister of the day the capacity to allow the introduction of those organisms into Western Australia and paved the way for research and trial work within this state. That happened extensively under the term of the Gallop and Carpenter governments. Then there was the election of the Barnett government and all responsibility for managing this very divisive issue was thrown out the window. We had a procession, a parade, of agriculture ministers, none of whom were particularly competent and all of whom decided that this decision was far too hard for them to manage. It took someone of Kim Chance's calibre perhaps to manage it and those ministers were a shadow of him. They then ceded the decision-making rights about which varieties could be grown in Western Australia to an unknown person, an unknown scientist in the east. Members may remember that I made an extensive contribution to the debate when the then government threw its hands in the air, found it all too difficult and decided to repeal the Genetically Modified Crops Free Areas Act, the very act that enabled genetically modified crops to come to Western Australia in the first place. When I began that contribution, I asked members whether they knew exactly who they were ceding that power to, and none of them knew. None of them had any idea who that very important decision-making and deliberation was being ceded to. I thought that was significant at the time. I went on to make, topically enough, a rather lengthy contribution to Parliament, but unlike subsequent lengthy contributions, I knew when I had made my point, had taken up enough of the Parliament's time and I finished. I made my point very clearly.

Hon Martin Aldridge: You mean you ran out of newspapers; that's what happened!

Hon DARREN WEST: I actually had much more material, but I had made my point and then I sat down and let the Parliament continue to debate the bill. I just thought I would throw that one in. I was not as selfish as perhaps some people might be.

The irresponsible approach from the previous government was to throw its hands in the air—all care, no responsibility, the industry could go and sort itself out when it came to this very contentious issue that required a degree of leadership that Kim Chance had envisaged.

Then there was the very unfortunate contamination of an organic property, owned by the Marsh family, by genetically modified canola grown over the fence. History records that very unfortunate event and the subsequent fallout. It divided a community. This issue had people who had been boyhood friends become enemies of one another at war. This went right the way up to the Supreme Court. What a shame that the government could not have shown some leadership to prevent that from happening, but it did not. It let the courts and common law sort out that situation, when all that was required was somebody with the capacity to stand up and work through that situation. There were no winners in that case whatsoever. It was a very expensive legal fiasco that came down on the side that common law was relatively silent on this issue and the case could not be awarded to the Marsh family. It got to that point. It is an absolute travesty that the government of the day just stood back, put it in the too-hard basket and let people's lives be totally torn apart by that case. I will never forgive the procession of agriculture ministers who oversaw that. Subsequent to that, a petition was tabled, and the committee made this report that we are debating today.

I have to say that I was not sure where this would land, but I am not surprised by the outcome of the report. I guess it generally aligns with the Supreme Court. There were some significant findings that I think we can learn from. I know that there will be those on both sides of the debate who share a level of disappointment that their side of the story was not the final outcome of the report. That may mean that the committee did its job and it has been able to find its way through the middle of this quite complex argument.

The first finding is significant in a lot of ways, certainly when it comes to matters of contamination. It states —

> The breakdown of neighbour relationships does not help resolve cross boundary issues or the impacts from different farming systems.

We could argue that about a whole range of events. There are times when farmers are burning off stubble, the fire may escape into the neighbour's paddock and perhaps burn a little more area than was intended. That is going on at this time of the year in various parts of the state, and it generally requires a degree of goodwill between neighbours to sit down, determine what the loss was, apologise profusely, work out whether there was any net loss, and set to make things right. Naturally, that was not intended when the farmer decided to burn some stubble. It similarly happens when a farmer is spraying and there is a temperature inversion or the wind goes in the wrong direction and some of the spray drifts into their neighbour's paddock and curls up some canola, lupins or cereal crop. Once again, it generally involves a meeting at the fence, an assessment of the damage and working through the issue to see how much loss has been incurred. Similarly, should livestock escape through a fence or a broken or open gate and there is a loss, these things are usually best worked out between the two affected parties. When that fails, farmers have liability insurance to help cover any costs, should they be significant. That can involve legal action, but they are covered under a form of insurance. No such insurance is available for the occurrence of genetically modified contamination onto an organic property. The farmer has no such way to mitigate that loss, so it becomes even more imperative that neighbours are able to sit down together to try to work out a solution. Sadly, that was unable to happen in the Marsh case, so two friends—who I believe used to travel to school together on the bus—fell out dramatically and their relationship will never be the same again because of a lack of government leadership on this important issue. I think that is particularly sad. I have had quite a lot of contact with Steve Marsh. He is a very decent man. His view was that the future of food production was organic. Western Australia has the largest number of registered hectares of organic food production anywhere in the world and a lot of the state is pastoral country. I think a tremendous advantage could be gained. The organic sector is the fastest growing sector of the food industry. There is a tremendous —

Hon Martin Aldridge interjected.

Hon DARREN WEST: I remind the member that we are talking about a committee report. We can talk about his issue another day. I look forward to the honourable member bringing something to this place.

The CHAIR: Order! Gentlemen, Hon Darren West has the call. I am trying to hear him.

Hon DARREN WEST: Thank you. I will keep my remarks to the matter before us, which is the committee report.

The circumstances that fell before us were terribly unfortunate and were due to a lack of leadership and care about what might happen if this all went wrong. That is what we saw in the Marsh v Baxter case. Steve Marsh decided that he would be an organic farmer and that would be the future of his operation. He went down that path and he suffered. There is no doubt that he suffered tremendous losses from a lack of good public policy on the incursion of genetically modified material onto his farm. Subsequent to that, his world turned upside down. This cost him and his family a significant financial amount.

Hon Dr STEVE THOMAS: In the brief time available to me, I would like to thank Hon Darren West for his remarkably crass politicisation of the report, which had bipartisan support. Does Hon Darren West think the Supreme Court got it wrong in the case of Marsh v Baxter? Was it incorrect? No answer!

The member stood and said that nobody knew the name of the Office of the Gene Technology Regulator. I am glad he acknowledged that it was the Labor Party that introduced the first piece of legislation to ratify the use of genetically modified organisms in Western Australia and he gave Hon Kim Chance, an absolute gentleman, that credit. It was interesting that he then completely politicised the process by suggesting failures on behalf of successive conservative Ministers for Agriculture and Food, who took up the policy to deregulate the genetically modified crop system in Western Australia. It took about a year or two from their first election in 2008. It can be argued whether that was the right or wrong thing to do, but they delivered on what they said they would prior to the election. As I have said in numerous contributions, I am not a champion of genetically modified organisms, but that was simply an acceptance of the reality that this is where the state is at that moment. I think it was introduced by the Labor Party back in 2005.

I will take the last two seconds to thank all staff, and members of the committee, who are obviously so busy that I am the only one left in the chamber who is not on urgent parliamentary business. I hope that they are not out there adventitiously commingling!

The CHAIR: On that note, we are interrupted by temporary order 4, so further consideration of that question is deferred.

Consideration of report postponed, pursuant to standing orders.

Joint Standing Committee on the Corruption and Crime Commission — Tenth Report — "With Extraordinary Power… The Corruption and Crime Commission's Execution of a Search Warrant on the Shire of Halls Creek"

Resumed from 21 March.

Motion

Hon NICK GOIRAN: I move —

That the report be noted.

I note that very hardworking Hon Alison Xamon is very interested in this report that I have just moved be noted. This report is the tenth report of the Joint Standing Committee on the Corruption and Crime Commission, not to be confused with the ninth report. I confess that I do not have a great amount of expertise about this report, but I am looking forward to hearing from the learned Hon Alison Xamon, who has spent quite a lot of time with this committee under the chairmanship of the member for Girrawheen, my good friend Margaret Quirk, MLA. They have done some excellent work. I note that Hon Jim Chown is away on urgent parliamentary business. He is the deputy chairman of the committee. At this stage, I will restrict my remarks to indicate that I would at the very least like to see the house note the report and I look forward to hearing what others might have to say about it.

Hon ALISON XAMON: I rise to make some comments about the tenth report of the Joint Standing Committee on the Corruption and Crime Commission, "With Extraordinary Power… The Corruption and Crime Commission's Execution of a Search Warrant on the Shire of Halls Creek". It pertains to the Corruption and Crime Commission's execution of a search warrant on the Shire of Halls Creek. This report follows the CCC's report into the corruption it uncovered in the Shire of Halls Creek. Arising from that report, concerns were raised by the Parliamentary Inspector of the Corruption and Crime Commission about the way the search warrants were issued. I want to make some comments about this report because it goes to the importance of Parliament's oversight role over the CCC. We are very fortunate to have a parliamentary inspector who is independently appointed and has responsibility for investigating the CCC, which has extraordinary powers, to ensure that they are not being abused and that they are being exercised in accordance with the parameters specified in the legislation that governs the CCC's activities. In turn, we are fortunate that the parliamentary inspector can both report to the committee that is appointed by this house and the other place to oversight the activities of the CCC, and directly to Parliament. Part of the process is that when the committee is of the view that Parliament's attention should be brought to a matter, the committee can issue reports such as the one in front of members today.

I will briefly go through what happened in this incident. In September 2017, the CCC executed a search warrant on the residence of the then CEO of the Shire of Halls Creek. It was investigating alleged serious misconduct. Members will undoubtedly have already read the subsequent report, but I recommend that those who may have accidentally missed it, look at it, because it is still available. Concerns were raised about the way the CCC exercised those search warrants. The parliamentary inspector subsequently provided a report to the committee, which raised concerns. Concerns were raised that one officer in particular had allegedly not handled it as well as they should have—both the parliamentary inspector and the committee have chosen not to name the officer publicly—and the report discusses the circumstances surrounding the finding of misconduct. Particular circumstances and concerns arose. Shire employees wanted to be present at the search of the CEO's residence, which belonged to the shire, and were prohibited from being there, and questions were raised about whether that was appropriate. There were also concerns about how the search warrant had been authorised.

I think it is important to note that the Corruption and Crime Commission has not agreed with the parliamentary inspector's findings. The original concerns that were extensively raised by the parliamentary inspector are given in the various appendices, and, of course, we also have the response from the CCC. I do not think it is necessarily the role of Parliament in this instance to make a determination on whether the parliamentary inspector or the Corruption and Crime Commission was correct. What is very useful about this debate is that it is effectively a shot across the bow—a reminder, if you like—of the CCC that with those extraordinary powers come extraordinary responsibility. It is important that we remember that. I am concerned that when we discuss legislation in this place, particularly legislation pertaining to the CCC, there can be a tendency to create a sense that the CCC should be free to be able to do whatever it likes, and an idea that if a person has not done anything wrong, they have nothing to worry about. I disagree with that. I think that if a person is a free citizen who has not committed corruption, that person has every right to expect that they are not going to have their civil liberties impeded or intruded upon, and that at least the most basic processes are being followed.

It is exceptionally important that we remember those safeguards that have been created to ensure that the CCC does not overstep the mark any more than it currently is able to by dint of the powers that have been imbued in it through the act. It is also very important that people pay attention to the sorts of concerns that are being raised by the parliamentary inspector. I remain concerned when people take a bit of a lackadaisical approach to the powers of the CCC, because I do not think that we should. We need to remember that we are still entitled to expect basic procedural fairness and civil liberties within a democratic system. It is very, very important that we are mindful of the checks and balances that we have to put around those entities that we have imbued with extraordinary power.

I want to draw members' attention to the report. I did not want it to be tabled and people ignore the fact that it is here. I would hope that when we are debating legislation in this place around the CCC, for example, at the very least, members will take the time to look at reports of this nature. As I say, I am not standing here to take a position on whether the Corruption and Crime Commission or the parliamentary inspector was right, but to look at the sorts of tensions that can arise around the use of extraordinary powers.

Those were the comments that I particularly wanted to make and to draw to the attention of the chamber. I think it is very important that we are mindful that independent oversight is critical. That extends also to the importance of this place, and making sure that we do not renege on our responsibility to engage in the oversight of the Corruption and Crime Commission.

Question put and passed.

Select Committee into Elder Abuse — Final Report —
"'I never thought it would happen to me': When trust is broken" — Motion

Resumed from 3 April on the following motion moved by Hon Nick Goiran —

That the report be noted.

Hon TJORN SIBMA: Thank you very much for this opportunity. When I last talked about this issue, I went to some effort to explain the underpinning logic of the series of thematic recommendations and findings that this bipartisan committee made on this issue, which I think remains tragically under-reported and un-remediated. I did so in a way to better assess the government's response to those recommendations, and I note that this response was delivered coincidentally at the same time as the generation of a national plan, which has only recently been published. I do this to give some credit where possible to the government's response, and to give the issues addressed within the committee's report some due justice. If I get the opportunity at a later stage, I want to go into the detail of the government's responses to a certain suite of recommendations, and some comments that have been made in public and through Parliament by the responsible minister in this jurisdiction, Hon Mick Murray, Minister for Seniors and Ageing.

Before I do that, I want to reinforce that this phenomena of elder abuse is a third-wave social scourge that affects the hearths and homes of Western Australian citizens. It is a multi-dimensional phenomena that cuts across intra-familial relationships. It is informed by and contributes to a suite of cultural attitudes, which have been amplified by demographic changes, particularly lengthening life spans and the quality of life in one's later decades.

Elder abuse is an issue that is informed by and—I must confess, I am disappointed—probably exacerbated to some degree by an institutional deafness or blindness to some of the real challenges. That disappointment is made a little more palpable for me because I think there would be some easy, practical remediation to that institutional blindness, if there was an organisational will to do something about it. I speak here specifically about the banks. It might surprise some people to know that I am not a proponent of the big end of town; I am a proponent of ordinary people. I think that banks have done a gross disservice to their customer base in ways that have been well ventilated by the royal commission, but this committee process has given us further insights into their practices and lack of regard. I am also dismayed at the continual bureaucratic indifference, and deficiencies in policy, legislation and regulation in a way that could be remediated if only there were a will to do so, and if this state jurisdiction dispenses with the notion that this is a commonwealth area of responsibility. The commonwealth will be important here, but it does not absolve the state government from responding to this issue in an appropriate way.

Hon KYLE McGINN: I thank honourable members who were involved in the Select Committee into Elder Abuse: Hon Nick Goiran as chair, Hon Matthew Swinbourn, Hon Alison Xamon and Hon Tjorn Sibma. The committee must be commended from the get-go because it sounds as though it was quite a difficult report to put together. To be honest, some of the information in the report is hard to read. Personally, I have never turned my mind to elder abuse occurring to any of my grandparents or to elderly family members.

Part of the report definitely caught my eye. Page 38 refers to posthumous abuse. Reading about that was interesting. The report sets out an aspect of elder abuse that appears to be unique to the LGBTI community—that is, the concept that the sexuality or gender identity of a person is erased upon their death. Somebody could live their life as a transgender person, and be recognised as transgender their entire life, but not be presented as transgender after they pass away. This opens up a whole can of worms, which, to my mind, is scary. I will read from page 38 of the report the story of Alison —

> 'Another experience that many in the trans community have witnessed relates to attending the funeral of a trans person. I had only ever known this person as trans and they lived full time as trans and had transitioned some years earlier. The person's family did not accept their transition and the person was only referred to as their sex assigned at birth and their christened name and not their preferred gender or name. They had not been dressed as a male, referenced as a male and for trans people to be ignored or disdained in terms of the funeral and the reception afterwards is about the most distressing thing that I've ever done in my life and it's happened on multiple occasions. This was totally ignoring, hiding, denying

> the real life of this person and absolutely abhorrent for their true friends. The family did not want us there and we were shunned throughout. Unfortunately, this is not an isolated situation'.

That is deeply concerning. I am sure all of us live our lives the way we want to and do what makes us feel good for who we feel we are. We are surrounded by people who see us for that person, support us for being that person and love us for being that person. However, due to not being accepted for being trans, close family have the ability to then give one final insult after that person's death. That to me is a gap and we need look closer at how we can close that. It triggers the broader issue that we do not have rights when we are dead and we do not have the right to be represented for who we are. I cannot imagine being represented differently after I died to the way I was and what I stood for when I was alive. It is an insult to the memory of that person.

Finding 16 on page 39 of the committee report states —

> Older people who identify as lesbian, gay, bisexual, trans or intersex are subject to the same type of abuse as the rest of the community but also can experience discrimination unique to their identity and, as a result of their life experience, are less likely to speak up and report elder abuse when it occurs to them.

It is disturbing to read that the committee came to that finding. I am glad the committee looked into that side of the issue. By the sound of it, it managed to at the very least get a finding out of it. I hope that we do not just leave it at that, and that we continue to look further into what we can do to assist those vulnerable people and ensure that we do not see those things happen again. I will leave further comment on this matter to another time. I again commend the committee for doing a great job. It has delivered a powerful document.

Hon PIERRE YANG: I will continue with my remarks on the final report of the Select Committee into Elder Abuse, "'I Never Thought it Would Happen to Me': When Trust is Broken". We looked at the definition of the issues when we last considered this report. It is a pertinent issue, given that the first term of reference of this committee was to determine an appropriate definition of elder abuse. The Alliance for the Prevention of Elder Abuse WA defines elder abuse as —

> … a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.

That is the same definition given by the World Health Organization. The committee's report states that during the committee's inquiry, the definition given by the Alliance for the Prevention of Elder Abuse WA changed to the current definition. During my time in the legal profession, I had a little bit to do with Legal Aid Western Australia and also Relationships Australia. I am very pleased those two organisations made submissions to the inquiry. In particular, I note the submission from Legal Aid WA dated 16 November 2017, which supports the definition given by the World Health Organization and states that it is important to adopt a broad definition of elder abuse. In a subsequent part of its submission it states —

> The age at which someone is considered to fall into the category of "elder" is usually about 65, however this should not necessarily be applied in an inflexible way.

The committee's final report recommends an age of 65 years for non-Aboriginal and non-Torres Strait Islander people and 55 for Aboriginal and Torres Strait Islander people. I am pleased the submission by Legal Aid WA was considered in a positive light.

The submission from Relationships Australia states —

> We support an approach that protects human rights, and a definition that identifies both the effect on the victim of abuse and the intention of the abuser. When considering whether elder abuse should include negligence, we could look to other similar social issues where there are particular vulnerabilities, care relationships, and expectations of trust, such as in cases of child neglect.

Child neglect, which is a form of child abuse, is inherently abhorrent. Elder abuse is also abhorrent. I am pleased that Relationships Australia suggests in its submission that in searching for the definition of elder abuse, similar social issues were looked at. The two social issues, child abuse and neglect and elder abuse, are essentially human rights issues. It may be noted that not many submissions gave a preferred definition, or referred to an established definition of elder abuse, but they all mentioned the need to look at the human rights approach. The Australian Research Network on Law and Ageing, in its submission, stated —

> Human rights do not fluctuate or wane as we age, but policy interventions may be required to enable older persons to fully enjoy and realise their basic human rights, as well as ensure that others continue to respect the rights of older persons.

In conclusion, I want to refer to the website of Legal Aid Western Australia, which contains a lot of legal information and resources. The website includes a section on elder abuse. At the top of the page, it states —

> If you are an older person who is being harmed by the actions of someone else, such as a family member, friend, neighbour or carer, you may be experiencing **elder abuse**.

The page provides some examples of behaviour that could be elder abuse, and I think it is pertinent to quote them in full, so that they are on the record. The webpage states —

> Some examples of behaviour that could be elder abuse include:
>
> - Financial—using an older person's money or property without their permission, taking control of bank accounts, selling property and keeping the proceeds, repeatedly asking for 'loans' or access to an expected inheritance, pressure to sign legal documents or Powers of Attorney without proper explanation.
> - Emotional or psychological—verbal or physical threats, threats of abandonment and intimidation, threats to harm others or pets, withdrawal of love and support.
> - Social—restricting someone's social freedom, cutting off phone services, hiding mail, and isolating the older person from family and friends.
> - Physical—any deliberate act resulting in physical pain or injury, including being hit, kicked, pushed, spat on or restrained.
> - Sexual—sexually abusive or exploitative behaviour, including sexual assault, making obscene phone calls, or watching obscene DVDs in the presence of an older person who does not want to see this.
> - Neglect—not providing life's necessities, such as adequate food, shelter, medical care and emotional support.

These, indeed, are all violations of the human rights of an older person. I am of the view that not only should older people's human rights be protected, but also older people should be respected and cherished in our community. They have spent their entire adult lives building this nation.

The CHAIR: Hon Pierre Yang.

Hon PIERRE YANG: I wish to very quickly conclude my remarks by saying that our older people should be cherished and respected because they have spent their entire lives building the beautiful nation that we know now. They spent their time and effort caring for their children when they were young, and they should be cherished rather than subjected to elder abuse.

Hon ALISON XAMON: I would like to continue the remarks I have been making since this important report was tabled. I would also like to thank members who are contributing to discussion of this report. It is very heartening for me that people in this place, across the chamber, seem to be taking the issue of elder abuse seriously. It is an issue that should receive support from every party, and I am pleased that members are seeing the merits of this report. I remind members that the establishment of the select committee received unanimous support in this chamber. I am very pleased. I think it is a really important issue that we need to continue to keep a very close eye on.

I have spoken about a number of issues in the report already, but today I want to make some remarks about the issue of access to justice for older people experiencing elder abuse. This was a really important part of the report. We heard about the prevalence of elder abuse, the different ways in which elder abuse manifests itself and the way that particular populations can be particularly affected by elder abuse. However, some serious issues also arose around what people can do to seek redress when elder abuse has been perpetrated against them, or, indeed, if they are at the point of just needing the elder abuse to stop. A strong piece of evidence that came out time and again through the submissions and the hearings was the recurrent theme that, for a lot of people experiencing elder abuse, the last thing they want to do is go through any sort of legal process. That really needs to be emphasised. In our culture, we tend to leap to the idea that there is a legal remedy that people will automatically go to when a wrongdoing has occurred, but when we are talking about sensitive family relationships, or about situations for older people who are desperate to maintain relationships with the very people who are perpetrating abuse against them, we must recognise that the decision to go down a legal path to address that abuse is extraordinarily painful and difficult. Of grave concern to the committee, reflected in the recommendations of this report, was the evidence that it is also really difficult for people to get any sort of legal recourse should they decide to go down that path.

We need to be talking about two types of legal approach when we refer to legal recourse. The first is just letting people find out their legal rights. Where do they even stand in relation to a range of matters? Often people will have a feeling that something is wrong, but they will not know what is potentially available to them as recourse. The second factor, if people realise that they do have some sort of legal recourse, is the best way to bring this to the attention of the perpetrator. Sometimes, a very gentle approach is required—receiving the advice that affirms that the person has a remedy, and then raising the issue in an appropriate way with the person who has been perpetrating the abuse against the person, to make it clear that it is not okay and needs to stop.

I ask members to bear in mind the comments made by my colleague Hon Tjorn Sibma, who was on the committee, in his contribution to this debate last week. He highlighted the evidence that had been presented to the committee that showed that, in many instances, perpetrators of elder abuse have no idea that they are perpetrating elder abuse.

They are simply unaware that what they are doing is illegal or even unethical. There is a great need to try to educate people about that and to have accessible legal structures that can facilitate the retention of those relationships in a way that lets everybody know the legal situation and where people stand legally.

Then we have the third situation in which people clearly just have to go to court. Property matters can be very complicated civil matters, and it can be very difficult for people to get the appropriate level of support to enable them to make the difficult decision to proceed with going to a lawyer. Many older people, particularly older people who may have lost all, or a huge proportion of, their assets due to financial elder abuse, will simply not have the resources to retain a private lawyer and commence proceedings. Indeed, it can be extraordinarily difficult even to find a private lawyer with an understanding of elder abuse. One thing that became very clear through the course of the inquiry was the critical role that our community legal sector plays in not only educating members of the community on how to recognise elder abuse and what sorts of remedies might be available to them if they are subject to elder abuse, but also supporting people to pursue legal remedy when elder abuse needs to be addressed. We found that, quite frankly, the services are not being made available in the state to the degree that we would expect.

We have previously spoken about the incredibly important role that Advocare plays in this space as often the first port of call for people who are concerned about elder abuse. Its helpline receives federal funding. Advocare also receives some state funding. People can ring up and get some idea about where they should potentially go for assistance. That is a separate discussion that I will revisit at some point in the future, but the appropriate funding for Advocare and the important service it provides is an ongoing issue. Advocare needs a legal referral pathway for people who need further legal advice. Really, there is only one community legal centre that has a specialised service that can provide support for older people who are experiencing elder abuse—that is, the elder law service provided by the Northern Suburbs Community Legal Centre. I once again acknowledge the marvellous work that was done by the late Karen Merrin, who was integral in ensuring that this service was established.

The committee found that the Northern Suburbs Community Legal Centre's elder law service has a unique role to play in the overall CLC landscape. However, it can service only people who fall within the catchment area of the northern suburbs. For people who live elsewhere in the metropolitan area and for everyone who lives in regional Australia, there is no access to specialist older people CLC services. I think this should be of grave concern to everybody in this chamber. We do not have to be a regional member, although I imagine our regional members are particularly concerned; we just have to care about human rights and people to know that this problem needs to be addressed. One of the things that we need to look at is how to ensure statewide services are provided through the community legal centres so that if an older person needs advice or assistance to navigate complex, or even simple, legal matters to address elder abuse, they are able to do that no matter where they live. At the moment, that is not available.

Consideration of report adjourned, pursuant to standing orders.

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

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

MINISTER FOR REGIONAL DEVELOPMENT — ENERGY MADE CLEAN

350. Hon PETER COLLIER to the Minister for Regional Development:

I refer to the minister's comments on ABC radio yesterday in relation to Energy Made Clean, when the minister stated, in part, that she had "absolutely acknowledged in the Parliament" that she had worked for EMC, and that she had made it clear that it was part remuneration. In response to a question as to whether the minister revealed to the Parliament that she was also paid cash by EMC, the minister's response was —

> Absolutely. In … a time line in the Parliament by Sue Ellery … I made it clear …

Will the minister give an undertaking to provide to the Legislative Council tomorrow the exact dates that she and Hon Sue Ellery made these statements; and, if not, why not?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

I will start by saying that I made it clear in the Parliament, the first time this issue was raised in a question by Hon Jim Chown, that I had worked for Energy Made Clean. I probably did not say, "And, yes, I got paid by EMC", because I thought it was a fairly natural consequence of working for someone that one would get paid. Of course I got paid, and there is absolutely nothing wrong with that. I then went on to talk about the shareholdings because at that time that was the only thing that was relevant, because this period of employment had occurred some five years before. I went on to say that the shares had been a consequence of that employment, and that those shares had been received as remuneration from a role.

Hon Michael Mischin: "Instead of remuneration" were your words.

Hon ALANNAH MacTIERNAN: I did not say —

Hon Michael Mischin interjected.

The PRESIDENT: Order, member!

Hon ALANNAH MacTIERNAN: I refer the member to *Hansard* of 2 November 2017, when Hon Sue Ellery, in setting out the circumstances, said that on 11 November 2011, so many shares were issued "as part payment for her role on the board". That is the truth of the story. It was part payment. This was a company that I did work for. It had no connection with Carnegie at that stage. I acquired some shares in a company that was not EMC proper but a derivative company.

Hon Martin Aldridge: This isn't story time! It was a pretty simple question.

Hon ALANNAH MacTIERNAN: I am going to explain, because the most extraordinary allegations have been made. I am going to take this opportunity to declare it. I did work for that company. I worked for that company for approximately seven or eight months. I finished up once I became the Mayor of Vincent and stayed on for another 18 months as a director. I acquired the shares during that time, from November through to the end of May. I have been very clear that I worked for the company, I had involvement, I had involvement also as a director, and I had a shareholding in a related entity, not the main entity, and that shareholding was disposed of.

SOLAR PROJECTS — GOLDFIELDS

351. Hon PETER COLLIER to the Minister for Regional Development:

I refer to the goldfields solar energy project summary report dated May 2018.

(1) Given the report finds that a large-scale solar development is highly unlikely, is the Department of Primary Industries and Regional Development undertaking any further work regarding energy issues in Kalgoorlie?

(2) If yes to (1), what work is the department currently undertaking?

(3) What are the options to facilitate a large-scale solar project using the power of the Mining Act 1978 referred to in the report?

(4) What land tenure changes are required, and what work, if any, is underway regarding these land tenure changes?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

(1) Although the preliminary assessment did identify a number of challenges to large-scale solar development in the goldfields, it also set out a number of options that could support solar projects in the short, medium and long term. These options are being pursued by the Department of Primary Industries and Regional Development.

(2) The Department of Primary Industries and Regional Development has prepared a proposal for a virtual power plant in Kalgoorlie–Boulder and has commenced working with the relevant lands agencies to identify opportunities to unlock land for large-scale solar development.

(3) The Mining Act 1978 allows for the development of power generation and transmission facilities on mining leases, provided the generation is used for the sole purpose of mining operations approved under that lease, which could free up network capacity for other users and create broader benefits for the region.

(4) Work is underway by other agencies and local government into the potential for crown land to be made available for industrial purposes, possibly including renewable energy, and to identify possible sites for future projects. The Department of Primary Industries and Regional Development is also working with key stakeholders to investigate parcels of pastoral land that could be excised for the development of large-scale solar projects.

COURTS — CONFIDENTIAL AFFIDAVITS

352. Hon MICHAEL MISCHIN to the Leader of the House representing the Attorney General:

May I first thank the Leader of the House, albeit as an afterthought to seeing some STEM program, for finally opening the Doubleview Primary School.

The PRESIDENT: Member, was that a statement or a preamble to your question?

Hon MICHAEL MISCHIN: It was sort of a preamble to my question.

The PRESIDENT: You might want to quickly get to the question.

Hon MICHAEL MISCHIN: I refer to the advice from the government during the course of consideration of the Bail Amendment (Persons Linked to Terrorism) Bill 2018 that in criminal trials and proceedings in Western Australia —

> … courts from time to time in exceptional cases receive information by way of confidential affidavit, with the person who is the subject of the information and their legal representative being unaware of the ex parte procedure.

We were also told that this could be so in "any matter and at any point within that matter", not limited to terrorism cases.

(1) How widespread is this practice and for how long has the Attorney General been aware of it?

(2) Under what legislative sanction does this practice take place?

(3) How many cases and convictions is the Attorney General aware of that were tried on evidence secretly received by a court but not disclosed to the accused, when did they occur, in which court did they occur, and under what circumstances?

Hon SUE ELLERY replied:

By way of response to the preamble, I note that the honourable member's relationship with the school he referred to is so strong that it did not invite him, but let us get on with the answer.

The PRESIDENT: I look forward to your answer, Leader of the House.

Hon SUE ELLERY: Thank you, Madam President.

(1) Under common law and statute, the courts can consider certain matters ex parte, including during the course of criminal proceedings. There is no available data to indicate the frequency of such matters, but I understand them to be infrequent.

(2) Ex parte applications and confidential affidavits in support of such applications may be used in proceedings under various pieces of legislation, including the Surveillance Devices Act 1998, the Criminal Investigation (Covert Powers) Act 2012 and the Criminal Procedure Act 2004.

(3) This data is not available.

SWAN VALLEY PLANNING REVIEW

353. Hon DONNA FARAGHER to the minister representing the Minister for Planning:

I refer to the article in the *Eastern Reporter* titled "Planning Minister says act not strong enough to protect the Swan Valley from inappropriate developments" of 14 September 2018 and the statement that the minister "expected to present the State Government's response to the report by November".

(1) Has the government finalised its response to the Swan Valley planning review undertaken by John Kobelke, JP?

(2) If yes to (1), will the minister table a copy of the report; and, if not, why not?

(3) If no to (1), when will the government response be finalised and released?

(4) Does the minister intend to introduce a bill to amend or replace the Swan Valley Planning Act 1995 with a new planning framework for the Swan Valley this year; and, if yes, when; and, if not, why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Planning.

(1)–(4) The last time the Swan Valley Planning Act was reviewed and amended was in 2006, as the more recent review of the Swan Valley initiated under the previous government did not appropriately engage with the community and was never implemented. The recommendations from the current Swan Valley review process are being considered and a formal response is being prepared. Any legislative change required will be progressed as soon as practicable.

CHILD PROTECTION — CHILD SEXUAL ABUSE — ROEBOURNE

354. Hon NICK GOIRAN to the Leader of the House representing the Minister for Child Protection:

I refer to the minister's response to question without notice 66 on 20 February 2019, in which the minister reported that for cases of young people who are sex offenders attending school, "assessments are based on what is best for the school community and the individual young people".

(1) Is the minister aware that the multi-agency protocols for education options for young people charged with harmful sexual behaviours state that there is no actual predictor tool to assess young people and their risk of reoffending?

(2) What set of criteria is used to determine whether allowing a sex offender to remain at school is in the best interests of that school community?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

(1) Yes.

(2) As outlined in the multi-agency protocol, the decision regarding whether a young person charged with harmful sexual behaviours returns to school is the responsibility of the Department of Education. The Department of Communities supports all agencies subject to this protocol and provides information and advice to inform any decisions.

SUICIDE PREVENTION — KIMBERLEY

355. Hon JACQUI BOYDELL to the minister representing the Minister for Aboriginal Affairs:

I refer to the statement by the parliamentary secretary for health yesterday regarding the Kimberley suicide prevention round table, which outlined that a preliminary response to the coroner's report will not be published until later this year.

(1) What interim strategies is the government putting in place to support the community, engage with the community and ensure further tragedies do not occur?

(2) What is the indicative month that the government response will be released?

(3) Has the Department of the Premier and Cabinet's Aboriginal Affairs Coordinating Committee met to discuss the concerns raised by the round table and the coroner's report; and, if yes, please table the minutes from those meetings?

Hon STEPHEN DAWSON replied:

(1) The government is committed to preventing and responding to youth suicide and works closely with local services in the Kimberley so that young people and their families can access services and support. The government is continuing a number of initiatives to address Aboriginal youth suicide, including the Statewide Specialist Aboriginal Mental Health Service, the Mental Health Commission's suicide prevention coordinators and Aboriginal family wellbeing project, the Department of Education's schools response program, and the suicide prevention grants program also administered by the Mental Health Commission. The state has also engaged with the Kimberley suicide prevention trial working group on the improvement of services delivered in the region.

(2) The government has not yet settled on a specific release date; however, work is being progressed. A briefing can be provided to the member once the response is settled.

(3) The Aboriginal Affairs Coordinating Committee has been briefed on the whole-of-government response to the coroner's report and will discuss the concerns raised by the round table at the next scheduled meeting in June.

ROADS — FEDERAL FUNDING — WHEATBELT

356. Hon RICK MAZZA to the minister representing the Minister for Transport:

I refer to page 9 of *The West Australian* of Wednesday, 27 March 2019, titled "Wheatbelt gets $70m roads fix", and, in light of the severe degradation of country roads throughout the wheatbelt, I ask the following.

(1) Will any of these funds be used to repair the section of the Williams–Kondinin Road adjacent to Wickepin's golf course, where the road surface is so poor that motorcycles and pushbikes need to deviate around it and motor vehicles are in danger of being forced into the kerbside and on to the footpath?

(2) Will any of these funds be used to upgrade reflectors along the Great Southern Highway within the Wickepin shire, where only 20 per cent of reflectors are actually reflective?

(3) Will any of these funds be used to bring the Shire of Wickepin's guide posts and delineators to within the current requirements of the Australian Standard "Manual of Uniform Traffic Control Devices, Part 2: Traffic Control Devices for General Use"?

(4) If no to any of the aforementioned, why not?

(5) Will the minister provide a list of projects with costings that will benefit from this $70 million fund; and, if not, why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I note that of the $70 million announced by the federal government, over $57 million is allocated outside of the forward estimates and beyond 2023–24.

(1)–(3) The program of works will be determined through state budget processes.

(4) Not applicable.

(5) The program of works will be determined as part of the normal state budget process, which is ongoing given that only $12.85 million of federal government funds is in the forward estimates.

ANIMAL ACTIVISM — TRESPASS

357. Hon COLIN TINCKNELL to the minister representing the Minister for Police:

I refer to increasing protections for farmers. The minister stated yesterday in the media that she was waiting for advice from the Commissioner of Police regarding increasing penalties for those who live stream video while trespassing. Is the government planning to tighten any other laws pertaining to the protection of farmers, their property and the integrity of their livestock—for example, quarantine laws, privacy laws, destruction of property or conspiracy to commit a crime?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of this question. The following answer has been provided to me by the Minister for Police.

Yes.

DINOSAUR FOOTPRINTS — CABLE BEACH, BROOME

358. Hon ROBIN CHAPPLE to the Minister for Environment:

I refer to the dinosaur footprints on Cable Beach.

(1) Is the minister aware that more dinosaur footprints were found on Cable Beach recently?

(2) Will the minister verify whether they are located on or near where cars park?

(3) What protection does or will the government provide to preserve the footprints given they may be located in a heavy traffic area?

Hon STEPHEN DAWSON replied:

I thank the member for some notice of the question. This answer is dated 2 April, so the answer is current at that time.

(1)–(2) I have been advised that the dinosaur footprints are located south of where vehicles access the beach. This area is managed by the Shire of Broome, with parking prohibited under local laws.

(3) I am advised that existing local government laws provide immediate protection against potential vehicle damage. The Department of Biodiversity, Conservation and Attractions will liaise with the Shire of Broome and other state government agencies on other mechanisms to protect the footprints.

FORRESTFIELD–AIRPORT LINK — SOIL CONTAMINATION

359. Hon Dr STEVE THOMAS to the Leader of the House representing the Premier:

I refer to my questions in recent weeks on PFAS-contaminated soils excavated from the Forrestfield–Airport Link.

(1) Has the director general of the Department of the Premier and Cabinet, Mr Darren Foster, attended any meetings or discussions or had any briefings on the PFAS-contaminated soil excavated from the Forrestfield–Airport Link since he took that position?

(2) If yes to (1), on what dates and with whom?

(3) Has the chief of staff of the Premier, Mr Guy Houston, attended any meetings or discussions or had any briefings on the PFAS-contaminated soil excavated from the Forrestfield–Airport Link project since he took that position?

(4) If yes to (3), on what dates and with whom?

(5) Have either Mr Foster or Mr Houston had any discussion with any person on the potential transfer of stockpiled soil or PFAS-contaminated soil excavated from the Forrestfield–Airport Link project to the Peel region or Shire of Boddington?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

(1)–(2) Yes. The director general of the Department of the Premier and Cabinet has had many meetings on this issue, including meetings with relevant commonwealth agencies, state agencies and other stakeholders such as Perth Airport.

(3) No.

(4) Not applicable.

(5) No. Discussions of the director general have been exclusively on ensuring re-use of the soil on airport land.

MINISTER FOR HEALTH — PORTFOLIOS — STAFF LEAVE BALANCES

360. Hon TJORN SIBMA to the parliamentary secretary representing the Minister for Health:

I refer to the minister's answers to parliamentary questions on notice 1539 and 1931 concerning annual leave liability balances across the health services as at 30 June 2018 and 31 December 2018, respectively.

(1) Why has the number of staff at the North Metropolitan Health Service who have accumulated annual leave balances of eight weeks and greater grown from 2 309 to 2 520, with a commensurate increase in total dollar value of that leave liability from $46.8 million to $56.5 million in a six-month period?

(2) What risks to staff welfare and to standards of clinical care provided to the public are posed by the accumulation of such excessive leave levels by nearly one-quarter of the North Metropolitan Health Service?

(3) What steps is the minister taking now to address excessive leave banking within the North Metropolitan Health Service?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question. I am advised the following.

(1) The headcount of staff with up to six weeks' annual leave outstanding has decreased over the six-month period, with only a marginal increase in the associated total dollar value. This outlines good leave management practices for current annual leave allocations at North Metropolitan Health Service. The increase in accumulated leave liability above six weeks—that is, non-current leave—is reflective of FTE management strategies implemented by North Metropolitan Health Service. In implementing these FTE management strategies, North Metropolitan Health Service acknowledged that a resulting impact would be an increase in annual leave liability due to reduced opportunities to backfill staff and therefore the rate at which staff are able to take leave is reduced.

(2) There is no risk to staff welfare and standards of clinical care provided to the public because North Metropolitan Health Service actively manages staffing welfare and clinical safety through a variety of strategies. To address this accumulated leave issue, it has developed a fatigue prevention and management policy.

(3) The following strategies are in place at North Metropolitan Health Service to address accumulated annual leave. A revised excess leave management process was implemented in October 2018. North Metropolitan Health Service managers meet with staff to develop a leave management plan to manage leave, being an employee excess leave management plan. Weekly management reporting occurs with monthly excess leave reports provided to human resources to liaise with managers who have staff with excess leave. Quarterly workforce profiles are sent to executive directors advising them of the leave liability in their area and the number of staff with excess leave, including whether an excess leave management plan is in place.

HEALTH — FEDERAL LABOR POLICY

361. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Health:

I refer to the Minister for Health's media statement on 18 March 2019 entitled "Health funding boost for WA under a Shorten Labor Government".

(1) What involvement did the minister, his office or the Department of Health have with the federal Labor Party in developing the $110 million election commitment?

(2) Please table any correspondence between the minister, his office or the Department of Health and the federal Labor Party about this announcement.

(3) Now that the federal Labor Party has committed to the redevelopment of Laverton Hospital, when will the state Labor government do the same?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question. I am advised the following.

(1)–(2) The McGowan government is committed to delivering the best health outcomes for all Western Australians. As such, we have worked and will continue to work with both the federal government and the opposition on how they can best contribute to ensuring that Western Australian patients are always put first.

(3) The Western Australian Country Health Service has finalised the development of a revised business case for the Laverton health service for consideration by government as part of the 2019–20 budget process. All announcements about government projects within the 2019–20 budget will be announced in due course.

BBI GROUP — RAIL INFRASTRUCTURE — PILBARA

362. Hon ROBIN SCOTT to the minister representing the Minister for State Development, Jobs and Trade:

I note that in the answer to question without notice 345 given by the minister on Tuesday, 9 April 2019, the minister responded to part (4) in the affirmative.

(1) Will the minister provide the full details of any and all assertions by BBI Group or Todd Minerals about the capacity of the BBI rail project to carry iron ore from Flinders Mines?

(2) Will the minister table any and all documents available to the minister about the capacity of the BBI rail project to carry iron ore from Flinders Mines?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Department of Jobs, Tourism, Science and Innovation advises the following.

(1) The basis of the rail state agreement negotiated between the state and BBI Rail Aus Pty Ltd, Todd Petroleum Mining Company Ltd, Todd Offshore Ltd and Todd Minerals Ltd, and ratified by this Parliament on 5 December 2017, was detailed in the second reading speech —

> The BBI railway will consist of 160 kilometres of standard-gauge heavy haulage railway connecting Balla Balla port with the railhead stockyard and into the central Pilbara region. The ore to be carried by the rail will be underpinned by the project having secured binding agreements with the proponent or proponents of the PIOP. The agreement for the carriage of ore will be for not less than 20 years and not less than 25 million tonnes per annum from the PIOP and must be in place at the time the BBI group submit proposals to the minister for approval. Subsequent to the initial proposals being approved, and with the minister's approval, the proponents may seek to expand the project through the construction of additional rail spur lines for the carriage of additional tonnages of ore.

(2) The capacity of the rail project to carry ore from the Pilbara iron ore project area will be demonstrated at the time that the proponents submit proposals, demonstrating their readiness to commence works and consistent with their obligations as detailed in part (1).

ANIMAL WELFARE — GREYHOUND RACING INDUSTRY

363. Hon ALISON XAMON to the minister representing the Minister for Racing and Gaming:

I refer to the letters tabled in response to question without notice 269—namely, the Minister for Racing and Gaming's correspondence with the federal Minister for Agriculture and Water Resources seeking regulatory and legislative change to prevent the exporting of greyhounds, and the federal minister's response, which stated that he had attempted to implement change but had not been able to secure the necessary support of the states and territories.

(1) Did Western Australia support the federal government's proposal to regulate greyhound exports when it was raised at Agriculture Ministers' Forum in May 2016?

(2) If no to (1), why not?

(3) If yes to (1), does the government still support the federal government's proposed approach?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided to me by the Minister for Racing and Gaming.

(1) I understand that regulations governing the exporting of greyhounds from Australia were due to be discussed at the Agriculture Ministers' Forum in May 2016. However, because this was held in May 2016, which was prior to the McGowan government's election, the Western Australian position on the issue would have been a matter for the former Liberal–National government's consideration. However, since the election in March 2017, the Minister for Racing and Gaming has taken a keen interest in the welfare standards relating to the treatment of greyhounds in the Western Australian greyhound racing industry, including the export of greyhounds to countries with no or limited welfare laws.

(2) Not applicable.

(3) Despite Minister Papalia's letter to Minister Littleproud and subsequent continued lobbying from Greyhounds Australasia, the federal government continues to argue that the power for change rests with the states because it requires their consensus before it can take action. However, I am advised that improving the oversight and prevention of greyhound exports from Australia to countries that do not meet the necessary welfare requirements can easily be achieved through regulatory changes by the federal government under the Export Control (Animals) Order 2004. Given the ongoing requests from Greyhounds Australasia, which is the representative body of the greyhound racing industry nationally and liaises with relevant state industry bodies, such as RWWA, I suggest that the decision for change and action is the responsibility of the federal government.

FREMANTLE POLICE STATION — STAFF

364. Hon SIMON O'BRIEN to the minister representing the Minister for Police:

I refer to my question without notice 271 of last week that sought information about the government's response to widespread reports of the escalating incidence of antisocial behaviour and crime in inner Fremantle and the welcome news published in the *Community News* last week that a special temporary allocation of 20 officers will be —

> … part of a targeted operation to focus on retail theft which falls into the category of high volume, low level criminality …
>
> … planned due to the effects of losing a CBD-focused team during previous agency reform …

(1) Why did the minister not provide this information to Parliament when it was provided to the press?

(2) Is the government committed to resourcing the WA Police Force to enable this operation to continue as long as necessary?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police.

(1) As advised in the answer provided last week, district superintendents are responsible for deploying their allocated resources. It is appropriate for senior police to comment on specific operations. I welcome the Western Australia Police Force's active response to issues in the Fremantle CBD.

(2) The operation will continue as long as the district superintendent and the Commissioner of Police believe it is necessary.

ROADS — FEDERAL FUNDING — WHEATBELT

365. Hon JIM CHOWN to the minister representing the Minister for Transport:

I refer to the federal government's recent announcement of a $70 million investment into wheatbelt roads.

(1) Will the McGowan government be matching the federal government's critical investment into the transport infrastructure across the wheatbelt?

(2) If yes to (1), will this be in addition to the annual regional infrastructure funding already in place?

(3) If no to (1), why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The minister is disappointed that of the $70 million announced by the federal government, over $57 million has been allocated outside of the forward estimates and beyond 2023–24.

(1)–(2) The state contribution and funding allocations are being considered as part of the budget process.

(3) Not applicable.

HOUSING — NEWMAN

366. Hon COLIN HOLT to the minister representing the Minister for Housing:

I refer to Department of Communities housing stocks in Newman.

(1) How many Department of Communities properties are located in Newman?

(2) How many of these properties are currently empty and how long has each property been empty?

(3) What is the social housing waiting list in Newman?

(4) How many properties did the Department of Communities construct in Newman in 2017, 2018 and 2019 to date?

(5) How many properties did the Department of Communities demolish or sell in Newman in 2017, 2018 and 2019 to date?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

The Department of Communities has been unable to compile the information requested within the required time frame. I will provide the answer to this question tomorrow.

POLICE — POST-TRAUMATIC STRESS DISORDER

367. Hon CHARLES SMITH to the minister representing the Minister for Police:

I refer to mental health concerns within the Western Australia Police Force.

(1) What is the government doing to address post-traumatic stress disorder issues for our operational police?

(2) Is the government considering any new operational procedures to tackle PTSD for currently serving police officers?

(3) Is the government considering any new legislation to reduce the stigma associated with mental health conditions for our police?

(4) If not, why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police.

(1)–(2) I table the attached document.

[See paper 2611.]

(3)–(4) The government is working to introduce workers' compensation–like legislation for police officers who suffer a work-related illness or injury, including PTSD related to officers' service.

NORTH STONEVILLE DEVELOPMENT

368. Hon TIM CLIFFORD to the Minister for Environment:

I refer to question without notice 324, which noted that the department of water and regulation met with the Satterley Property Group regarding a proposed development in north Stoneville.

(1) Who was in attendance at that meeting?

(2) What was the topic of the meeting and will the minister please table any minutes from that meeting?

(3) Have there been previous meetings between Satterley and the department of water and regulation regarding this development; and, if so, who was in attendance and what were the dates and the topic of these meetings?

(4) Given that the development is contingent on a private wastewater plant, will the minister table or describe the outcomes of research or risk assessments undertaken by the department of water about the suitability of such a plant in this location?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The member referred to the department of water and regulation a couple of times; it is the Department of Water and Environmental Regulation, but we have answered accordingly.

Due to the level of detail required, it is not possible to provide the information in the time frame given. I will provide an answer to the honourable member on the first day of the next sitting period, being 7 May 2019.

TOWN OF CAMBRIDGE — INQUIRY

369. Hon KEN BASTON to the Leader of the House representing the Minister for Local Government:

(1) Can the minister advise the status of the inquiry into the Town of Cambridge?

(2) On what date did the inquiry commence?

(3) When will the minister table the report of the inquiry?

(4) What are the reasons for the delay in the report being tabled?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

(1) The inquiry into the Town of Cambridge is currently ongoing.

(2) The inquiry was authorised on 18 April 2018.

(3) On completion of the inquiry, the report will be tabled in Parliament.

(4) The inquiry is ongoing.

FRACKING — SOUTH WEST REGION

370. Hon DIANE EVERS to the minister representing the Minister for Mines and Petroleum:

I refer to the two studies currently being undertaken in the south west region—the Noble gas facility's assessment of the groundwater resources and connection of aquifers in the Peel region and the Chamber of Minerals and Energy in partnership with CSIRO's Local Voices survey.

(1) Is the minister aware of these studies?

(2) If yes to (1), are any state agencies involved or assisting in these studies?

(3) Will the minister request a copy of the results of these studies?

(4) Will the minister confirm that the results of these studies will not impact the government's commitment to ban fracking in the Perth, Peel and south west regions?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided to me by the Minister for Mines and Petroleum.

(1) No.

(2) Not applicable.

(3) No.

(4) The government has already implemented its policy of a ban on hydraulic fracture stimulation in the south west, Peel and Perth metropolitan regions.

QUESTIONS ON NOTICE 1919, 1961, 1963 AND 1964

Papers Tabled

Papers relating to answers to questions on notice were tabled by **Hon Sue Ellery (Leader of the House)**, **Hon Stephen Dawson (Minister for Environment)** and **Hon Alannah MacTiernan (Minister for Regional Development)**.

MINISTER FOR HOUSING — PORTFOLIOS — STAFF LEAVE BALANCES

Question on Notice 1946 — Correction of Answer

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [5.05 pm]: I would like to provide a correction to question on notice 1946 asked by Hon Tjorn Sibma of the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth; Asian Engagement. The correct answer provided by the Department of Jobs, Tourism, Science and Innovation should read —

Please refer to Legislative Council Question on Notice 1930.

I apologise to the house for the error.

ROAD SAFETY COMMISSION — ROAD TRAFFIC CODE REVIEW — PENALTIES
MINISTER FOR POLICE — PORTFOLIOS — STAFF LEAVE BALANCES

Questions on Notice 1924 and 1934 — Answer Advice

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [5.06 pm]: Pursuant to standing order 108(2), I wish to the inform the house that the answer to question on notice 1924 asked by Hon Martin Aldridge on 12 March and the answer to question on notice 1934 asked by Hon Tjorn Sibma of me, the Minister for Environment representing the Minister for Police; Road Safety, will be provided on 7 May 2019.

ENVIRONMENT — MARRI FORESTS

Question on Notice 1902 — Answer Advice

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [5.06 pm]: I seek leave to have the answer to question on notice 1902 asked by Hon Diane Evers on 12 March 2019 incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

(a)	(i)–(ii)	The *Conservation and Land Management Act 1984* requires that timber production from State forests and timber reserves be managed on a sustained yield basis, however it does not require a sustained yield be calculated for each individual tree species harvested. A sustained yield is not calculated specifically for marri, as marri occurs together with either jarrah or karri and is harvested alongside these species. That is, harvest coupes are not targeted for marri but are harvested for jarrah or karri sawlogs with other tree species taken as additional product during harvest. I am advised therefore, that the available volume of marri is determined by considering the outcomes of Woodstock™ woodflow modelling and applying a precautionary 10 per cent margin to ensure the harvest level is sustainable.

MINISTER FOR WATER — PORTFOLIOS — STAFF LEAVE BALANCES

Question on Notice 1948 — Answer Advice

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [5.07 pm]: Pursuant to standing order 108(2), I wish to inform the house that the answer to question on notice 1948 asked by Hon Tjorn Sibma on 12 March 2019 of me representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science will be provided on 7 May 2019.

PALLIATIVE CARE — 24/7 PHONE LINE

Question without Notice 343 — Answer Advice

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [5.07 pm]: I would like to provide an answer to Hon Jim Chown's question without notice 343 asked yesterday, which I seek leave to have incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

I thank the Honourable Member for some notice of the question.

(1)	No.
(2)	Not applicable.
(3)	The WA Palliative Medicine Specialist Group (WAPMSG) review issues such as call origin and the clinical advice provided relating to the 1300 number on a monthly basis. The medical governance for the patient care remains with the original health service.

HUMAN REPRODUCTIVE TECHNOLOGY AND SURROGACY LEGISLATION AMENDMENT BILL 2018

Second Reading

Resumed from 9 April.

HON NICK GOIRAN (South Metropolitan) [5.08 pm]: Here we are on the eighth sitting day that the government has decided to prioritise the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018. On the first of those eight days, we had the unedifying spectacle of the parliamentary secretary pretending that the government did not have in its possession these two documents from the review by Associate Professor Sonia Allan, only to be caught out in question time on 20 February. Then on the following day, 21 February, we had the spectacle of Minister Roger Cook, whose bill this is, proceeding to tell the media that nothing in the report was relevant to the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018. Lo and behold, after three days of debate, the government abandoned the debate for the entire month of March. Let us be clear: the government determines the agenda of bills that are brought before this house, and for the entire month of March it determined that this bill would not be brought on for debate. That was because the government was highly embarrassed by the parliamentary secretary having pretended that this review report did not exist, which was then made worse by the minister saying that the review had nothing to do with the bill before Parliament. When the bill proceeded to this place—the government next prioritised it on 2 April—we continued the debate. Last Thursday, as members may recall, I asked the government to table certain documents to facilitate the passage of this bill. I note that those documents still have not appeared on the table in front of me, which continues to impede the progress of this bill.

It has been put to me by other members, from conversations that they have had with the government, that it is crystal clear that the government will not provide those documents to Parliament. It refuses to provide that information to the Parliament, yet it then complains that the chamber's time is being wasted when it is the government that determines the priority of legislation before the house. The government is obstructing the progress of the bill by not providing information to Parliament.

What options do we have available to us to facilitate the passage of this bill? I indicate to members that, being left with no other option, it is my intention to move a motion to have this bill discharged from the notice paper and referred to the Standing Committee on Legislation. I urge members to support that motion. It is impossible for us to make serious progress on this bill while the government continues to hide documents. I understand that this matter has been highly embarrassing to the government after its parliamentary secretary pretended that documents did not exist, only to be caught out in question time, and after its Minister for Health deceived the media by saying that the report had nothing to do with the bill. Let us send the bill to the legislation committee and see what it has to say about it.

I urge members to support the motion I will move shortly, which will be that the Standing Committee on Legislation—of which I am deputy chair—should consider and report on the bill by no later than 27 June 2019. Members may quite rightly ask, "Why select that date? You could pick any date. Why pick 27 June 2019?" The simple reason is this: members will be aware that at the next sitting block we will move into what is ordinarily the budget process. Members who have been here for a while will know that the passage of legislation comes to a grinding halt because, under our standing orders, priority is given to budget speeches for an extended time, and there is no realistic prospect of this bill passing during that time. The second reason for proposing 27 June is that that is the last sitting day before the long winter recess. That would enable members to have the opportunity to consider and peruse the report by the Standing Committee on Legislation over the course of the winter recess. The government will then, as has always been the case, have the opportunity, should it wish, to bring the matter on for debate in August when we return from the winter recess.

If the bill is referred to the Standing Committee on Legislation—I urge members to support that—there are a number of things the committee should consider, in my opinion. In fact, I will give four categories of things that I think the committee should consider. The first is: are any sections of the Human Reproductive Technology Act 1991 or the Surrogacy Act 2008 inconsistent with any sections of the Sex Discrimination Act 1984? Members will recall that the government has asserted that that is the case, but not one of its frontbench members is able to identify for us the sections it says are inconsistent with commonwealth law, yet it expects us to cast our conscience vote in those circumstances. That in itself is unconscionable. If the committee finds that the answer to that is yes, it should tell the house which sections are inconsistent and whether there are any exemptions. Furthermore, will the bill address any such inconsistencies, and will any inconsistency remain if the bill is passed unamended? I draw to members' attention the remarks by Associate Professor Sonia Allan, in the report the government tried to hide from us, that indicate that that is indeed the case. But let us not proceed on the basis of what Associate Professor Sonia Allan says the law is; let the Standing Committee on Legislation determine those things and bring them to our attention.

The second category is: are any sections of the Allan report relevant to the bill; and, if yes, which sections? Which sections of the report support the bill, and which sections of the report support the foreshadowed amendments? Which other sections of the report express concern about the existing surrogacy regime in Western Australia?

The third category that the Standing Committee on Legislation should look into is: is there a right to be a parent? That is what has been asserted by the Minister for Health. The Standing Committee on Legislation should consider whether what the minister has said is true and correct and whether it is a basis upon which we can support this bill.

Lastly: will the passage of this bill be consistent with the child welfare principles expressed in section 4(1)(d)(iv) of the Human Reproductive Technology Act 1991?

Discharge of Order and Referral to the Standing Committee on Legislation — Motion

HON NICK GOIRAN (South Metropolitan) [5.16 pm] — without notice: I move —

(1) That the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018 be discharged and referred to the Standing Committee on Legislation for consideration and report by no later than 27 June 2019; and

(2) the committee has the power to inquire into and report on the policy of the bill.

I urge members to support the motion.

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.17 pm]: I rise to indicate the government's position on this motion. We will not support the referral, and I will outline the reasons, but I will move an amendment. I understand, from the people I have spoken to, that the honourable member has the numbers to support the motion before us. That is disappointing to the government, but I respect people's rights to reach the conclusion that this is an appropriate thing to do. However, I think it is important that we give due consideration to what we are asking the Standing Committee on Legislation to do. That is the essence of my amendment, which I will get to in due course.

I will explain the reasons why we will not in the first place support the referral of the bill to the committee. We have now had just over 21 hours of debate from one member of the house on a matter that is a conscience vote. The issue with this being a conscience vote is that the essence of the policy of the bill is a matter that our respective parties have determined we will each get to apply our own set of values, our own moral compass—if that is what members want to call it—and our own set of beliefs in respect of whether we support the bill. No committee can resolve that for us. Committees can look at technical things, and I will talk about those when I speak to my amendment, but at the heart of this bill is: do we agree to extend eligibility for surrogacy to single men and gay men? No committee can resolve that question for members—no committee. It is a question that we have to resolve for ourselves. The proposition that has been moved by Hon Nick Goiran says in paragraph 2 that "The committee has the power to inquire into and report on the policy of the bill." It is useful to note that schedule 1 of the standing orders sets out the provisions relating to our standing committees. I discovered the wonders of this particular section of the standing orders earlier today. Paragraph 4.4 of the provisions that apply to the Standing Committee on Legislation, state —

> Unless otherwise ordered, any amendment recommended by the Committee must be consistent with the policy of the Bill.

That has been interpreted and generally accepted to mean that unless the house so directs, the legislation committee does not look at the policy of a bill. That is why the standard motion we see when a bill is referred to the legislation committee regularly includes the phrase to authorise the committee to look into the policy of a bill, which is not what the standing orders say the committee should do. If we accept Hon Nick Goiran's terms of reference, we are making a decision that the legislation committee shall look at the policy of the bill. A whole lot of things have been talked about in this debate that are not relevant to the bill before us, but even the matters that have been raised that are relevant to the bill are legal and technical matters.

No committee can resolve the policy of the bill and determine whether members support surrogacy being accessible to single and gay men. Members must resolve that according to their own values and beliefs—moral compass, if that is what members want to call it. I am worried that we are going to ask the Standing Committee on Legislation to report back to us before 27 June on a matter that the committee cannot possibly resolve. It could take an awfully long time and the committee could hear from people who support both sides of the moral question, but I still think it would be of no assistance to members because ultimately they have to make that decision according to their own set of values. It is not a useful expenditure of taxpayers' money to get a committee to consider a question that only we can resolve. It is arguable and, indeed, has been demonstrated many times that it is useful to get committees to look at very specific, technical matters and matters that relate to operationalising a policy or the mechanics of technical components of a bill. That is a reasonable thing for the legislation committee to look at if we deem it to be appropriate. That is why I will move an amendment to give an instruction to the committee that it should look at a number of things, which I will lay out. Some of those things neatly coincide with the list of four matters raised by Hon Nick Goiran, but some of them do not because two matters, I would argue, go to the policy of the bill—the right to be a parent and the welfare of a child. Our views on that are determined by how we feel about whether single men or gay men are appropriate as parents. The committee cannot resolve that for us. However, other elements of what the honourable member raised could be appropriate and helpful to members for the committee to examine, if the committee is established.

One thing I was terribly disappointed not to hear from the honourable member was a commitment that if this bill goes off to a committee, when it comes back the honourable member will do his very best to expedite the passage of the bill and that we will not see —

Hon Nick Goiran interjected.

Hon SUE ELLERY: Honourable member, for 21 hours, I have not interjected.

Hon Nick Goiran interjected.

Hon SUE ELLERY: Please, honourable member, let me make my speech uninterrupted. I am asking the member to pay me the respect I have paid him for 21 hours.

Hon Nick Goiran interjected.

The PRESIDENT: Order, members!

Hon SUE ELLERY: The point I am making, which I was terribly disappointed not to hear from the honourable member, is that when the committee report comes back, he will commit to exercising his conscience vote in a way that does not see us again spend an unreasonable amount of time canvassing matters that are, firstly, not in the scope of the bill and, secondly —

Hon Nick Goiran interjected.

Hon SUE ELLERY: Honourable member.

The PRESIDENT: Order! Hon Nick Goiran, you might just want to listen to what the Leader of the House has to say. We are now on limited time.

Hon SUE ELLERY: The point I am making is that I would like to ask the honourable member to give the house a commitment that when we send this bill off to the Standing Committee on Legislation, which is what I think the house is going to do —

Hon Nick Goiran: You're opposing it!

Hon SUE ELLERY: Now the honourable member is just being disingenuous. I said at the outset that I would oppose the motion, but that my understanding of the numbers in the house was that the honourable member has the numbers for it to be successful. He is now just being disingenuous.

Hon Michael Mischin interjected.

The PRESIDENT: Order!

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order! Let us hear what the Leader of the House has to say and, when she sits down, if other people want to seek the call, they will have an opportunity to make a contribution to this referral motion. Leader of the House.

Hon SUE ELLERY: Thanks, Madam President; I appreciate your assistance.

I would hope that when I finish speaking, the honourable member takes any opportunity that is available to him to indicate to the house that he will ensure that he respects this process and that when the report comes back, we do not see a repeat of what we have just heard for the last 21 hours in which the member has talked for hour upon hour upon hour, for example, about commercial surrogacy, which is not in this bill, and that he does not talk for hour upon hour about other matters that are not relevant to the bill. That is the commitment I am seeking from him. I am disappointed because I understood it was a possibility he would give that commitment. I am disappointed that it has not happened.

Nevertheless, I am going to move an amendment that will have the effect of specifically issuing an instruction to the committee that it is not to inquire into the policy of the bill for the reasons I have outlined; I do not think any committee can resolve the essential policy of this bill, which is whether we think it is reasonable for the house to pass legislation that extends surrogacy to single and gay men. However, I note from my discussions with members of the house that they have formed a view that some of the matters that Hon Nick Goiran has raised warrant specific consideration. They go to, for example, the matters directly relevant to clauses in the bill that amend the Surrogacy Act and Human Reproductive Technology Act to address inconsistency with the Sex Discrimination Act. That was the first point in the list of four criteria that Hon Nick Goiran raised. It has been raised with me that this issue warrants further examination. Although I oppose the referral motion, if the house decides to pass it, I will ask members to support my amendment. Further, the other points raised by the honourable member that members have indicated to me in their discussions warrant some further examination from their point of view are those that are set out in the amendments that appear in the honourable member's name on supplementary notice paper 88, issue 1. My amendment also goes to do that. It essentially says three things: that the committee is not to inquire into the policy of the bill; but that it considers only matters directly relevant to clauses in the bill that amend the Surrogacy Act 2008 and Human Reproductive Technology Act 1991 to address inconsistency with the

commonwealth Sex Discrimination Act 1984; and the proposed amendments on supplementary notice paper 88, issue 1. In the discussions I have had with members, those are the issues they think Hon Nick Goiran has made good points about. I do not agree, but that is what members have said to me. If that is the case and the house decides that the referral is appropriate, I ask members to seriously consider supporting the terms of reference that I am proposing. Do not ask the committee to do something by 27 June that no committee can possibly do, which is resolve where members stand on the issue of whether surrogacy should be available to single or gay men. I am asking members to support that amendment.

Amendment to Motion

Hon SUE ELLERY: I move —

To amend the motion to delete paragraph (2) and substitute —

(2) That it be an instruction to the committee —

(a) that it is not to inquire into the policy of the bill; and

(b) that it only considers —

(i) matters directly relevant to clauses in the bill that amend the Surrogacy Act 2008 and the Human Reproductive Technology Act 1991 to address inconsistency with the commonwealth Sex Discrimination Act 1984; and

(ii) the proposed amendments contained in supplementary notice paper 88, issue 1.

HON NICK GOIRAN (South Metropolitan) [5.31 pm]: This amendment demonstrates precisely why the Leader of the House does not understand the legislation that is before us. In a very shifty fashion, the Leader of the House is suggesting that members agree that a select committee look only at matters directly relevant to clauses in the bill that amend the Surrogacy Act 2008 and the Human Reproductive Technology Act 1991 to address inconsistency with the Sex Discrimination Act 1994. Guess what, members? What if the committee finds that there is no inconsistency with the Sex Discrimination Act? There goes subparagraph (i). It is completely obliterated because of the shifty wording proposed by the Leader of the House. All the committee can then do is look at the proposed amendments. That is appalling. That goes to the very heart of this issue.

I think the Leader of the House knows full well that that would be the impact of her amendment because she and her government have access to legal advice that they have been hiding from the rest of us. Hon Tjorn Sibma and Hon Michael Mischin have been trying to pursue this at length but the government refuses to provide it. We cannot get one of the government frontbench members to stand up and indicate to us what section of the Sex Discrimination Act the government says our laws are inconsistent with. Not one of them has told us throughout this debate. The Leader of the House cries about the fact that there has been 21 hours of debate but not once has the government indicated what the section is. None of the government members can tell us what it is. The government has had so many opportunities. Every day a member or minister can stand up and make a members' statement.

Several members interjected.

The PRESIDENT: Not helpful, member. Hansard cannot hear when people yell at each other across the chamber. You may not like what you are hearing but given that everyone else has been heard in relative silence, I ask that you extend the same courtesy to this speaker.

Hon NICK GOIRAN: I will be brief because I would like to make progress, unlike the Leader of the House, who has purposely put wording before members—if it is the case that our laws are not inconsistent with the Sex Discrimination Act—that would, in effect, leave us looking at the supplementary notice paper. What a waste of time that would be for the committee. The Leader of the House asked me to give a commitment depending on the outcome of her amendment to my motion, but I do not know what the outcome will be. If the committee just looked at the supplementary notice paper, the Leader of the House can rest assured that there would be no such commitment from me. We have a long way to go yet. This has all been brought about because of the Leader of the House and her government's arrogance and desire to hide documents from Parliament. When the Leader of the House had control of the agenda in March, she decided not to bring this bill on for debate. I ask members to oppose the amendment moved by the Leader of the House.

HON ALISON XAMON (North Metropolitan) [5.34 pm]: This is the first opportunity that I have had to speak on the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018. I want to make a few comments. Ordinarily, the Greens are very supportive of sending bills to committee. That is a practice that we usually try to follow. However, this issue is similar to what happened late last year: we have a reluctance to refer this matter to a committee on the basis that, as already articulated by the Leader of the House, it is effectively about competing ideas around the policy of the bill. It is the case that if we do not support surrogacy, we just do not support surrogacy, or if we do not think that gay parents should be able to access surrogacy, that is something

that we believe. If we do not believe that single men should be able to access surrogacy, that is a belief that we hold and we are entitled to have and we are entitled to speak on that, and it cannot be reconciled through any activity of or investigation by a committee.

We have heard from Hon Nick Goiran for some time on this legislation. I am not surprised. Like many other people, Hon Nick Goiran feels strongly about the provisions within this legislation. Throughout his contributions, I feel that some issues have warranted further debate and other issues are not pertinent to the debate in front of us today. I feel confident that those discussions could be borne out through a second reading debate and also during Committee of the Whole House, we would be able to tease out the nature of the amendments on the supplementary notice paper and any other amendments that may arise.

Having said that, like the Leader of the House, my understanding from discussions behind the Chair is that it is likely to be the will of the house that this bill be referred to a committee for further consideration. As such, it is useful that we narrow down the exact scope of what this bill is trying to address. As I said, if we do not support surrogacy, this committee will not be able to resolve that. I am firmly of the view that gay men are able to be wonderful, loving parents and that a man on his own is able to be a wonderful, loving father. I want to say from the outset how offended I am by some of the correspondence that I have received that has cast aspersions on the capacity of sole parents, being a former sole parent myself, and never the twain shall meet. There are obviously strongly held views around this, and no committee will be able to resolve that. No committee will be able to come to the conclusion that I as a sole parent was a really good parent or that any sole parent would be a good parent. I see no merit whatsoever in trying to get a committee to rehash that particular policy.

Having said that, if the bill is sent to a committee to be considered further, I would like to make a few comments about a couple of the amendments on the supplementary notice paper that may be subject to consideration by the committee should they be referred. Should it be agreed by the house to refer this matter to a committee and to look at that, I am particularly interested in the issue of extraterritoriality. Like Hon Nick Goiran, as we have heard during his contributions to date, I do not support commercial surrogacy. I have never been supportive of commercial surrogacy. I am very interested in looking at amendments that might address the issue to discourage people from going overseas to access commercial surrogacy arrangements.

The PRESIDENT: Member, I might just say that this is part of the difficulty with that particular matter; it is not canvassed in this legislation. I remind you that we are dealing with an amendment to a referral motion, so it is a really narrow debate about why you either support or reject the amendment or why you would support the referral, rather than the broader issues.

Hon ALISON XAMON: Thank you, Madam President; with respect, the amendment refers specifically to discussion on the proposed amendments contained in supplementary notice paper 88, issue 1. I am referring to those specific amendments. If this matter is referred to a committee, I would like my concerns about those amendments on the record so that the Standing Committee on Legislation can have it as part of its consideration. It is actually part of the motion we are debating directly in front of us at the moment.

The PRESIDENT: Hon Alison Xamon.

Hon ALISON XAMON: As such, I am particularly interested in this issue of extraterritoriality because it seeks to discourage people from going overseas particularly to pursue commercial arrangements. One of my concerns is whether this will limit extraterritoriality simply to within Western Australia because my concern is that rainbow families often exist across Australia. I would like to know whether the Human Reproductive Technology and Surrogacy Legislation Amendment Bill will prohibit people from accessing altruistic surrogacy arrangements between states in Australia. That has been unclear to me and I have not been able to get a satisfactory answer to it. It is a particular area I would like to have looked at.

The second issue on the supplementary notice paper is working with children checks. I note the report that has been tabled does not refer to working with children checks as part of the process, but it refers to the need for some sort of independent checks. I am of the view that working with children checks are not fit-for-purpose for this type of legislation. However, if this legislation is referred to a committee and the house looks at the proposed amendments to this motion that we are discussing now, I am interested to know whether there is perhaps a more fit-for-purpose process that would meet the needs articulated within the report that has subsequently been tabled. Those are two areas that I believe could be adequately canvassed during the Committee of the Whole House. I was fully anticipating to do that but in the event this bill is referred to the Standing Committee on Legislation, I would like to have it on the record that that detail might be worthwhile investigating further.

With those comments, I want to reiterate that I do not believe, as the Leader of the House does not believe, that the policy of this bill can be reconciled by a committee. I think it will delay it unnecessarily. Having said that, if it is to be referred, those are the matters I suggest would be worthwhile looking at further.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [5.43 pm]: I will be brief. I have listened with interest to the rationale put forward by the Leader of the House for truncating the scope of any inquiry by the Standing Committee on Legislation. I will say this: This is not a question simply of whether

gay men can be good parents. It is not a question simply of whether single men can be good parents. It is not a question of re-examining surrogacy, as it is currently set out in the legislation, or other human reproductive technology. That is in legislation now. The question is whether this bill seeks to extend it under false pretences.

I asked yesterday whether the government had legal advice on this subject. I was pointed to two items of legal advice. I will not reveal the detail of it, but I know for a fact that as Attorney General, I received advice from the Solicitor-General at the end of 2016 and I know the content of that legal advice. It is by no means the blanket support for the need to amend this legislation as the government might pretend. It may be that subsequent legal advice that the government has tells it differently, but in the last how many hours the government has not even had the courtesy to say that these are the sections of this legislation that are inconsistent with the commonwealth Sex Discrimination Act. I can tell members which ones I think are potentially inconsistent—section 23 of the Human Reproductive Technology Act and section 19 of the Surrogacy Act, and section 22 of the commonwealth Sex Discrimination Act. The government will not tell us that.

The second reading speech of the Human Reproductive Technology and Surrogacy Legislation Amendment Bill states that this has been brought forward mainly to ensure consistency with commonwealth legislation because there is a risk that it is inconsistent and, hence, invalid. I suggest that is not established and is not entirely true. There is a policy element in this that goes beyond what the government says is necessary. The policy of the bill is important because we will find out whether it is to cure an inconsistency with commonwealth legislation. However, we may very well expose the fact that this is also a piece of social policy extension. If so, that raises the question of whether legislation—particularly the Human Reproductive Technology Act, which was carefully crafted after a lot of debate on the ethics and risks of human reproductive technology being extended at all, put into statute and being permitted within narrow confines for the benefit of women who, for medical reasons, were incapable of reproducing—ought to be extended for "social reasons". One need only look at the preamble of that act to see how carefully Parliament framed its scope. This legislation purports to go well beyond that and introduce social reasons, whatever they may be.

The PRESIDENT: Member, I know that you are going to bring this back to why this amendment should be agreed to or not.

Hon MICHAEL MISCHIN: That is why the motion to have this matter referred to a committee ought not be restricted. If it proves that this legislation goes well beyond its scope, we need to look at whether the narrow scope of IVF and human reproductive technology ought to be indiscriminately extended without considering the harm to children and to the women who bear those children for others. That is why that issue becomes relevant. We would then, for social reasons, be ultimately putting those children and women at potential harm simply on the basis of a need for consistency and across-the-board extension. If it is a matter of simply aligning rules, that is fine, but if it goes well beyond that, it exposes the risks of surrogacy and of IVF and it means revisiting those social issues that the government has so far attempted to conceal. I suggest that members give this committee broad scope so it can look at those issues and wrestle with them to the extent they are relevant to this legislation. Maybe there is nothing in it at all, but we should not restrict the scope of its inquiry. I am disappointed that the Greens think this is all about gay men. It is not. It is about children and the women who bear those children for others, and that is important.

HON RICK MAZZA (Agricultural) [5.49 pm]: I rise to briefly say that I will not support the amendment to the motion. I would like to know a lot more about this bill. We received a two-volume report very recently that we are still wading through. I do not buy the fairly shallow idea of members making up their minds about whether they support a single man having a child or whether a gay person is a good parent. There is a lot more to it than that. I would like to know more about how this is going to operate. Accepting this amendment would narrow the inquiry too much. I am quite confident that this committee is more than capable of determining what part of the policy it should and should not investigate and of reporting back to the house. I will not support the amendment to the motion.

HON AARON STONEHOUSE (South Metropolitan) [5.49 pm]: I certainly empathise with the Leader of the House; the debate has been going on for quite some time. The government is looking to move beyond what seems like an impasse at this point, and is perhaps worried about the committee having a runaway inquiry into this bill. However, I fear that the proposed amendments to this motion may narrow the scope of the inquiry too far beyond what is reasonable. For example, subparagraph (2)(b)(ii) of the proposed amendment to the motion states —

> the proposed amendments contained in supplementary notice paper 88, issue 1.

This would limit the capacity of the committee to inquire into the bill and the supplementary notice paper that we currently have. What if we were to refer this bill to the Standing Committee on Legislation now and someone in this chamber put forward another amendment tomorrow? That is entirely possible. The ability of the committee to consider those amendments would be limited, simply because it would be able to look only at the amendments that were put on the supplementary notice paper before the bill was referred.

Hon Martin Aldridge: Or the government's amendments.

Hon AARON STONEHOUSE: The government may have amendments that it wishes to use. That aspect of the amendment is unacceptable. I understand that there is a need to have a speedy resolution to this impasse, but limiting the consideration of amendments to only what is on supplementary notice paper 88, issue 1 will prevent the committee from looking at other amendments placed on the supplementary notice paper over the coming days or weeks. I also wonder whether limiting the consideration of the committee to not include the policy of the bill will limit its capacity to look at the amendments in the context of the policy of the bill. If amendments go to the overall policy of the bill but perhaps introduce new elements to the legislative instruments that enact that policy, will that fall outside the scope of the committee's inquiry? I am not too sure. It is unclear to me how limiting the capacity of the committee to look at the policy will interact. Perhaps there are wiser heads here who understand the committee process a little better than I do and who might explain how that might affect the committee's capacity to inquire.

The Leader of the House talked about schedule 1 of the standing orders, which deals with committees, and the standing orders around the legislation committee. If I got her arguments correctly, I think she was saying that the committee is not empowered to look into the policy of the bill unless otherwise expressly —

Hon Sue Ellery: The default position is that it does not, unless it is given an instruction to.

Hon AARON STONEHOUSE: So the default position of the legislation committee, according to the interpretation of the standing orders by the Leader of the House, is that it does not look at the policy of a bill unless expressly instructed to do so by the Legislative Council. If that is the case, why do we need to insert an amendment that expressly prohibits the legislation committee from looking at the policy? If that is the case, we do not need that part.

Hon Sue Ellery: We could just delete it.

Hon AARON STONEHOUSE: We could perhaps just delete it. There is a bit of disagreement about whether the standing committee has the capacity, by default, to look at the policy of the bill. I have heard a couple of different interpretations of the standing orders. If it is in fact the case that the standing committee already has the capacity to look at the policy of the bill, we should perhaps not give it such restrictive instructions when we make our referral and should let it carry out its normal function when inquiring into this bill. The comments of Hon Michael Mischin in this debate were probably the most informative; that is, if the impetus for this bill in the first place is based on a faulty premise—on a misleading explanation of state law and commonwealth law—then the policy perhaps does need to be looked into, not around the idea of surrogacy in and of itself, but around one of the impetuses for this bill, being a breach of commonwealth law. It seems to me that that is at the heart of the policy of this bill and is one of the main drivers for the referral in the first place. Even the Leader of the House recognised that, by trying to limit the scope of the committee to dealing with the parts of the bill that are inconsistent with the commonwealth Sex Discrimination Act 1984. I wonder how limiting the ability of the committee to look at the policy will work when part of the impetus for the bill is the policy—that is, the breach of commonwealth law. I am worried that when we refer this bill to the Standing Committee on Legislation, we will tie its hands behind its back and limit its ability to do its job.

I hope that the members of the Standing Committee on Legislation will have the capacity to look at the time restraint they are dealing with and will narrow the scope of the inquiry based on that. That would limit the possibility of a runaway committee. In any case, if I have my standing orders correct, if the committee does not have time to complete its inquiry and wants to extend its time, it will have to seek leave from the Legislative Council. If the will of the Council is that the committee does not get an extended time line, the committee has no choice but to severely limit the scope of the inquiry itself and look only at the matters it thinks are important. Based on that, I do not think I could support the amendment to the referral motion.

HON MARTIN ALDRIDGE (Agricultural) [5.56 pm]: I rise to speak on the amendment to the motion to refer this matter to the Standing Committee on Legislation, which is a little back to front. I will try to make sure that I contain my remarks to the amendment, and then, if I am given an opportunity later, I will speak to the substantive motion. I will not support the amendment moved by Hon Sue Ellery. I want to point out some of the reasons for that. Earlier today I received notice from Hon Nick Goiran that he intended to move a referral motion in the standard form. I understood that would include paragraph (2) of the motion, which refers to authorising the committee to inquire into and report on the policy of the bill. In my view, that has become the default position of this Council, despite the fact that the standing orders with respect to the legislation committee recognise that it is a decision of the Council to order such a thing. I would argue that in more cases than not, the legislation committee in particular, which receives most of the bill referrals, is authorised to consider the policy of a bill. I can recall at least a few speeches in my short time in this place that have been made by tabling members or during the consideration of committee reports in which the chair of the legislation committee, the Standing Committee on Uniform Legislation and Statutes Review or perhaps some other committee that was considering a bill before the house made some comments about the way in which their committee was constrained in looking at particular matters because the house had not expressly ordered that provision. What makes this bill somewhat different from many of those others is the circumstances that have arisen since debate on the bill commenced. We now have a 520-page independent inquiry report, which canvasses many issues related and unrelated to the scope of the bill before us. We do not know what the government's response to that will be. We do not know whether the

government will support the recommendations of the inquirer. We do not know whether, if it supports the recommendations of the inquiry, it will introduce a further bill to give effect to the recommendations that it supports. All those things are outside my control.

The first opportunity I have had to consider this amendment to the motion was when it was moved by the Leader of the House. I understood that the Leader of the House would simply amend the proposed motion by Hon Nick Goiran by proposing to delete part (2), to remove the power of the committee to inquire into the policy of the bill. The amendment motion is obviously much more complex than that. I have not been able to seek adequate advice or adequately consult with my party colleagues on the amendment to the motion that is currently before us. On balance, it is my view that in this instance the legislation committee should be authorised to consider the policy of the bill. In fact, I remind members that the bill does many things other than just extend the provisions of the Surrogacy Act to allow for single men and men in a same-sex relationship to access surrogacy. The second reading speech outlines circumstances for seeking a parentage order, fertility preservation for medical reasons, advisory investigation search powers in surrogacy and other related amendments and minor corrections. Although there has been a lot of focus on trying to make this a vote on whether we support single men or gay men having access to the Surrogacy Act in Western Australia, I do not agree with that view. I assure the Leader of the House that no matter what speech is given by any member in this house or no matter what the view the committee may form about the appropriateness of single or gay men having access to surrogacy, it will not change my personal views. I think there are matters that ought to be genuinely considered by the legislation committee, and I will address those further when we return to the substantive motion. I also want to recognise that the motivation for having the legislation committee consider this matter and the subsequent amendment to the referral motion was to provide a circuit-breaker so this matter could be resolved. I think an important point that should not be forgotten is that there are people who have various views, and they are not just constrained to one political party. There will be various views on whether this bill should be passed. I am not speaking on behalf of my party, but I will provide support in principle to the passage of this bill. However, there are a range of matters that I want to ensure we have appropriately canvassed and considered before we reach that point.

HON COLIN TINCKNELL (South West) [6.01 pm]: I will not support the amendment to the motion. I have heard various members debating this issue this evening. I have conferred briefly with my colleagues, and we believe the committee will need to have the right to the full consideration of the report and to look into the policy of the bill. We will not support the amendment to the motion.

Division

Amendment put and a division taken with the following result —

Ayes (14)

Hon Robin Chapple	Hon Sue Ellery	Hon Alannah MacTiernan	Hon Alison Xamon
Hon Tim Clifford	Hon Diane Evers	Hon Kyle McGinn	Hon Pierre Yang *(Teller)*
Hon Alanna Clohesy	Hon Adele Farina	Hon Martin Pritchard	
Hon Stephen Dawson	Hon Laurie Graham	Hon Darren West	

Noes (15)

Hon Martin Aldridge	Hon Nick Goiran	Hon Simon O'Brien	Hon Aaron Stonehouse
Hon Jacqui Boydell	Hon Colin Holt	Hon Robin Scott	Hon Colin Tincknell
Hon Peter Collier	Hon Rick Mazza	Hon Tjorn Sibma	Hon Ken Baston *(Teller)*
Hon Donna Faragher	Hon Michael Mischin	Hon Charles Smith	

Pairs

Hon Samantha Rowe	Hon Colin de Grussa
Hon Matthew Swinbourn	Hon Dr Steve Thomas
Hon Dr Sally Talbot	Hon Jim Chown

Amendment thus negatived.

Motion Resumed

HON MARTIN ALDRIDGE (Agricultural) [6.07 pm]: I rise to speak to the substantive motion before the house that we discharge the Human Reproductive Technology and Surrogacy Legislation Amendment Bill and refer it to the Standing Committee on Legislation. I point out that this is now my second chance to speak to this bill in some respect, but we are still dealing with the referral motion. I indicate from the outset, and I preface my remarks as I just did when I spoke to the amendment to the referral motion, that the bill has my in-principle support. There are a number of issues I have had some concern with and required further examination of from the beginning. Obviously, one of those is the fact that the government had received this independent inquiry report but had not released it when we commenced debate on this bill. Things have moved on and we now have a report. I must admit that I have

not read all 520 pages of the report. I am not sure whether any other member in this house can claim to have read it. I note that the report more extensively reviews the two pieces of legislation, being the Human Reproductive Technology Act 1991 and the Surrogacy Act 2008, whereas the bill before us is much more focused and specific.

During the second reading debate, we heard doubt about whether the bill before us is premised on our state laws being inconsistent with federal laws—namely, the Sex Discrimination Act 1984—and that that therefore renders our state law invalid. That is not a major influence in my decision or concern about this bill, but I know that it is for others who are considering the matter. Indeed, it is certainly one of the key drivers—if not the key driver—for the legislation before us. It is clearly outlined on the first page of the second reading speech that that is the case and therefore is a problem that we need to fix. As I said, that is not a major factor for me. I believe in removing sex-based discrimination in whatever form and regardless of whether state law offends the federal law, my view will not change. Others may well be considering their support for or response to the bill differently, but certainly a committee inquiry to consider that matter would assist with the progress of this bill. For example, I understand from the debate that I have heard so far that the government has not been prepared to release or summarise the legal advice that it has been provided. Perhaps the committee could seek independent legal advice and the views of others, such as the Sex Discrimination Commissioner of Australia.

I turn to section 3.4.2, "The 2018 proposed changes regarding discrimination", on page 59 in part 2 of "The Review of the Western Australian Human Reproductive Technology Act 1991 and the Surrogacy Act 2008". It is a commentary on the bill. The inquirer, Associate Professor Sonia Allan, states —

> Regarding the above-mentioned discrimination on the basis of sex, relationship status, sexual orientation, gender identity and intersex status, the bill only addresses access to surrogacy through use of ART for male same-sex couples and single men. This is an important first step in removing discrimination in Western Australia regarding relationship status, sex, and sexual orientation, but further reform will be necessary to ensure non-discrimination on the basis of gender identity or intersex status. The latter appear not to have been included in the current Bill due to a need to clarify the impact of provisions in the *commonwealth Prohibitions on Human Reproductive Cloning Act 2002* (see discussion below), which will take time.
>
> In the meantime, the current Bill addresses pertinent issues that were reported by the Government to be seen as requiring immediate action. That is, in the second reading speech it was said that the bill enables licensed fertility clinics and practitioners to provide such services without discrimination based on sex and sexual orientation, in compliance with commonwealth and state legislation (*Equal Opportunity Act 1984* (WA)).

One of the issues that I would like the committee to consider is the matter raised by Sonia Allan. Certainly, I had not considered this matter before I read her report that was tabled in the Legislative Council. I would like the committee to consider other matters, including the issues identified on the supplementary notice paper; namely, extraterritorial application and screening. Those matters are covered considerably in chapters 9 and 5 of part 2 of her report. In fact, there are eight recommendations on international commercial surrogacy alone, with some very strong recommendations supporting action on extraterritorial application. A further five recommendations relate to the paramountcy of the welfare of the child and screening risk assessment, which is a particularly interesting point and one which I have spent a lot of time considering. How do we ensure that there are adequate screening processes? Some people hold the very simplistic view that the state does not get involved with the conception of a child in people's bedrooms—that is true—but that it has a very active involvement in the approval and consideration of a surrogacy arrangement. Therefore, we have an obligation, particularly given the way that the legislation is framed around the importance of the welfare of a child, to consider that matter most fully. During the briefings I had with departmental advisers, I was told that this is covered by other things and that we do not need criminal checks and the like because we have this thing called psychometric testing. I have never been thoroughly convinced that psychometric testing can identify whether a person is a child rapist, a sex offender, a man who beats his wife or any other type of person who would be precluded from entering into a surrogacy arrangement. It is more of a guide, and sometimes people are quite good at manipulating such assessments. Interestingly, recommendation 9 of the report found —

> That current legislative requirements for pre-surrogacy psychological and medical assessments and reports be repealed. (Noting more suitable mechanisms to protect the best interests of children and to support the parties to a surrogacy arrangement are recommended below).

In her report, the inquirer identified what I think she referred to as a model based on the United Kingdom system, which would go some way towards assisting the committee to further examine this matter. A committee would be much more well-placed than I to consider the 520-page report. As I said in my comments on the amendment to the referral motion, many other things are outside my control. I cannot control when, if and how the government will respond to the report. I cannot control when and if the government will bring another bill to the house and in what form, but let me say this: in the short time that I have been in this place, I have seen this Council do extraordinary things when it has needed to. When we were dealing with the City of Perth Bill, which was a bill to form a City of Perth committee and adjust the boundaries of the City of Perth, the Legislative Council decided in its wisdom to

expand the bill beyond its scope to allow for things such as funding and disclosure reform of local government councillors across Western Australia. Clearly, we have the power to do these things when we agree to do them. Although the bill before us may not extend to screening and extraterritorial provisions, those two matters and other matters should be seriously considered by the committee. I reiterate that I support the bill insofar as it addresses the issues of discrimination that currently prevent single men and same-sex gay couples from accessing surrogacy in Western Australia.

Division

Question put and a division taken with the following result —

Ayes (14)

Hon Martin Aldridge	Hon Nick Goiran	Hon Robin Scott	Hon Colin Tincknell
Hon Jacqui Boydell	Hon Rick Mazza	Hon Tjorn Sibma	Hon Ken Baston *(Teller)*
Hon Peter Collier	Hon Michael Mischin	Hon Charles Smith	
Hon Donna Faragher	Hon Simon O'Brien	Hon Aaron Stonehouse	

Noes (13)

Hon Robin Chapple	Hon Sue Ellery	Hon Kyle McGinn	Hon Pierre Yang *(Teller)*
Hon Tim Clifford	Hon Diane Evers	Hon Martin Pritchard	
Hon Alanna Clohesy	Hon Adele Farina	Hon Darren West	
Hon Stephen Dawson	Hon Laurie Graham	Hon Alison Xamon	

Pairs

Hon Colin de Grussa	Hon Samantha Rowe
Hon Jim Chown	Hon Dr Sally Talbot
Hon Colin Holt	Hon Alannah MacTiernan
Hon Dr Steve Thomas	Hon Matthew Swinbourn

Question thus passed.

ON-DEMAND TRANSPORT INDUSTRY

Statement

HON SIMON O'BRIEN (South Metropolitan) [6.22 pm]: The house should not adjourn until it receives this information on behalf of the on-demand transport industry. The recent changes in levies for passengers for what is now known as the on-demand transport industry have been problematic ever since they came into effect on 1 April—and some have suggested that that is a singularly appropriate date. In particular, I want the house and the government to take note of the adverse impact that this is having on the class of vehicles and business operations that were previously known as small charter vehicles, or SCVs. Of course, to over-generalise perhaps, what we now have is a universal all-in system. The old categories have been supplanted and they are on-demand transport vehicles.

Successive governments have agonised over this in recent times. We all know about the advent of Uber and others and how that has distorted fundamentally what has been an over-regulated market for many, many years. As ever when deregulation is carried out, or, indeed, even if there is just tinkering with a regulated system, it has a ripple effect that affects many people and, inevitably, those who were involved in the former regulated system are losers. One thing that the government seems to have achieved with its current program is that it is not a matter of some winners and some losers; there just seem to be a whole lot of losers among those who have been contacting me and other members about what has been going on. A person known to me who has been involved with the SCV industry for many years anticipated prior to 1 April that it would be a very difficult process. I know that he has made his representations to government over a period. Most recently, it has been reported to my office that the initial reaction, only a week or two into the system, is that all is not well. Drivers are finding that it is a complex system to join up to and register with, so there is a further imposition just for that. He reckons it took him about a month to do so. A considerable amount of record keeping is required, including the dates of trips, client details, pick-up and drop-off times and distances travelled. There is a need to record what parts of each journey are inclusive of the levy, because, as I am advised, some components are not taxable, such as the use of car seats, use of a trailer and wait times at airports. My constituent complains that there is a complicated formula for every journey to work out what levy needs to be paid. There is a need to work out which drivers are registered or not. Some drivers my complainant uses when there are lots of jobs on—they are referred to as off-load drivers—may not have registered on the system. In that case, he also needs to work out the levy on their journeys; whereas if an off-load driver is registered, they do their own paperwork and, if they are all involved in the same business or with the same vehicle or vehicles, that adds a further level of complexity. The fellow I know in the industry said that on Monday he had 13 journeys to work out, and to fully comply with documentation requirements, it took him an hour and a half to work out the amount payable. He believes it is unworkable and it will probably take one day out of the seven-day week just to do the paperwork.

Some of this can no doubt be attributed to teething troubles, with people trying to gain familiarity with a new system invented, of course, by a bureaucratic machinery that typically is not sympathetic to owner–operators, who just need to get out there, provide the service to their clients and get on with making a living. It is not about doing returns and endless paperwork under different definitions and keeping spreadsheets and all of that. Sure, when a person runs a business, there are things they have to do. They have to do their business activity statement and all the other bits of paperwork, but it seems to me that SCVs in particular are being saddled with a very heavy workload. I want the government to take note of that.

The question of how this has come about was raised with me some little while ago. Members may recall that on 21 March in this place, I asked a question without notice of which some notice had been given about the regulatory impact assessments associated with the enabling legislation and the overall program. I asked —

(1) Why were the documents prepared in mid-2017 not published until this month?

(2) What will be the total cost of the new policy to the on-demand transport industry and consumers, respectively?

(3) In relation to (2), how do these figures compare with the costs estimated and cited by government when the enabling legislation was being considered by Parliament?

I was told —

(1) The regulatory impact documents are not made publicly available until the regulatory decision has been made public in its final form. The regulatory impact documents published in March 2019 relate to the Transport (Road Passenger Services) Act 2018 that was passed in October 2018 and the regulations gazetted on 26 February 2019.

I thought this information was meant to be made available in advance, not after the fact. The answer continued —

(2) An annual estimate of $29.5 million will be collected by booking services. The levy will cease when costs are recovered. —

That is some good news, of course —

A booking service can choose not to pass on the levy to consumers.

Small charter vehicles are a bit of a different category from a lot of the former categories. Finally, in answer to my question about how the figures compared with the costs estimated and cited by government when the enabling legislation was being considered by Parliament, the answer was —

(3) This figure is presented in budget paper No 2 of the 2018–19 state budget.

I do not know why, but when we ask a question, ministers cannot just give the answer instead of telling us to go and look at some other document or website or something, but that is what they tend to do. It occurred to me when it was pointed out that in fact there was a regulatory impact assessment; it appeared on the Department of Transport website very recently, and it coincided with me asking these questions about where the information was. I went to the website and I could not find it. I did not have a 12-year-old kid with me to give me a hand, so I had to come and ask another question and the honourable minister rescued me, and I thank him for that.

What I am putting to the government is that despite all that, there are documents from May and July 2017 that clearly show that the cost to industry of the new system is $50 million to $60 million, and that the cost to consumers is $200 million, so how does one reconcile these figures? It concerns me when I am further advised that the reason why these figures were not released—that is, that it is costing a lot more than anyone can remember the government saying it was going to cost, to both the industry and the consumer—was that if the government had given out that information at the time, the Liberals in Parliament might not have supported the legislation. As Hon Nick Goiran knows, we are all getting a bit sick of having relevant information that we ask for not being given to us in this house when we are considering legislation. It strikes me that this is another example of that happening. I hope not, but perhaps the government can address these concerns.

MINISTER FOR REGIONAL DEVELOPMENT — ENERGY MADE CLEAN

Statement

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [6.32 pm]: I rise to make some comments with regard to the response to a question I received today from Hon Alannah MacTiernan, in which she purported that I had made extraordinary allegations. I can assure the honourable member that I have made no extraordinary allegations whatsoever. I wanted clarification on whether Hon Alannah MacTiernan, firstly, had ever been employed by Energy Made Clean and, secondly, had ever been paid by EMC. Up until 48 hours ago, I did not know, and I would say most people would not have, unless they actually worked or were intimately involved with EMC. She had not stated that; she had never stated in the Parliament that she had been employed or paid by EMC.

ABC online did a report on Hon Alannah MacTiernan and in that report it was discovered that in fact she had received money from EMC and that she was employed by EMC. That, as I said, was a revelation to me. I have followed the issue with regard to Carnegie Clean Energy for the last two years, and there was an evident conflict of interest there with the minister. We have just listened to Hon Simon O'Brien talking about the piecemeal information that is provided by members opposite, yet they are always caught out, and this is what happened in this case. I did not make any outrageous allegations here. All I was doing was asking the honourable member, the Minister for Regional Development, to come into this place and show me on the record when she has said that she was employed and paid by EMC. I can tell members that she will not be able to do that.

I will talk about this a bit more fully in a non-government business motion tomorrow, but I listened to a train wreck of an interview that she did yesterday with Geoff Hutchison in which she stated, in part, "I absolutely acknowledged in the Parliament that I worked for EMC." Really? I would love to know when that happened. I really would love to know when she "absolutely acknowledged in the Parliament" that she worked for EMC. She also said, "I made it clear that it was part remuneration." In response to a question as to whether she revealed to the Parliament that she was actually paid by EMC, her response was, "Absolutely, in a time line in the Parliament by Sue Ellery, I made it clear." Even if it did happen, it was by Hon Sue Ellery that she made it clear.

Let us have a look at what Hon Sue Ellery said in her comments with regard to Hon Alannah MacTiernan's association with EMC. This is from 2 November 2017—the only time it was ever mentioned by Hon Sue Ellery. One has to be really intelligent to understand the processes and mindset of members opposite to work out what is going on here. She said of Hon Alannah MacTiernan, during debate on a motion relating to Carnegie —

> The minister had an indirect stake in Carnegie through shares she held in a clean energy investment, formerly called Energy Made Clean. She was a director of that company before she was elected to federal Parliament in 2013, and was paid in shares.

That is so transparent and clear: she was paid in shares. It says nothing about being employed by EMC and nothing about being paid by EMC. A little further along Hon Sue Ellery says —

> I will now talk about the actual time line. On 21 November 2011, 42 000 Energy Made Clean shares were issued to, then, the ordinary Alannah MacTiernan, as part payment for her role on the board.

That is as close as we are going to get to her saying, firstly, that she was employed by EMC and, secondly, that she was paid by EMC—a part payment for a role on the board. It had nothing whatsoever to do with employment or payment. We and everyone else out there had to guess that that was what it was, from that one little line by Hon Sue Ellery when she said that Hon Alannah MacTiernan got the shares as part payment for her role on the board. That is on the board; that is not employment with Energy Made Clean.

We then looked for Hon Alannah MacTiernan's comment, and there is none there—absolutely none. In no instance has Hon Alannah MacTiernan ever come in and said, "I was employed by Energy Made Clean and, not only that, I received financial remuneration"—never once.

When I asked her a question today, I asked her quite legitimately to show the house—because she has made these assertions—when she said that in *Hansard*. We heard the very cryptic comment by Hon Sue Ellery, and I am surprised no-one else picked up on it, that indicated that Hon Alannah MacTiernan was employed and paid by EMC, so I said, "What about yourself? I want you to prove to this chamber that what you said on radio yesterday was accurate." It is not there; it does not exist. I can assure members. We trawled through *Hansard* and there is nothing. She has said nothing. The closest was in response to a question from Hon Jim Chown. He asked —

> Has the minister ever had shares or other financial interests in Energy Made Clean, Carnegie Clean Energy or Carnegie Wave Energy?

I know, because I wrote the question. Hon Alannah MacTiernan responded, in part —

> I had some shares in Energy Made Clean that I had acquired instead of remuneration for the work that I did for the company.

That was it.

Hon Simon O'Brien: It was "instead of" remuneration.

Hon PETER COLLIER: Yes, that is right.

It does not exist. The minister has been caught out. I listened to Hon Alannah MacTiernan's rampant indignation yesterday because of these poor philistines who do not understand. She asked, "Don't you understand my subtlety? Don't you understand my cryptic comments? Don't you understand when I say 'I might' have this or 'I might' have that, or 'Hon Sue Ellery said two years ago that I might have got some shares' and that actually means I'm employed and paid?" No, it does not. Again, it reinforces to everyone out there the sneakiness that government members have and their ethos or culture to "tell them nothing". It resonates all the way through the government. It is infecting all the way through the government.

Several members interjected.

The PRESIDENT: Order!

Hon PETER COLLIER: It is infecting the government!

Several members interjected.

The PRESIDENT: Order!

Several members interjected.

Hon PETER COLLIER: Will you be quiet!

The PRESIDENT: Order! Just because you yell across the chamber does not make people sound more intelligent. It just causes a problem for Hansard; Hansard cannot hear what the person on their feet is saying.

Hon PETER COLLIER: Thank you, Madam President. It is resonating through the government of members opposite. Day in and day out we are finding that reports are late and reports are not filed and freedom of information requests tell us where to go; you name it, it is there. There is an absolute litany of issues in which you guys have hidden from providing the truth. I asked any member opposite to say, yes, they got from Hon Alannah MacTiernan's responses that she was employed and paid by Energy Made Clean. I tell you guys, if you did, you are not being honest with yourselves. If members say yes, they are not being honest with themselves. A minister in their government has avoided the facts for the last two years. That contract has gone pear-shaped and it is a direct result of the fact that the minister gave a nudge and a wink to Carnegie. There was no-one else in the running. There was never anyone else in the running. It was always Carnegie. If the government had been open and transparent right from the start and if Hon Alannah MacTiernan had vacated her seat in cabinet when the decision was made, we would not have this issue. Every time we think this little slip is going away, the magic emerges again. Every time the minister is interviewed, she digs a deeper hole for herself. I am saying that she should come clean and be open and transparent. The minister will not come in here tomorrow and provide the evidence I have asked for today because it is not there. Nothing in *Hansard* ever showed that the minister was employed or paid by Energy Made Clean.

ANIMAL WELFARE — GREYHOUND RACING INDUSTRY

Statement

HON ALISON XAMON (North Metropolitan) [6.42 pm]: It was great to see so many animal welfare groups at Parliament yesterday and I want to make some overarching observations on the state of greyhounds, the greyhound racing industry in Western Australia and my concerns about the current regime, which I think continues to prioritise profit ahead of greyhound welfare.

I thank the minister for his response to my question in Parliament last week about the measures that have been undertaken by this government regarding the animal welfare of greyhounds. It was a comprehensive response. I recognise that this government has implemented a number of strategies designed to improve the wellbeing of greyhounds and minimise the numbers of animals that are euthanased. The most recent announcement last night was the welcome advice that the government intends to address the muzzle laws for greyhounds in its review of the Dog Act later this year. These changes are certainly positive but I do not think these actions go far enough to address what I think is systemic cruelty inherent within the industry. Greyhound racing, I think, is fundamentally cruel and it is the Greens' position that it ultimately needs to be banned altogether. The welfare and treatment of animals, whether they be native, companion, or production animals, has always been a major concern for the Greens and for me. Animal welfare has been a priority campaign area for the Greens both locally and nationally, and we have a long and very proud track record of speaking up for animals. The Greens strongly believe that the way we treat greyhounds must be sensitive, humane and compassionate. We must and we will stand up to call out cruelty and inhumane treatment wherever we see it. I have met and will continue to liaise with stakeholders, non-government organisations and other interested parties to work together to further reform the greyhound racing industry in WA, being very clear that we are trying to work towards its abolition.

Australia remains one of only eight countries in the world with a commercial greyhound racing industry, and Australia's, unfortunately, is the biggest. Internationally meanwhile, the industry is in decline. According to Animals Australia, in the United States greyhound racing is illegal in 39 states, 28 of 49 tracks have closed since 2001 and gambling on greyhound racing has been dramatically reduced.

Australians love their companion animals. Most Australian homes have a dog, cat, bird or some other companion animal as a valued and treasured part of the household. I do not think, therefore, it was at all surprising that Australians were shocked when the ABC *Four Corners* program "Making a Killing", which focused on the greyhound racing industry, was broadcast in February 2015. It was a shocking and sickening exposé that used undercover footage to reveal an industry riddled with illegal and unethical practices, including the widespread use of live baiting and massive numbers of dogs being killed right across the industry in New South Wales. These revelations so disturbed the government of then Liberal Premier Mike Baird that he immediately announced greyhound racing would be banned in NSW. That would have been a really good outcome but, unfortunately, in the face of a very strong lobbying campaign from the industry, he backflipped and the industry was given a lifeline and put on notice. However, the animal welfare arguments in favour of a ban remain undiminished.

One of the most disturbing facts exposed by the *Four Corners* program was the extremely high level of what the industry euphemistically terms "wastage". This seemingly innocuous term refers to the premature and utterly unnecessary euthanasia of otherwise healthy greyhounds—just ones who are not considered fast enough to be a success on the track. Appallingly, across Australia, tens of thousands of these beautiful and gentle dogs have been killed, including many being shot and illegally dumped in mass graves. Although there is no evidence live baiting and other illegal activities is as widespread in Western Australia as it was in New South Wales, the Greens believe it is essential that we maintain the highest levels of scrutiny to the industry and the welfare of greyhounds here in the state, and where we play a role particularly if they are sent overseas.

The Greens' policy on greyhound racing is based on the fundamental overarching principle that the cruel or inhumane use of animals for sport, recreation or entertainment should be abolished. The Greens therefore are committed to, as I said before, ending greyhound racing and the export of racing greyhounds from Australia. The horrendous revelations from NSW and the abortive attempt to ban the cruel practice did at least lead to a massive spike in public awareness and critical scrutiny over the appalling practices that have been at the heart of the business model of the industry—principally, massive overbreeding and live baiting. Although this has meant the industry promised it will clean up its game, unfortunately, the only way we can be sure this ultimately occurs is to end greyhound racing.

There is significant opposition to the use of greyhounds in racing across Australia. Organisations that advocate for animal welfare, such as the Royal Society for the Prevention of Cruelty to Animals, Animals Australia and local grassroots groups like "Free the Hounds" have long called for reforms, if not outright abolition of this outdated and archaic activity. The Greens are on the record with our ongoing opposition to greyhound racing. We know that, across Australia, tens of millions of dollars in public money is handed over to the greyhound racing and gambling industry each year by states and territories in prize money for building new tracks and in tax breaks. However, while this occurs, Greyhounds Australasia estimates that the industry is responsible for the unnecessary deaths of anywhere between 13 000 and 17 000 healthy greyhounds a year. Like millions of ordinary Australians, we want to see greyhound racing banned on animal welfare grounds, and we do not want to see public money—not one cent—used to subsidise greyhound racing and gambling.

ANZAC DAY COMMEMORATIONS — AVONVALE PRIMARY SCHOOL

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [6.49 pm]: I am conscious that other members want to make a statement, so I will be brief. Like many members of Parliament this week and next week, I attended a school Anzac Day service at Avonvale Primary School in Northam yesterday, on behalf of the Minister for Education and Training. I wanted to acknowledge the great service that I attended and thank the school very much for the invitation. Avonvale school in Northam has faced its fair share of challenges. It was terrific to see the school community come together yesterday to celebrate Anzac Day. I send a special shout out to the principal, Adam Marchant, and Tayla, who helped organise the day. We had a lovely welcome to country by Mr Davis and Brianna. A lot of students stepped out of their comfort zones to take part in the service. I was very impressed and proud of them all. We heard from Leevi, Hayley, Marley, Holly, Alice, Cameron, Wayne, Olivia, Kishorn, Luhkkin, Ollisha and Jamie-Lee—students who got up yesterday and contributed to the service. The students got together and sang the Lee Kernaghan song *Spirit of the Anzacs*. They did a great job of that. They sang particularly well and they sang with great spirit.

There was also a representative from the local RSL, Donna Prytulak, who I believe is also the deputy president of the RSL in WA. There was a bugler present. It is always terrific to have a live bugle performance. Luis Lim played the bugle for us. The *Last Post* sends a shiver up our spine especially when in such a moving setting. Other members of the RSL were also there. It was a terrific day. I want to acknowledge the great work of the school community. Not every school holds an Anzac Day service like that. It was great to be part of it. I would sincerely like to thank the school for the invitation and sincerely thank everyone in the school community. A lot of parents came along and showed their support for the school as well. It was great to be there.

It was also particularly pleasing to announce that Northam will be the recipient of headspace if there is a change of government at the next federal election. That was particularly well received because young people in our regional communities deal with a lot of issues. This was a day to remember the Anzacs. It was great to be there, and I thank the school community for doing such a wonderful job.

ISRAEL VISIT

Statement

HON TJORN SIBMA (North Metropolitan) [6.52 pm]: I rise very briefly to describe some recent travel I undertook to Israel in the last week of March. I was rather privileged to be part of a small self-funded delegation, along with my colleagues the members for Bateman and Cottesloe, in a program organised jointly by the Australia–Israel and Israel–Australia Chambers of Commerce. The purpose of that visit was primarily to gain an

insight into Israel's remarkable economic transformation and, in particular, to get a better understanding of its world-renowned start-up and innovation ecosystem. Nevertheless, our interest went beyond the financial and technological sectors to the agricultural, water management, government and higher education sectors. I believe that gaining insights into how other jurisdictions go about harnessing their particular strengths are instructive and should be the core business of all members of this Parliament if they take seriously their responsibility to ensure the continued development of Western Australia and the ongoing prosperity and welfare of our people.

We travelled to Israel during the recent election, which was quite obviously a period of heightened tension. There was a rocket attack from the Gaza Strip the week we were there. Thankfully, that did not result in any fatalities. However, serious injuries ensued from that. That was, frankly, a stark reminder of the unique security environment that applies in that part of the world. That environment, in conjunction with compulsory military service, the influx of nearly one million Russian immigrants at the collapse of the Soviet Union and, until recently, an absence of tangible, extractable natural resources, has created a very unique national disposition towards entrepreneurship, business risk and the acceptance of failure, which is quite inspirational in its own way. Although we cannot simply adopt that Israeli template as our strategy—its circumstances are certainly its alone—that experience should motivate us to think a little more seriously, critically and strategically about what is in Australia's best interests and compel us to work in those interests in a way that is vigorous, courageous and unashamed.

I was particularly encouraged by the extensive business-to-business links between Australian and Israeli businesses, particularly between Western Australian and Israeli businesses, certainly in the agricultural sector. Although I appreciate the great awareness at the level of Australian and Western Australian businesses about Israel as a model for doing business, perhaps that same level of understanding does not exist even among the political class and it certainly drops off precipitously if we try to get a sense of what the general public might think. That is a shame because there is a healthy trade relationship with Israel worth in the order of $1 billion. Western Australia is certainly a participant in that thinking. In 2018, the total bilateral trade between Western Australia and Israel was in the order of $160 million. My firm hope is that that level of commercial exchange will continue to grow over time. I am optimistic about that for two reasons. First, our visit coincided with the announcement of a new tax treaty with Israel, which will create a more favourable environment for bilateral investment. The treaty will make it cheaper for Australian businesses to access foreign capital markets and technology, reduce double taxation and provide greater tax certainty to taxpayers in both jurisdictions. The second reason for optimism is that during our visit, we were made aware of discussions between an Australian-based major airline and its Israeli counterparts about the prospect of a direct route from an Australian capital city to Tel Aviv. Although I am not privy to the details of that commercial dialogue and it may well be at only a formative stage, I believe the concept would be highly desirable if only from the perspective of convenience and logistical efficiency. Travel to Israel is not easy to undertake; back and forth, I think our total transit time consumed about three full days out of an eight-day program. This will provide Perth with an opportunity. I believe that securing Perth as a terminal point for a direct flight would be of great strategic and economic benefit to this state. I sincerely encourage the Western Australian state government to deal itself into the game if that is a viable opportunity because I think there are benefits for all to be gained out of that.

Very briefly, in addition to those individuals and institutions that so generously gave their time and were surprisingly refreshingly candid in their dialogue, I want to identify a number of individuals for special thanks. My gratitude firstly goes to Paul Israel and the exceptionally patient and well-organised Shifka Seigel from the Israel–Australia Chamber of Commerce; John Cluer and Diane Horwitz from their counterpart organisation, the Australia–Israel Chamber of Commerce based in Western Australia; the Australian ambassador, Chris Canaan; our enthusiastic guide, Effi Yaakobi; the congregation of the Great Synagogue of Jerusalem; and especially Mr Jonathon and Mrs Nicky Newfield and their family who so generously hosted us for a traditional Friday night Shabbat dinner in their family home.

House adjourned at 6.59 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

LEGAL AFFAIRS — ASBESTOS DISEASES COMPENSATION BILL 2013 — REINTRODUCTION

1862. Hon Martin Aldridge to the Leader of the House representing the Attorney General:

I refer to Project 106 of the Law Reform Commission (WA), and I ask:

(a) has the State Government formally considered the report and, if so, on what date;

(b) what is the State Government's view with respect to each of the reports four recommendations;

(c) does the State Government intend to reintroduce the *Asbestos Diseases Compensation Bill 2013* and, if so, when;

(d) if no to (3), why does the State Government no longer support the *Asbestos Diseases Compensation Bill 2013*;

(e) does the Attorney General have cabinet approval to commence drafting or to introduce a Bill that addressed the matters raised in the Law Reform Commission report;

(f) has the Attorney General now received the full economic and financial analysis and associated advice of the Insurance Commission of WA (ICWA) and what date did he receive that; and

(g) Will the Attorney General table that advice?

Hon Sue Ellery replied:

(a)–(e) The McGowan Government acknowledges that asbestos-related diseases are an important issue and is profoundly sympathetic to those afflicted with such illnesses. The Government is currently assessing its reform options arising from Project 106 of the Law Reform Commission of Western Australia, and the analysis referred to in (f) forms part of that consideration. A decision on whether to make this analysis publicly available is inextricably intertwined with the Governments overall response to Project 106, and a decision on this matter will be made once the Government has determined how to proceed with the Commission's recommendations.

(f) Yes. 15 August 2018.

(g) See (a)–(e).

CHILD PROTECTION — CHILD SEXUAL ABUSE — ROEBOURNE

1896. Hon Nick Goiran to the minister representing the Minister for Police; Road Safety:

I refer to the answer provided by the Minister for Child Protection to my question without notice asked on 22 August 2018, in which the House was informed that the Western Australia Police Force holds the up-to-date information in relation to Operation Fledermaus, and I ask:

(a) since the start of Operation Fledermaus and the formation of the Pilbara joint response team, were a total of 58 offenders charged, with 349 charges being preferred as at 23 August 2018;

(b) further to (a), have either of those numbers changed since 23 August 2018;

(c) if yes to (b), what are the current number of offenders charged and charges preferred;

(d) of those persons charged with one or more offences, how many have been convicted of at least one of the offences for which they were charged;

(e) since the start of Operation Fledermaus and the formation of the Pilbara joint response team, how many individuals were listed as a person of interest;

(f) further to (e), how many individuals were listed as a victim of those persons of interest; and

(g) further to (f), how many of those were children at the time of being listed?

Hon Stephen Dawson replied:

The Western Australian Police Force advise:

(a) On 23 August 2018, the Western Australia Police Force provided information in response to Question Without Notice 667. As of that date, the Western Australia Police Force reported 58 offenders charged with a total of 349 charges. These figures incorporated the Operation Fledermaus and the investigations conducted by the Pilbara Joint Response Team (responding to reports of child abuse across the Pilbara District).

(b)–(c) Yes. As provided in response to Question Without Notice 1018 at that time 60 Offenders had been identified and 364 charges preferred.

(d) With the cessation of Operation Fledermaus and the formation of the Pilbara Joint Response Team, the Western Australia Police Force are no longer manually collating the detailed information pertaining to

the total number of offenders, victims and charges. Each individual report and investigation for all serious crime matters, is separately case managed within the Information Management System and therefore reporting is case specific.

(e)–(g) As above.

ENVIRONMENT — RAMSAR WETLAND NOMINATIONS

1899. Hon Diane Evers to the Minister for Environment:

(1) How many Western Australian wetlands are listed under the Ramsar Convention?

(2) Which Western Australian wetlands are listed under the Ramsar Convention?

(3) When was the last batch of Western Australian wetlands nominations for Ramsar listing submitted:

(a) which of these wetlands achieved Ramsar listing?

(4) When will the next batch of Western Australian wetlands nominations for Ramsar listing be submitted?

(5) Have the tributaries of the Lower Blackwood been nominated for Ramsar listing:

(a) if no to (4), why not;

(b) if no, does the Minister intend to nominate the tributaries of the lower Blackwood for Ramsar listing;

(c) if yes to (4)(b), when; and

(d) if no to (4)(b), why not?

Hon Stephen Dawson replied:

(1) 12.

(2) Becher Point Wetlands, Ord River Floodplain, Lakes Argyle and Kununurra, Roebuck Bay, Eighty Mile Beach, Forrestdale and Thomsons Lakes, Peel–Yalgorup System, Lake Toolibin, Vasse–Wonnerup System, Lake Warden System, Lake Gore, and Muir–Byenup System.

(3) November 2000.

(a) All of the nominations received Ramsar listing. These were three new designated sites: Becher Point Wetlands, Lake Gore, and Muir–Byenup System; and extensions to four designated sites: Ord River Floodplain, Peel–Yalgorup System, Lake Toolibin and Vasse–Wonnerup System.

(4) Additional wetlands will be submitted for consideration by the State Government for nomination as the required documentation and public consultation is completed to the standards required by the Australian Government.

(5) No.

(a) The documentation and public consultation requirements have not been completed.

(b) A decision on whether or not to nominate will be informed by stakeholder support. Further stakeholder support is required to finalise the nomination process for this site.

(c)–(d) Not Applicable.

ENVIRONMENT — MARRI FORESTS

1901. Hon Diane Evers to the Minister for Environment:

(1) How is the growth rate of marri estimated (please list all relevant documents used to make the estimate).?

(2) Over what dates has the estimate been made?

Hon Stephen Dawson replied:

(1)–(2) In south-west forests marri generally occurs mixed with mostly jarrah and/or karri. Growth rates for each tree species vary greatly with tree age, climate, site conditions and relative density (or structure) of the stand. The pattern of growth over time also varies depending on the variable measured (such as diameter, height or volume).

Growth rates for marri can be estimated directly from measurement of trees of known age over extended periods of time, or indirectly using dendrochronological techniques such as tree ring counts. Both approaches have been used at various times and for specific purposes by the Department of Biodiversity, Conservation and Attractions (DBCA) and predecessor agencies. In forests available for timber production, DBCA maintains a strategic forest inventory system which includes plots containing marri from which growth can be estimated, as well as various silvicultural research experiment plots. A series of Sustained Yield information sheets is available on the DBCA website that explains the process and basis of calculations of growth and yield used in preparing the Draft Forest Management Plan 2014–2023.

ENVIRONMENT — LITTER ACCUMULATION RATES

1903. Hon Diane Evers to the Minister for Environment:

Does the Department of Biodiversity, Conservation and Attractions have the litter accumulation rates for:

(a) yellow tingle:

(i) if yes, please provide them; and

(ii) if no, why not; and

(b) red tingle:

(i) if yes, please provide them; and

(ii) if no, why not?

Hon Stephen Dawson replied:

(a) No.

(i) Not applicable.

(ii) The Department of Biodiversity, Conservation and Attractions (DBCA) does not have tables or models of litter accumulation specific to yellow tingle for the reason that these species mostly occur in mixed stands with karri, jarrah, red tingle, and less commonly blackbutt.

(b) No.

(i) Not applicable.

(ii) DBCA does have unpublished fire fuel accumulation data for red tingle dominant forest at sites near Walpole, with this data being collected at different times since fire occurrences. This data indicates that litter, shrub and twig components of fuel continue to accumulate for at least 34 years since fire occurrences. Total fuel loadings in tingle dominant forest are comparable with those in karri–tingle mixed forest.

ENVIRONMENT — LITTER ACCUMULATION RATES

1904. Hon Diane Evers to the Minister for Environment:

Will the Minister please provide the litter accumulation rates for Jarrah, Karri and Wandoo for:

(a) 50 years;

(b) 100 years; and

(c) if no, why not?

Hon Stephen Dawson replied:

(a)–(c) This specific information is not available, however it could be estimated using Forest Fire Behaviour Tables (Sneeuwjagt and Peet 1985). These tables provide guidance regarding the litter accumulation in jarrah and karri dominant stands based on the number of annual leaf falls and the canopy cover of the forest. The tables provide for up to 25 annual leaf falls with accumulated litter after 25 years ranging from 14.8 tonnes per hectare (t/ha) to 22.5 t/ha in jarrah dominant forest and from 35 t/ha to 58 t/ha in karri dominant forest. For wandoo dominant forests, the tables indicate litter accumulation for up to 30 annual leaf falls based on either the basal area or canopy cover of the stand, with accumulated litter loads after 30 years ranging from 5.4 t/ha to 15.8 t/ha.

The process of litter accumulation is influenced by a range of factors including:

the age, canopy cover and structure of the forest overstorey;

the density, condition and species composition of mid-storey trees and understorey shrubs;

events that affect the condition of the forest canopy including drought, frost and insect defoliation; and

decomposition rate of litter which is affected by moisture, temperature and biotic activity.

FISH RESOURCES MANAGEMENT ACT — CHARITABLE EXEMPTIONS

1919. Hon Martin Aldridge to the minister representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science:

I refer to Legislative Council questions without notice 94 and 110 in relation to exemptions issued pursuant to s.7 of the *Fish Resources Management Act 1994*, and I ask:

(a) did Mission Australia seek the donation of Western Rock Lobster in each of the last two financial years and if so who made the requests and to whom;

(b) if no to (a):

(i) how was the arrangement initiated;

(ii) who approached Mission Australia; and

(iii) who negotiated the donation;

(c) please table the advice that you received from the Department of Primary Industries and Regional Development which confirms the lawfulness of issuing an exemption pursuant to s.7(2)(d) of the *Fish Resources Management Act 1994* for a charitable purpose;

(d) please detail the exemptions issued under s.7 of the *Fish Resources Management Act 1994* for each of the last 5 years, per year, including this year whereby that exemption was for the purpose of a charitable donation;

(e) of the exemptions identified in (d), please provide the:

(i) name of the applicant for exemption;

(ii) purpose of the exemption;

(iii) relevant section of the Fish Resources Management Act 1994 in which an exemption was sort and approved;

(iv) time period relevant to the exemption;

(v) name of the charity in which the donation is intended; and

(vi) quantity and type of fish involved in the exemption;

(f) I refer to your answer to part 5 of Legislative Council question without notice 110 in which you advised that a formal application is not required and I draw the Ministers to s.7(4)(b) and s.7(4) which requires an application must be in a form approved for that purpose by the CEO and must be accompanied by the prescribed fee (if any) and seek clarification on your answer that 'Formal applications were not required....'; and

(g) with respect to the exemption provided to Kailis Bros. in each of the last two years please provide:

(i) the name of the applicant;

(ii) the form in which the application was made;

(iii) the fee which was paid (if any);

(iv) a copy of the application in full in whatever form it was made; and

(v) the terms of the approved exemption?

Hon Alannah MacTiernan replied:

(a) No.

(b) (i)–(iii) My Office approached Mission Australia and liaised with industry over the voluntary supply of rock lobster for Mission Australia's Christmas lunch for the homeless.

(c) The Department of Primary Industries and Regional Development provided verbal advice to my office that the purpose was consistent with S72D.

(d) Over the last 5 years, there has been another two Exemptions [Number 2561 and 2874] for the purpose of a charitable donation. These exemptions are listed in the Department of Primary Industries and Regional Development's Annual Report.

(e) (i)–(vi) [See tabled paper no 2615.]

(f) As stated in my answer to part (5) of Legislative Council Question Without Notice 110, it was not considered necessary that a formal application was required in relation to these Exemptions. The Department has advised me that under Section 7(4)(a) of the Fish Resources Management Act 1994, an application for an exemption may be made to the Minister, and therefore the granting of an Exemption is not limited to the receipt of an application.

(g) (i) While no application was provided, an Exemption was issued to Kailis Bros who is the holder of the Managed Fishery Licence that caught the lobsters and the company responsible for processing and delivering the lobster to the Mission Australia lunches in 2017 and 2018.

(ii) Not applicable.

(iii) Nil.

(iv) Not applicable.

(v) To allow the holder of WCLL1401 and the master of the fishing boat operating under that licence to fish in excess of entitlement held for the 2017/18 [Exemption number 3041] and 2018/19 season [Exemption number 3223] of the West Coast Rock Lobster Managed Fishery, by 450 kg for the purpose of being provided for the Mission Australia Christmas Lunch on 25 December. All other fishing activities conducted under this Exemption must be done in accordance with West Coast Rock Lobster Managed Fishery Management Plan 2012.

TRANSPORT — SCHOOL BUS SERVICES

1921. Hon Martin Aldridge to the minister representing the Minister for Transport; Planning:

I refer to school bus service contracts in Western Australia, and I ask:

(a) for each school year 2017, 2018 and 2019 provide:

(i) the number of school bus contracts terminated by year;

(ii) the location and route of each contract;

(iii) the remaining term at the time of termination and annual cost of each route;

(iv) the reason for termination;

(v) if the reason for termination was a lack of student numbers on the service, the number of students on the service when the contract was terminated; and

(vi) if the reason for termination was a lack of student numbers on the service, what arrangements were put in place for the remaining students on the service; and

(b) for the 2019 school year, how many school bus services exist exclusively to transport students attending non-public schools:

(i) the location and route of each service;

(ii) the number of students on each service;

(iii) the schools serviced by each route and the number of students attending each school by service;

(iv) the annual cost of each service; and

(v) the type of contract and remaining term of the contract by service?

Hon Stephen Dawson replied:

(a) (i) 2017: South Hedland Turner River; Mt Magnet Cue; Dwellingup

2018: Ngalangangpum Bow River; Pingelly East Popanyinning; Beagle Bay Middle Lagoon; Eastern Hills Chidlow; Trayning Kununoppin; Kalamunda ESC North; Merredin Kellerberrin Wheelchair; Busselton Quedjinup

2019: As at 12 March 2019, no contracts have been terminated.

(ii) 2017: Turner River to Hedland SHS and Cassia PS; Cue to Mount Magnet DHS; Inglehope and Teesdale to Dwellingup PS

2018: Durack, Lake Argyle to Ngalangangpum School at Warmun; East Popanyinning and East Pingelly to Pingelly PS; Dampier Peninsula to Sacred Heart School–Beagle Bay; Chidlow and Mount Helena to Chidlow PS, Eastern Hills SHS and Mount Helena PS; Kununoppin to Trayning PS; Gooseberry Hill, Jane Brook, Maida Vale, Midvale, Swan View, Kalamunda to Kalamunda PS ESC and Kalamunda SHS ESC, Kellerberrin to Merredin schools; Quindalup, Yallingup, Quedjinup to Busselton schools

2019: Not applicable

(iii) 2017: 6 months, $76,000pa; 2.5 years, $84,450pa; 3.5 years, $41,000pa

2018: 1.5 years, $50,973pa; Evergreen, $100,000pa; 1.5 years, $78,380pa; 3 months, $91,572pa; Evergreen, $75,914pa; 3 months, $94,625pa; 2 months, $92,504pa; 5 years, $80,224pa

2019: Not applicable.

(iv) 2017: Increase in student numbers and required a larger vehicle size; Lack of usage and student numbers; Lack of usage and student numbers

2018: Termination requested by Catholic Education Office; No students requiring transport; Termination requested by Catholic Education Office; Contractor requested. Service re-tendered; Lack of student numbers; Contractor request. Service re-tendered; Student with wheelchair no longer required service; Contractor request. Service re-tendered

2019: Not applicable.

(v) 2017: Not applicable; 1; 3

2018: Not applicable; Nil; Not applicable; Not applicable; 3; Not applicable; 10; Not applicable

2019: Not applicable.

(vi) 2017: Not applicable; Conveyance allowance offered to families; conveyance allowance offered to families

2018: Not applicable; Not applicable; Not applicable; Not applicable; 3 eligible students transferred onto another service; Not applicable; Complimentary (ineligible) students transferred onto other services with availability; Not applicable2019: Not applicable

2019: Not applicable.

MINISTER FOR ENVIRONMENT — PORTFOLIOS — STAFF LEAVE BALANCES

1933. Hon Tjorn Sibma to the Minister for Environment; Disability Services; Electoral Affairs:

As at 31 December 2018, for each agency/department within the Minister's portfolio can you please provide in tabular form, the total dollar value of accrued annual leave balances and the number of staff to whom those balances apply for leave balances of the following periods:

(a) 4 weeks or less;

(b) 4 to 5 weeks;

(c) 5 to 6 weeks;

(d) 6 to 7 weeks;

(e) 7 to 8 weeks; and

(f) more than 8 weeks?

Hon Stephen Dawson replied:

For the Department of Biodiversity, Conservation and Attractions –

		Total dollar value	**Number of staff**
(a)	4 weeks or less	$2,532,544	1069
(b)	4 to 5 weeks	$1,262,781	187
(c)	5 to 6 weeks	$1,275,339	158
(d)	6 to 7 weeks	$1,147,742	124
(e)	7 to 8 weeks	$1,170,019	101
(f)	more than 8 weeks	$5,219,334	300

ATTORNEY GENERAL — PORTFOLIOS — STAFF LEAVE BALANCES

1938. Hon Tjorn Sibma to the Leader of the House representing the Attorney General:

As at 31 December 2018, for each agency/department within the Minister's portfolio can you please provide in tabular form, the total dollar value of accrued annual leave balances and the number of staff to whom those balances apply for leave balances of the following periods:

(a) 4 weeks or less;

(b) 4 to 5 weeks;

(c) 5 to 6 weeks;

(d) 6 to 7 weeks;

(e) 7 to 8 weeks; and

(f) more than 8 weeks?

Hon Sue Ellery replied:

The Corruption and Crime Commission:

Annual Leave Liability – as at 31 December 2018

Annual Leave Liability		**Number of Staff**	**Total $**
(a)	4 weeks or less	72	$ 312,150
(b)	4 to 5 weeks	16	$ 157,476
(c)	5 to 6 weeks	14	$ 157,434
(d)	6 to 7 weeks	8	$140,067
(e)	7 to 8 weeks	2	$ 27,476
(f)	more than 8 weeks	9	$ 220,698
		121	**$ 1,015,301**

Note: Treats part-time employees as full-time (i.e accrued hours are divided by 37.5hr to calculate number of weeks).

Explanatory Notes:

(1) In accordance with the Corruption and Crime Commission Industrial Agreement 2013, and the previous Parliamentary Question 1532 in August 2018, annual leave is defined as accrued as at 31 December, therefore balances will be significantly higher in December than in June. This is due to the fact that employees will clear accrued leave in the following calendar year.

(2) Parliamentary question 1938 has also asked for information for accrued annual leave of 4 weeks or less which was not requested as part of Parliamentary Question 1532.

The Department of Justice:

Periods	**Employee Count**	**AL Liability Dollars $**
4 weeks or less	4208	$8,259,859.50
4 to 5 weeks	579	$4,558,988.55
5 to 6 weeks	415	$4,085,102.10
6 to 7 weeks	330	$3,754,426.89
7 to 8 weeks	289	$3,823,891.05
more than 8 weeks	745	$16,183,267.31
Grand Total	**6566**	**$40,665,535.39**

NB Data Conditions:

Data is as at 27 December 2018 for Department of Justice employees (unable to provide data as at 31 Dec due to obtainability, 27 Dec is the closest date a leave extract existed).

Future leave bookings have not been included in $ figures.

Employee count includes only those with a leave balance record and will exclude Casuals and other employment groups that do not accrue leave.

The Equal Opportunity Commission:

	Period	**Total dollar value**	**Number of Staff**
(a)	4 weeks or less	57 834	16
(b)	4 to 5 weeks	16 797	2
(c)	5 to 6 weeks	6 835	1
(d)	6 to 7 weeks	30 450	1
(e)	7 to 8 weeks	0	0
(f)	more than 8 weeks	0	0

LegalAid WA:

Total Weeks	**Number of staff**	**Total value of AL**
4 weeks of less	276	$ 722,261.52
4 to 5 weeks	22	$ 185,367.00
5 to 6 weeks	13	$ 136,402.93
6 to 7 weeks	9	$ 145,612.95
7 to 8 weeks	5	$ 81,014.24
move than 8 weeks	4	$ 103,248.24
	329	$ 1,373,906.88

Office of the Commissioner for Children and Young People:

	$value	**Number of employees**
(a)	$40,826.69	13
(b)	$0	0
(c)	$27,432.76	1
(d)	$0	0
(e)	$0	0
(f)	$0	0

Office of the Director of Public Prosecutions:

(a)	180	$650,761
(b)	29	$294,998
(c)	19	$246,753
(d)	13	$224,983
(e)	10	$197,664
(f)	21	$515,799

Office of the Information Commissioner:

# of weeks	**# of staff**	**Liability**
4 weeks or less	9	$ 17,805
4–5 weeks	0	$ –
5–6 weeks	1	$ 10,030
6–7 weeks	0	$ –
7–8 weeks	0	$ –
8+ weeks	2	$ 38,975
TOTAL	12	$ 66,809

Solicitor General's Office, State Solicitors Office:

Incorporated into the Department of Justice.

MINISTER FOR COMMERCE — PORTFOLIOS — STAFF LEAVE BALANCES

1939. Hon Tjorn Sibma to the minister representing the Minister for Commerce:

As at 31 December 2018, for each agency/department within the Minister's portfolio can you please provide in tabular form, the total dollar value of accrued annual leave balances and the number of staff to whom those balances apply for leave balances of the following periods:

(a) 4 weeks or less;

(b) 4 to 5 weeks;

(c) 5 to 6 weeks;

(d) 6 to 7 weeks;

(e) 7 to 8 weeks; and

(f) more than 8 weeks?

Hon Alannah MacTiernan replied:

Please refer to Legislative Council Question on Notice 1943.

MINISTER FOR TOURISM — PORTFOLIOS — STAFF LEAVE BALANCES

1942. Hon Tjorn Sibma to the minister representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests:

As at 31 December 2018, for each agency/department within the Minister's portfolio can you please provide in tabular form, the total dollar value of accrued annual leave balances and the number of staff to whom those balances apply for leave balances of the following periods:

(a) 4 weeks or less;

(b) 4 to 5 weeks;

(c) 5 to 6 weeks;

(d) 6 to 7 weeks;

(e) 7 to 8 weeks; and

(f) more than 8 weeks?

Hon Alannah MacTiernan replied:

Tourism Portfolio

Tourism Western Australia

Please refer to Legislative Assembly Question on Notice 1930.

Rottnest Island Authority

Please refer to Legislative Assembly Question on Notice 1933.

Racing and Gaming Portfolio

For the Racing, Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries please refer to Legislative Assembly Question on Notice 1937.

Racing and Wagering Western Australia (RWWA)

Period of leave	Dollar value	Number of Staff
(a) 4 weeks or less	$795 848	205
(b) 4 to 5 weeks	$321 005	33
(c) 5 to 6 weeks	$281 460	23
(d) 6 to 7 weeks	$299 271	24
(e) 7 to 8 weeks	$254 037	16
(f) more than 8 weeks	$425 941	22

Western Australian Greyhound Racing Association (WAGRA)

Period of leave	Dollar value	Number of Staff
(a) 4 weeks or less	$30 396	9
(b) 4 to 5 weeks	$5 285	1
(c) 5 to 6 weeks	$15, 027	1
(d) 6 to 7 weeks	$42 685	3
(e) 7 to 8 weeks	Nil	Nil
(f) more than 8 weeks	$285 608	10

Burswood Park Board (BPB)

Period of leave	Dollar value	Number of Staff
(a) 4 weeks or less	$11 600	4
(b) 4 to 5 weeks	Nil	Nil
(c) 5 to 6 weeks	Nil	Nil
(d) 6 to 7 weeks	Nil	Nil
(e) 7 to 8 weeks	Nil	Nil
(f) more than 8 weeks	$22 838	1

Liquor Commission, Gaming and Wagering Commission, Racing Penalties Appeal Tribunal and Gaming Community Trust

(a)–(f) Nil.

Small Business Portfolio

Small Business Development Corporation

Period of leave	Dollar value	Number of Staff
(a) 4 weeks or less	$136 415	44
(b) 4 to 5 weeks	$32 061	4
(c) 5 to 6 weeks	$23 153	2
(d) 6 to 7 weeks	$15 688	1
(e) 7 to 8 weeks	$5 299	1
(f) more than 8 weeks	$54 225	2

Defence Issues Portfolio

Please refer to Legislative Assembly Question on Notice 1930.

Citizenship and Multicultural Interests Portfolio

Please refer to Legislative Assembly Question on Notice 1937.

MINISTER FOR TRANSPORT — PORTFOLIOS — STAFF LEAVE BALANCES

1945. Hon Tjorn Sibma to the minister representing the Minister for Transport; Planning:

As at 31 December 2018, for each agency/department within the Minister's portfolio can you please provide in tabular form, the total dollar value of accrued annual leave balances and the number of staff to whom those balances apply for leave balances of the following periods:

(a) 4 weeks or less;

(b) 4 to 5 weeks;

(c) 5 to 6 weeks;

(d) 6 to 7 weeks;

(e) 7 to 8 weeks; and

(f) more than 8 weeks?

Hon Stephen Dawson replied:

Department of Planning, Lands and Heritage

(a) $2,536,995.51 – 570

(b) $884,364.45 – 47

(c) $1,396,412.88 – 60

(d) $1,080,287.21 – 42

(e) $1,344,520.62 – 49

(f) $1,387,208.45 – 38

Department of Transport

(a) $3,285,178 – 1,237

(b) $956,794 – 120

(c) $482,335 – 48

(d) $256,971 – 20

(e) $124,020 – 6

(f) $123,025 – 5

Public Transport Authority

(a) $3,641,812.20 – 1,030

(b) $1,889,622.58 – 259

(c) $1,960,555.77 – 224

(d) $1,758,288.27 – 159

(e) $1,718,291.35 – 143

(f) $2,582,861.03 – 137

Main Roads Western Australia

(a) $1,987,414.85 – 512

(b) $886,581.56 – 89

(c) $896,192.98 – 71

(d) $1,000,144.31 – 63

(e) $1,070,634.45 – 62

(f) $6,507,815.36 – 240

Metropolitan Redevelopment Authority

(a) $183,978.20 – 50

(b) $120,000.17 – 12

(c) $98,478.64 – 9

(d) $155,492.74 – 12

(e) $197,759.75 – 12

(f) $355,094.36 – 14

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — "MANAGEMENT OF CROWN LAND SITE CONTAMINATION" REPORT

1951. Hon Robin Chapple to the Minister for Environment:

I refer to the Western Australian Auditor General's Report No. 13 of June 2018: *Management of Crown Land Site Contamination*, and ask:

(a) why was the Department of Mines, Industry Regulation and Safety not part of the audit;

(b) is an audit of the Department of Mines, Industry Regulation and Safety regarding contaminated land planned for the future;

(c) if yes to (b), when will:

(i) the audit occur; and

(ii) a public report be available;

(d) will the Minister please provide a list of all State agencies that own or manage land that is contaminated, including:

(i) the location of the site;

(ii) the contaminate or substance; and

(iii) the dates in which it was reported to be potentially contaminated, investigated and remediated; and

(e) to date, how many sites remain to be inspected?

Hon Stephen Dawson replied:

(a)–(e) Please refer to the response to (a) of Legislative Council Question on Notice 1818.

DERBY TIDAL POWER PROJECT — PROPOSAL IMPLEMENTATION TIME LIMIT

1953. Hon Robin Chapple to the Minister for Environment:

I refer to question on notice No. 1499, asked in the Legislative Council on Wednesday, 12 September 2018, by Hon Robin Chapple MLC to the Minister for Environment, regarding the Derby Tidal Power project proposal implementation time limit, and ask:

(a) has the Minister made a decision about Tidal Energy Australia's request for a five year extension after failing to meet their first five year time limit on starting work;

(b) if yes to (a), what is that decision; and

(c) if no to (a):

(i) when will the decision be made; and

(ii) why has there been a delay in making the decision?

Hon Stephen Dawson replied:

(a)–(c) (ii) I am advised that the Department of Water and Environmental Regulation (DWER) is currently considering the information provided with the request for the five-year time limit extension to Ministerial Statement 941. The Derby Tidal Power Station project has a long and complex history dating back to 1999 and is located in a sensitive environment. The request to extend the approval for a further five years needs to be given careful consideration. Once I have considered advice from the DWER I will make my decision.

NATIONAL PARKS — CREDO CONSERVATION PARK

1958. Hon Robin Scott to the Minister for Environment:

(1) During the most recent 48-month period for which figures are available to the Minister, what expenditures have been incurred on upgrading and refurbishing Credo Station within the Rowles Lagoon catchment?

(2) During the same four year period, what was the average daily number of persons staying at Credo Station in each of the four years?

(3) During the same four year period, what was the gross revenue generated by Credo Station in each of the 48 calendar months?

(4) What is the nightly charge per visitor at Credo Station, and if the charge varies for different categories of persons, what is the full range of charges?

(5) Has the Department of Biodiversity, Conservation and Attractions (DBCA) discouraged or prevented mining companies from paying for accommodation of individuals at Credo Station?

(6) Has the DBCA justified the discouragement or prevention of mining companies from paying for accommodation at Credo Station by asserting that physical presence of exploration equipment, vehicles,

caravans and the daily activities of mining personnel may impact negatively on the experience of recreational users?

(7) Will the Minister intervene to ensure that any mining company is able to pay for accommodation at Credo Station?

Hon Stephen Dawson replied:

(1) The expenditure incurred on upgrading and refurbishing Credo Station in the most recent 48 months, was $213,910.

(2) The average daily number of persons staying at Credo Station in each of the four years, was:

	Average persons/day
2015/16	3
2016/17	3
2017/18	4
2018/19	3

(3) The gross revenue generated by Credo Station in each of the 48 calendar months was:

	2015	**2016**	**2017**	**2018**	**2019**
January		$0	$48	$124	$187
February		$3709	$843	$595	$109
March		$329	$273	$366	$3172
April	$411	$1002	$752	$1651	
May	$254	$500	$1668	$51	
June	$1426	$54	$642	$193	
July	$0	$702	$494	$1003	
August	$873	$0	$894	$1935	
September	$728	$2273	$952	$1670	
October	$5010	$802	$1300	$855	
November	$227	$331	$785	$1979	
December	$350	$377	$3540	$0	

(4) The nightly charge per visitor across the different categories is:

Camping with basic facilities:

Adult: $8.00 per person per night.

Concession: $6.00 per person per night.

Child (5–15): $3.00 per person per night.

Camping with facilities/Use of Shearer's Quarters:

Adult: $11.00 per person per night.

Concession: $7.00 per person per night.

Child (5–15): $3.00 per person per night.

Lodge:

Adult: $30.00 per person per night.

Concession: $20.00 per person per night.

Child (5–15): $10.00 per person per night.

Exclusive site booking:

$300 per night.

Exclusive site with function room:

$400 per night.

Function room only:

$100 per day.

(5) The Department of Biodiversity, Conservation and Attractions (DBCA) has not supported a request from a mining and exploration company on two occasions in December 2017 and May 2018. At the time, DBCA was of the view that making the facility available to mining and exploration companies would overload the infrastructure and the volunteer caretakers and discourage tourists.

(6) Yes.

(7) DBCA will consider requests for non-tourism related accommodation at Credo Station on a case-by-case basis, noting there is fit for purpose accommodation available for the mining sector at Ora Banda townsite to the east of Credo.

CHILD PROTECTION — CHILD SEXUAL ABUSE — ROEBOURNE

1960. Hon Nick Goiran to the minister representing the Minister for Police:

I refer to my question on notice to the Minister of Police, asked on 30 October 2018 and answered on the 28 November 2018, in which the Minister informed the House that a total of 60 offenders have had 364 charges preferred arising from Operation Fledermaus and the Pilbara Joint Response Team, and I ask:

(a) of the current number of offenders who have had charges preferred, how many are:

  (i) in custody serving a sentence arising from one of the charges;

  (ii) otherwise in custody;

  (iii) not in custody; and

  (iv) dangerous sex offenders;

(b) further to (a)(iii), of those not in custody, how many have an order on bail or otherwise prohibiting contact with the relevant victim;

(c) further to (b), of that number, how many also have an order prohibiting contact with the family of the relevant victim; and

(d) further to (a)(iii), how many offenders not in custody are on the sex offenders register?

Hon Stephen Dawson replied:

The Western Australian Police Force advise:

(a) (i) Information specific regarding court imposed bail, remand and/or sentencing is the responsibility of Department of Justice.

  (ii)–(iii) As above.

  (iv) The Western Australia Police Force manages and monitors offenders registered on the Australian National Child Offender Register (ANCOR). Managing and monitoring is undertaken in partnership including with the Sex Offender Registry, Sex Offender Management Squad, and District Superintendents and officers stationed in the local sub districts.

(b)–(c) Information specific regarding court imposed bail, remand and/or sentencing is the responsibility of Department of Justice.

(d) Offenders convicted of Class 1 and 2 offences, pursuant to s.10 and s.11 *Community Protection (Offender Reporting) Act 2004* (WA) are placed on the ANCOR database. The number of offenders in custodial facilities varies dependent upon changes to court imposed bail, determination of the court outcomes and finalisation of sentences.

PUBLIC TRANSPORT AUTHORITY — ADVERTISEMENTS

1961. Hon Nick Goiran to the minister representing the Minister for Transport; Planning:

I refer to the answer to question on notice 7No. 81, asked in the other place on 8 August 2018, in which the Minister stated that the Public Transport Authority received complaints regarding the content of advertisements appearing on buses, leading to an investigation and subsequent removal of the advertisement in question, and I ask:

(a) were complaints regarding other advertisements received in 2017:

  (i) if yes, will the Minister table a copy of each complaint and each advertisement; and

(b) were complaints regarding advertisements received in 2018:

  (i) if yes, will the Minister table a copy of each complaint and each advertisement?

Hon Stephen Dawson replied:

(a)–(b) [See tabled paper no 2614.]

CHILD PROTECTION — OUT-OF-HOME CARE

1963. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the information session on Out of Home Care that took place on 13 February 2019, and I ask:

(a) who presented at that information session;

(b) who was in attendance;

(c) will the Minister table a copy of the documents provided and those documents presented at the session;

(d) has the Minister been briefed about the information session; and

(e) if yes to (d), will the Minister table a copy of the briefing note or if one was not provided a copy of the documents created as a result of the briefing?

Hon Sue Ellery replied:

(a) Staff from the Department of Communities including:

Assistant Director General, Service Delivery: Metropolitan Communities

General Manager, Strategy and Reform

Chief Financial Officer

A/Executive Director, Contracting, Market Innovation and Partnerships

(b) Representatives from various community sector organisations and Aboriginal community controlled organisations were in attendance.

(c) Yes, [See tabled paper no 2612.]

(d) Yes

(e) Yes, [See tabled paper no 2612.]

CHILD PROTECTION — OUT-OF-HOME CARE

1964. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the Price Waterhouse Cooper Survey on the pilot for Tier 1 Family Group Homes, and I ask:

(a) what is the date of this document;

(b) has the Minister seen this document; and

(c) will you table a copy of this document?

Hon Sue Ellery replied:

(a)–(c) The Department of Communities has advised that there is no document which meets this description.

However, PwC has previously been consulted as a part of the Building a Better Future Report on Out-of-Home Care reform in Western Australia. [See tabled paper no 2613.]

CLIMATE CHANGE — AQUATIC ECOSYSTEMS

1965. Hon Diane Evers to the Minister for Environment:

I refer to the Western Australian Climate change policy currently being developed:

(a) given that climate change projections, outlined in the State of the Environment report 2016 predict changes to the Leeuwin Current will impact the exchange of water between the open ocean and inshore regions, resulting in marine species and vegetation loss, and the invasion of tropical species into temperate areas:

(i) to what extent will the policy consider the management and recovery of at risk marine species and vegetation when variations in water temperature occur;

(ii) will strategies for the recovery of species and vegetation be addressed in the policy; and

(iii) to what extent will the economic impact of market prices and demand resulting from the potential reductions in marketable species be included;

(b) will a strategy to reduce the impacts of the potential increase in algal blooms, anoxia and fish kills in marine and fresh water ecosystems due to sea temperature rise and acidification be included in the policy;

(c) what independent research has been undertaken that will inform the policy in respect of the impact of climate change on marine environments;

(d) to reduce the pressure of the multiple potential ecological consequences of climate change to aquatic ecosystems, will the policy promote connectivity between remnant aquatic habitats, and further reduce impact from human activities by considering new refuges for marine species;

(e) how will the policy address and manage existing issues in wetlands, waterways and marine environments which will be further escalated by climate change, (such as competing land uses, vegetation clearing, drainage, water abstraction, salinisation, pollution, and introduced pests, weeds and diseases); and

(f) how will the policy identify and propose methods to reduce the risks of salinity intrusion induced by sea level rise, unpredictable rainfall and over consumption of aquifers?

Hon Stephen Dawson replied:

(a)–(f) The McGowan Government acknowledges the need to adapt to climate impacts, and mitigate greenhouse gas emissions in Western Australia to protect our environment, economy and community. The State Government is committed to develop the State Climate Policy by 2020 and will draw together and build on climate-related initiatives already underway in the State. In order to inform the development of the State Climate Policy, an issues paper is currently in development. The McGowan Government's approach acknowledges the importance of developing this policy consultatively in a way that ensures it is effective and practical. The issues paper is likely to include observed and projected changes for Western Australia's climate and the impacts on the State; opportunities for adaptation and mitigation; current initiatives; and questions to guide community and stakeholder feedback.

MCGOWAN GOVERNMENT — "GETTING THINGS DONE" BOOKLET

1967. Hon Martin Aldridge to the Leader of the House representing the Premier:

I refer to the 52 page booklet "Getting Things Done" launched to commemorate the two year anniversary of the McGowan Government, and I ask:

(a) who created the booklet;

(b) at what cost was the booklet created;

(c) was the booklet printed;

(d) if yes to (c), how many copies were printed and at what cost;

(e) if yes to (c), how has the printed booklet been distributed; and

(f) will the Minister detail the costs associated with advertising or promoting the booklet online or in other mediums?

Hon Sue Ellery replied:

(a) Premier's Office. No external resources or agencies were engaged.

(b)–(f) N/A.

BANKSIA HILL DETENTION CENTRE — STRIP SEARCHES

1968. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to strip searches at Banksia Hill Detention Centre, and I ask:

(a) how many strip searches of children and young people in Banksia Hill were conducted in:

  (i) 2015;

  (ii) 2016;

  (iii) 2017;

  (iv) 2018; and

  (v) 2019 to date; and

(b) on how many occasions did strip searching result in the discovery of contraband in:

  (i) 2015;

  (ii) 2016;

  (iii) 2017;

  (iv) 2018; and

  (v) 2019 to date?

Hon Stephen Dawson replied:

(a) Strip searches of children and young people in Banksia Hill conducted in:

(i) 2015: 9068

(ii) 2016: 3746

(iii) 2017: 2446

(iv) 2018: 1609

(v) 2019 to date: 93

(b) Occasions strip searching resulting in the discovery of contraband in:

(i) 2015: 16

(ii) 2016: 6

(iii) 2017: 23

(iv) 2018: 6

(v) 2019 to date: 0

WOOROLOO PRISON FARM — ABORIGINAL VISITORS SCHEME

1969. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to the Office of the Inspector of Custodial Services 2018 Inspection of the Wooroloo Prison Farm, and I ask:

(a) does the Aboriginal Visitors Scheme (AVS) currently visit the prison;

(b) if no, why not;

(c) if yes to (a), how many times has an AVS visit occurred in 2019 to date;

(d) are there any prisons in Western Australia that the AVS does not currently regularly visit; and

(e) if yes to (d), why does the AVS not visit these prisons?

Hon Stephen Dawson replied:

(a) Yes, there is an AVS Elder currently rostered to Wooroloo Prison Farm one day a week and a full-time Aboriginal Prison Support Officer located in the prison. The AVS 1800 number is also available to prisoners at any time.

(b) Not applicable.

(c) The service recently resumed in the last two months, at one day per week with 6 visits this year.

(d) No. AVS supports all prisons and any vacancies are actively recruited to. All prisons in WA are also supported by an Aboriginal Prison Support Officer who work full-time and provide the same support as AVS, but it is available to all prisoners.

(e) Not applicable.

BANKSIA HILL DETENTION CENTRE — OUT-OF-CELL HOURS

1970. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to Banksia Hill Detention Centre, and I ask:

(a) what is the average out of cell hours for the whole of Banksia Hill Detention Centre for 2019 to date; and

(b) please provide the average out of cells hours for each individual unit at Banksia Hill Detention Centre for 2019 to date?

Hon Stephen Dawson replied:

(a) The average out of cell hours for Banksia Hill Detention Centre was 9.16 hours for the period 1 January to 28 February 2019. The result is the average number of hours that young people in detention were not confined to their cells or units for nightly lock down periods or reported lock downs during normal hours.

(b) Average out of cell hours results for individual units, 1 January to 28 February 2019:

Cue	11.25 hours
Intensive Support Unit	11.21 hours
Jasper	8.91 hours
Karakin	8.95 hours

Lenard	8.56 hours
Murchison	10.09 hours
Serpentine	9.89 hours
Turner	8.40 hours
Urquhart	8.12 hours
Yeeda	9.26 hours

KIDS HELPLINE — FUNDING

1971. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the free confidential phone counselling service for young people, Kids Helpline, and I ask:

(a) how much funding was provided by the Western Australian Government to Kids Helpline in 2018;

(b) how many calls from Western Australian children and young people were made to the Kids Helpline in 2018; and

(c) how many of these calls were not answered?

Hon Sue Ellery replied:

(a) $63,215 (excluding GST)

(b)–(c) Children and young people may contact the Kids Helpline by telephone, web chat or email. During 2018, the number of contacts and unanswered contacts, including by telephone, is as follows:

Type of contact	**Number of contacts**	**Number of unanswered contact attempts**
Telephone	23,259	15,398
Web Chat	7,505	4,330
Email	821	0
Total	**31,585**	**19,728**

When calling the service, callers will hear a 20-second introduction message before their call is progressed to a counsellor. Approximately 20 per cent of unanswered calls are callers hanging up before the completion of the 20-second message. These calls do not enter the phone queuing system but they recorded as unanswered.

The number of unanswered calls for Western Australian children and young people is consistent with the national average for this service.

YOUNG OFFENDERS ACT — REVIEW

1972. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to the Minister's intention to review the *Young Offenders Act 1994*, and I ask:

(a) what is the intended timeframe of the review;

(b) who will undertake the review;

(c) has the scope or Terms of Reference of the review been finalised;

(d) if yes:

  (i) will the Minister please table a copy; and

  (ii) who was consulted in the development of the scope or Terms of Reference of the review; and

(e) If no to :

  (i) when is it anticipated they will be finalised; and

  (ii) who will be consulted in the development of the scope or Terms of Reference of the review?

Hon Stephen Dawson replied:

(a) Not yet determined.

(b) Department of Justice.

(c) No.

(d) Not applicable.

(e) (i) By mid 2019.

(ii) The President of the Children's Court, Inspector of Custodial Services and Commissioner for Children and Young People.

VIOLENCE RESTRAINING ORDERS — BEHAVIOUR CHANGE PROGRAMS

1973. Hon Alison Xamon to the Leader of the House representing the Attorney General:

I refer to changes made to restraining orders legislation with the passage of the *Restraining Orders and Related Legislation Amendment (Family Violence) Act 2016*, and I ask:

(a) how many behaviour change orders have been made by Western Australian courts;

(b) how many behaviour change orders have resulted in an offender successfully completing a behaviour change program;

(c) is the Attorney General aware of how many eligibility assessment orders or behaviour change orders have not been made because there is no behaviour change programmes that is reasonably practicable for the respondent to attend;

(d) if yes to (c), how many;

(e) if no to (c), why not;

(f) how many approved behaviour change programmes are currently provided in Western Australia;

(g) where are these programmes located; and

(h) how many perpetrators can access each program at any one time?

Hon Sue Ellery replied:

(a) Nil. No 'behaviour management orders' have been made under the *Restraining Orders Act 1997* (WA) (RO Act) because no courts have been prescribed in regulations for the purposes of making an order under Part 1C of the RO Act.

(b)–(e) Not applicable.

(f) Nil. No 'behaviour change programmes' have been approved under Part 1C of the RO Act.

(g)–(h) Not applicable.

CORRUPTION AND CRIME COMMISSION — PRISON INCIDENT REPORTING

1974. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to the Corruption and Crime Commission's (CCC) various recent reports into inadequate use of force reporting in prisons, and I ask:

(a) what action, if any, has the Department taken to address 'weaknesses in the documentation surrounding use of force incidents' identified by the CCC;

(b) if none, why;

(c) what action has been taken to ensure incident reports are completed independently;

(d) if none, why;

(e) how many prison officers are currently employed by the Department;

(f) how many prison officers have received report writing training;

(g) how many of prison officers' report writing training competency has expired;

(h) does the Department undertake any independent review of incident reports;

(i) if yes to (h):

(i) who undertakes the review; and

(ii) what percentage of reports were reviewed in 2018;

(j) if no to (h), why not;

(k) has any work been undertaken to raise staff awareness of confidential mechanisms for staff to report potential criminal activity and misconduct; and

(l) if yes to (k), what work has been undertaken?

Hon Stephen Dawson replied:

In line with the CCC reports, the following reviews and updates of corresponding incident reporting and use of force incident reporting training were actioned:

(a) The Department has completed a review of the use of force theory initial and refresher training module. Additional information was included to provide greater emphasis on the actions of officers prior to and following the use of force on a prisoner. The module provides supplementary information in regards to Policy Directive 5 – Use of Force – Appendix 6 and 7.

The purpose of this additional information is to support and operationalise Policy Directive 5 and to set clear guidelines and instructions to staff regarding actions before and after using force and the review of force and reporting requirements. The module was also updated to provide greater emphasis on Policy Directive 41–Reporting of Incidents and Additional Notification to establish clear standards and procedures for the reporting of incidents in a timely manner, ensuring transparency, accuracy and accountability.

(b) Not applicable;

(c) A review of the report writing session and report writing module was completed and additional information was included to provide clarity on the need to write incident reports independently and that collaboration (including discussing the incident with other officers involved) will not occur as part of the reporting of any incident.;

The training session and module now also reminds officers of their sworn obligations under the Oath of Engagement to report every matter completely, referring officers to truthfulness of the incident report and the impacts of lying or omissions in their report.

In the period 01 January 2018 to 01 March 2019, 110 prison officers (state-wide) completed refresher training in incident report writing and use of force incident report writing.

(d) Not applicable.

(e) There are 1624 Prison Officers currently employed by the Department.

(f) All prison officers complete incident report writing and use of force incident report writing during foundation training (Entry Level Training Program).

(g) No prison officers' report writing training competency has expired. There is no mandated currency period or ongoing refresher requirement for prison officers for incident report writing and use of force incident report writing.

(h) Yes, the Department does undertake independent reviews of incident reports.

(i) All Use of Force incidents are reviewed by Superintendents at the individual facilities. All Use of Force incidents are also independently reviewed by Superintendent Operations. Use of Force incidents requiring further review are escalated to the Use of Force Committee.

(ii) 26 Use of Force incidents were examined by the use of Force Committee in 2018.

(k) Yes.

(l) In response to the CCC reports of 2018, the Department established a Professional Standards Division in January 2019. This has created an independent point of entry for staff to confidentially report all suspected misconduct and potential criminal activity.

A Department-wide portal for confidentially reporting suspected misconduct is now available on the staff intranet and a confidential telephone line service is under development.

Awareness raising of these mechanisms has included Department wide email and intranet broadcasts on obligations to report suspected misconduct and the avenues available to report.

An organisational strategy to embed the Department's Integrity Framework will also include education, training and ongoing awareness raising on corruption prevention.

PRISONS — SEXUAL ASSAULTS

1975. Hon Alison Xamon to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to serious assaults in Western Australian prisons and Banksia Hill Detention Centre, and I ask:

(a) separately for each adult prison and for Banksia Hill Detention Centre would the Minister please advise the number of sexual assaults in:

(i) 2016–17;

(ii) 2017–18; and

(iii) 2018–19 to date?

Hon Stephen Dawson replied:

Number of sexual assault incidents, with a breakdown by facility, 1 July 2016 to 28 February 2019:

Adult prisons	**2016–17**	**2017–18**	**2018–19**
Acacia Prison	2	3	8
Albany Regional Prison	0	0	1
Bandyup Women's Prison	5	0	2
Boronia Pre Release Centre	0	0	0
Broome Regional Prison	0	0	0
Bunbury Regional Prison	0	0	0
Casuarina Prison	2	1	1
Eastern Goldfields Regional Prison	0	1	0
Greenough Regional Prison	0	0	0
Hakea Prison	4	2	6
Karnet Prison Farm	1	0	0
Melaleuca Remand And Reintegration Facility	0	0	2
Pardelup Prison Farm	0	0	0
Roebourne Regional Prison	0	0	0
Wandoo Reintegration Facility	0	0	–
Wandoo Rehabilitation Prison	–	–	0
West Kimberley Regional Prison	0	1	1
Wooroloo Prison Farm	0	0	0
Total	**14**	**8**	**21**
Youth Detention			
Banksia Hill Detention Centre	2	1	0

CHILDREN AND COMMUNITY SERVICES ACT — REVIEW

1976. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the statutory review of the *Children and Community Services Act 2004* and to the answer to my question on notice No. 1207 answered on 26 June 2018, and I ask:

(a) has the Government now determined which recommendations will be included in an amendment Bill;

(b) if yes:

(i) which recommendations will be included; and

(ii) when is it anticipated the Bill will be drafted; and

(c) if no to (a):

(i) why not; and

(ii) when is it anticipated this will be determined?

Hon Sue Ellery replied:

(a)–(c) The State Government is still considering the recommendations of the Statutory Review.

TAILINGS DAMS

1978. Hon Robin Chapple to the minister representing the Minister for Mines and Petroleum:

I refer to the tailings dam catastrophe in Brazil involving Vale S.A. and ask:

(a) has the Minister seen video footage of the disaster;

(b) how many tailings dams are there in Western Australia;

(c) will the Minister provide a map of the tailings dams in Western Australia;

(d) if no to (c), why not;

(e) how often are inspections made of the tailings dams every year;

(f) how many dams have been identified as having problems and will the Minister table the details;

(g) what is the status of the Savannah nickel mine tailings dam in the Kimberley;

(h) when was the Savannah nickel mine tailings dam last inspected;

(i) have any problems been reported with the Savannah nickel mine tailings dam;

(j) if yes to (i), will the Minister table the details;

(k) if the Savannah nickel mine tailings dam wall were to fail, how many tonnes of tailings would be released; and

(l) if the Savannah nickel mine tailings dam wall were to fail, where would the tailings and water go?

Hon Alannah MacTiernan replied:

(a) Yes.

(b) 492 of which 277 are active.

(c) No.

(d) Tailings dams are located at almost every ore processing project site.

(e) Twice a year by the Department of Mines, Industry Regulation and Safety (DMIRS) officers.

(f) None.

(g) It is currently an active Tailings Storage Facility (TSF) with tailings deposition ongoing.

(h) 14 March 2019 as part of a scheduled inspection activity.

(i) No TSF stability issues have been reported. A concern was raised regarding traffic management on the TSF.

(j) Safety windrows along the TSF roadways were not of an adequate height. Directions were given to rectify this.

(k) Approximately 0.5 million tonnes.

(l) If Savannah tailings dam wall were to fail, tailings and water would flow into the water storage reservoir No. 1, which is located below the TSF. Some of the tailings may flow along the mine road below the dam and enter the workshop premises, or some may flow along the Mine Creek. It should be noted that the tailings dam also has a spillway as part of the design which is 3m below the crest of the main embankment allowing the discharge of any excess water from extreme rainfall away from mine infrastructure.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — TRAVEL BOOKINGS

1989. Hon Robin Chapple to the minister representing the Minister for Emergency Services; Corrective Services:

I refer to the use of booking agents, booking platforms or multinational online travel agencies by departmental staff and Ministers, and I ask:

(a) in the last year have ministerial departments used the services of booking agents, booking platforms or multinational online travel agencies other than Corporate Travel Management (CTM) for the provision of accommodation for the Minister, ministerial staff and departmental staff; and

(b) if yes to (a), please list the following information:

  (i) the name of the booking agency, booking platform or multinational online travel agency;

  (ii) the number of times it was used;

  (iii) for which portfolio area of responsibility;

  (iv) who the booking was made for;

  (v) and the reason for the travel; and

  (vi) the reason why CTM was not used for the booking?

Hon Stephen Dawson replied:

Minister for Emergency Services; Corrective Services:

(a) No.

(b) Not applicable.

The Department of Justice advises:

(a) Yes.

(b) (i) Booking.Com.Australia
Expedia
Wotif

(ii) Booking.Com.Australia – 14
Expedia – 1
Wotif – 7

(iii) Corrective Services and Courts.

(iv) Various departmental staff.

(v) Matters related to the functions of the department.

(vi) Booking accommodation via CTM is not compulsory but the preferred method by the Department in accordance with the Department of Finance Travel Management Services TMS 2017 Buyers Guide *"Accommodation bookings do not have to be made through the CUA. Accommodation bookings can be made using the Online Booking Tools"*. Where there is no availability or accommodation can be booked at a lower price or is of a more suitable location, then it may be booked by other methods.

The Department of Fire and Emergency Services advises:

(a) Yes.

(b) (i) Booking.Com.Australia
Expedia
Airbnb
Bookaroom
Event Travel Management

(ii) Booking.Com.Australia – 2
Expedia – 8
Airbnb – 6
Bookaroom – 2
Event Travel Management – 1

(iii) Various areas within the department.

(v) Various departmental staff.

(iv) Matters related to the functions of the department.

(vi) Booking accommodation via CTM is not compulsory but the preferred method by the Department in accordance with the Department of Finance Travel Management Services TMS 2017 Buyers Guide *"Accommodation bookings do not have to be made through the CUA. Accommodation bookings can be made using the Online Booking Tools"*. Where there is no availability or accommodation can be booked at a lower price or is of a more suitable location, then it may be booked by other methods.

The Office of the Inspector of Custodial Services advises:

(a) No.

(b) Not applicable.

Supervised Review Release Board advises:

(a) No.

(b) Not applicable.