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LEGISLATIVE COUNCIL

Thursday, 13 June 2019

Legislative Council

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THE PRESIDENT (Hon Kate Doust) took the chair at 10.00 am, read prayers and acknowledged country.

COLLIE FUTURES FUND

Statement by Minister for Regional Development

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.02 am]: Today I have good news for the people of Collie, as our government continues its investment to create jobs and diversify the local economy. We have approved a grant of close to \$1 million to restore the historic, disused Collie Roundhouse. This exciting project will help to transform Collie's future by unlocking new opportunities for the town and its residents, while importantly conserving the heritage values of the building. This landmark building is Western Australia's largest and only remaining railway roundhouse. It is one of several pieces of infrastructure remaining in Collie that are reminders of the significant role rail played in the Collie coal industry.

The grant, the first from the Collie futures industry development fund, will enable the National Trust of Western Australia to upgrade and conserve the site, an important first step towards realising a vision to breathe new life into the landmark building and surrounding site. In other good news, the second round of the Collie futures small grants program will open today. Grants of up to \$100 000 are available to encourage start-ups, businesses and organisations to choose Collie when setting up or diversifying. The first round of the program supported a range of initiatives, including a demonstration marron farm, hay processing plant and an energy-intensive data centre. Both the Collie futures industry development fund and Collie futures small grants program are part of the wider Collie futures fund, which is designed to stimulate economic development and diversification.

MENTAL HEALTH COMMISSIONER — TIM MARNEY

Statement by Parliamentary Secretary

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [10.04 am]: I rise to express my thanks and gratitude to the outgoing Mental Health Commissioner, Tim Marney. Mr Marney was appointed to the Mental Health Commission in February 2014, following a lengthy stint at the Western Australian Department of Treasury, at which he held the position of Under Treasurer from 2005 to 2014. During his time as commissioner, Mr Marney has been instrumental in significantly improving the way the state government delivers mental health and alcohol and other drug services across the sector.

One of his first major accomplishments was overseeing the merger of the Mental Health Commission and the Drug and Alcohol Office in 2015. This was a major step in acknowledging that at least 30 per cent to 50 per cent of people with an alcohol or other drug problem also have a co-occurring mental illness. As a result of this merger, alcohol and other drug issues now play a bigger role in setting, and leading, initiatives and policy. One of Mr Marney's many accomplishments also includes the development of the 10-year plan for mental health and alcohol and other drug services. This is the roadmap we now use for service development in Western Australia. From this he built the Mental Health Commission as an organisation equipped with the right people and relationships to successfully implement the 10-year plan.

Over the last five years, Mr Marney has managed a 28 per cent per cent increase in state funding to deliver a range of new and advanced services that have improved outcomes for people experiencing mental health and alcohol and other drug issues. This increase allowed for the introduction of several initiatives, as he led the shift away from institutionalised care to more community-based care, centred around the individual. He introduced community mental health step-up, step-down services to Western Australia, a new type of service that provides a stepping stone between community and hospital for people experiencing mental health issues. He also established the police mental health co-response service, which sees police officers and health professionals working together for the very first time. Mr Marney also led the introduction of co-design, ensuring that those people who use the service help develop it. He has successfully embedded co-design of policy and services into the Mental Health Commission's operations, and I look forward to this being embedded across government.

With his departure, Mr Marney leaves a legacy of improved services and enhanced outcomes for mental health consumers in Western Australia. Since we came to government in 2017, Mr Marney has been a trusted adviser to the Minister for Mental Health and me. We have relied on his vast knowledge and expertise many times throughout this period. Mr Marney recently told the minister, "I'm a public servant, I've always been a public servant and I always will be." Tim has served Western Australians in the public service for 26 years. I would like to take this opportunity on behalf of the government to thank Mr Marney for his service then, now and into the future. Thank you.

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

ROAD SAFETY COUNCIL — SPEED LIMIT REDUCTION*Motion*

HON JIM CHOWN (Agricultural) [10.08 am] — without notice: I move —

That this house acknowledges the following —

- (1) The Road Safety Council's proposal to lower all Western Australian speed limits by 10 kilometres per hour is unacceptable to the state's motoring public and to the Legislative Council; and
- (2) The Road Safety Council ought to instead refocus its endeavours to alleviate road trauma and deaths by the following approaches —
 - (a) implementing and requiring a more comprehensive training regime for learner drivers;
 - (b) ensuring that all road blackspots are funded and rectified;
 - (c) urging the government to continue to build passing lanes on all major highways and to fund the \$900 million maintenance shortfall on the state's roads; and
 - (d) encouraging the government to include driving theory and practice as an essential element of the education curriculum.

This is a very topical subject, especially as on 8 June the Road Safety Council announced consultation on its suggestion to reduce speed limits on roads by 10 kilometres an hour. The speed limit on all roads that have speed limits of between 40 and 100 kilometres an hour would fall by 10 kilometres an hour and the speed limit in 110-kilometre-an-hour zones also would be captured in this intent. This issue has come up before. It was very topical on talkback radio at the time. I did not hear one motorist support the lowering of speed limits by 10 kilometres an hour. I was also encouraged by the fact that the Premier said that this government would not entertain such a policy. I often wonder what the Road Safety Council is doing about alleviating or mitigating road trauma on our roads, especially when it comes up with policies such as this, which, obviously from a public and government perspective, will never be implemented. We need to remember that, as was stated in an article, 70 per cent of crashes are caused by somebody making a mistake because they are slightly tired or distracted or have a lapse in judgement. I would extend that to include people who are either under the influence of drugs or alcohol or fatigued. Whether a person is doing 80 kilometres an hour or 110 kilometres an hour, if they are distracted to the point at which they lose control of their vehicle, it will end in tragedy. That happens far too often. Under those parameters, it is very unclear to me and to other motorists how lowering the speed limit would help prevent these particular matters taking place. Any accident on the road that causes injury or death is an absolute tragedy. It happens far too often on our roads and I will get to that in a moment. I suggest that everybody concentrate on what they are doing on the road.

We have seen an outbreak, probably in the last two years—I have certainly experienced it—of people texting. What is that about? We need more police. We need greater policing. I suggest that anybody with a mobile phone, if they cannot help themselves, should put it in the glove box or the boot, or throw it in the bin. Do not answer it. The reality is that we need more patrols on our roads and highways. In fact, a study was done a number of years ago by the University of California within the Los Angeles Police Department and it found that although Multanovas assisted to some degree, the greatest deterrent to bad behaviour on roads and speeding was a marked patrol car. A marked patrol car that was visible to motorists on regular occasions had the best effect of ensuring that motorists did the right thing, obeyed the law, stayed within the speed limit and were courteous to other motorists. I am reasonably sure that there are examples of this in the United Kingdom and other places in the world. I do a lot of country driving, as do other members in this place who represent regional Western Australia, and it is pretty hard sometimes to see a police car. Yes, I see police cars on the side of the road in some sort of speed trap, but not patrolling the highways. I encourage the government to look at that, if it is serious about stopping the road toll, and put more patrol cars in place. A while ago I visited all the police stations in the area from Merredin south and their issue was about not only staffing, but also being resourced enough to patrol adequately. The road toll in regional Western Australia is unacceptable. The Western Australian road toll is 6.09 deaths per 100 000 people. Western Australia has the highest rate in the country, and that is for both metropolitan and regional areas. The national average is 4.59 deaths per 100 000 people, so Western Australia is a long way above that. Victoria has the lowest rate, at 3.31 deaths per 100 000 people. From my perusal of research on this subject, the rate of 6.09 deaths per 100 000 people is one of the highest in the western world, and it is not coming down.

In 2013, the RAC used the Australian road assessment program, or AusRAP, to grade the quality of roads in the Western Australian national highway network. There is 4 671 kilometres of roads in the national highway network in this state. The greatest asset this state has is our road system. Without a road system, we would not have much of an economy. The reason it is the greatest asset is that vehicles are our major mode of transport. We do not have a massive river system, as other countries do, and we certainly have a fragmented rail system, so road transport is

absolutely critical. The RAC graded our road system in 2013 and, alarmingly, in a five-star grading system, it graded 27 per cent of our roads at one to two stars and the majority, or 57 per cent, at three stars. Eighty-four per cent of our arterial road system is below a four or five-star requirement. It is not good. I know that the previous government did its best, and I acknowledge that this government is doing its absolute best to rectify and improve the road system in this state, but it has an awful long way to go. Without safe roads—I will speak about the Swedish example soon—of course there will be road trauma and deaths.

Main Roads estimates that it would cost around \$450 million to implement a safer roads investment plan to rectify the one, two and three-star road system and if \$450 million to \$500 million was spent on rectifying our roads, it would bring the road system up to a four-star rating. People do not have to drive very far in the country, especially after a wet winter, such as last year's—I hope we have one this year—to find that on the standard highways, edges are gouged out through the hydraulic action of water and heavy traffic. If they are not experienced and their car hits that edge, they will end up on the other side of the road or in the scrub. There is a very simple fix—it is called maintenance. Maintaining these roads correctly—it is not being done—is absolutely essential.

I will move on to talk about the part of my motion that refers to training requirements. There are some things I hope the Road Safety Council looks at and gives serious consideration to in putting forward further policies, as opposed to the one to just lower the speed limit in the hope that that will give a good result. Sweden's road toll is 2.8 deaths per 100 000 people, Germany's is 4.4 deaths, and Western Australia's is 6.09, as I have said. In Australia, there are 7.3 road fatalities per 100 000 motor vehicles—that is not inhabitants—in Germany, it is 6.8; and in Sweden, it is 4.7. In 1997, the Swedish government put forward a policy called Vision Zero. At the time, seven people per 100 000 inhabitants in Sweden were killed on the roads, which is a little higher than our rate of 6.09 people. Sweden decided to implement a policy to try to alleviate these deaths on its roads. The prevailing thinking on road safety was about changing human behaviour. Vision Zero was about designing a system that recognised that human mistakes are an inherent part of driving and needed to be designed out through road construction. It was about engineering and more law enforcement on those roads. That program has been so successful in Sweden that the number of road fatalities has almost halved in that time. That is the sort of vision required by the Road Safety Council. It does take time. It would take a cultural change, but doing nothing will not alleviate these problems.

The other thing I would like to talk about is drivers' licences. I can remember when someone would go into their local police station, drive up and down the road with a police officer, be asked a few questions and be given a driver's licence. The result of that over a number of years in the 18 to 25-year-old cohort—insurance companies still consider that to be a very high risk group—was that the number of road deaths was just incomprehensible. Some time ago, the state decided to put in a six-step system to get a driver's licence. As I heard on the radio the other day, the number of deaths of learner drivers and P-platers in that young age group has plateaued—it is not continuing to rise. The actual licensing regime is working. The requirements under that regime are giving young drivers a better education of what is expected of them on the road and how to go about driving. I think it is a great step forward.

The Swedish system has five steps, not six like ours. It is a little more hands-on. It is a very similar system; however, there is a difference. Step 4 is risk training. It is compulsory. People have to pass each step before they can receive a driver's licence. Of course, Sweden has very cold and icy winters, so people learn how to control a vehicle in those conditions, as well as in wet and heavy traffic conditions, and if something goes wrong. All that is part of the risk component of this training program. They have to do a theory test on the risks and their ability to react under the influence of alcohol, drugs and fatigue. They then have to practise risk training with a driving instructor. It is interesting to note that the cost of a driver's licence in Sweden is about \$A805, as opposed to the cost in Western Australia, excluding the option of taking driving lessons, of \$137.95.

Hon Alannah MacTiernan: Can you give us those figures again?

Hon JIM CHOWN: The cost of a driver's licence in Sweden is \$A805. That cost includes the training program they have to undertake. In Western Australia, the cost of getting a driver's licence, excluding the driver training that a person would undertake voluntarily, is \$137.95.

I think the time has come when having a licence is not a right; it should be a privilege. That is how the Germans and Swedes look at it. The culture in their driver licensing system is not that everybody should have a licence if they desire to have one, but that people actually have to earn it. Drivers have to be responsible and must understand that when they are in control of a motor vehicle, it is actually a lethal weapon. They are also held responsible for their actions. If a person loses their licence in those countries, it is very hard to achieve one again. The steps they have to go through are quite draconian. I agree with all those things. I think the Swedish example, or some portion of it, should be considered by our government. I am talking about this applying to drivers who are applying for new licences—our youth or new residents to this country.

This should also be an essential part of the education curriculum. I am not talking about practical application in the curriculum, but certainly something along the lines of teachers advocating the responsibilities and privilege of

having a driver's licence, such as drivers needing to be courteous and why they should not drink and drive. That has been a mantra for many years, but in my electorate it is not taking place. I do not believe there is any problem in educating children early about their responsibilities. We live in a very large part of the world. Certainly in regional Western Australia, and even Perth, people drive for up to an hour or more to work and back, and probably longer at times. Driving is absolutely essential to us. As I keep saying, the number of deaths on our roads is the highest in the nation. Some steps need to be taken. Education, at a school level, would be a good step forward and would provide a good foundation for future drivers. It would ensure that they understand their responsibilities, if they have the privilege of achieving a driver's licence.

Dr Ulrich Mellinshoff is a German road safety expert who came out here a number of years ago. When I was researching this motion, I looked at his comments and thought a couple of them were pretty good. I am prepared to quote them here. He said that there are three methods for reducing road trauma: better licensing, better roads and safer cars. He was quoted as saying —

“The car companies have delivered their end of the bargain, but you, as a government, have ... failed ... when it comes to the other two,” ...

That is, on more licensing requirements and safer road construction and maintenance. I tend to agree with him. We do have safer cars today. They are far safer than we could have ever imagined. Car companies are doing their best to ensure that the safety of motor vehicles is paramount. But, as I have said previously, governments are falling behind with licensing requirements. We need to tighten those requirements to ensure that people understand their responsibilities. Getting a licence should be made a little harder. People should have some experience before they hit the roads. Part of our licensing program is that learner drivers learn on our roads under supervision. As I said before, I suggest that the Swedish example is a very good one. Of course, the Swedish construction program could be adopted somewhat for our roads. Certainly, road maintenance needs to become a priority in this state to ensure that our roads are as safe as possible; they are not at the moment.

This is a very serious matter. Although there may be some pushback on introducing more expensive licensing requirements, and I understand why that would be politically unacceptable, we need to grasp the nettle here and say that licensing requirements for drivers and vehicles must be tightened to ensure that everybody, or at least most people, have the ability to drive safely. I will finish shortly, but I look forward to other responses on this motion from other members of this place. Unless the things I have advocated here today take place, I cannot see the road fatality figure of 6.09 people per 100 000 declining by much at all, regardless of the wishes of the Minister for Police, the Minister for Transport or the Road Safety Council. It is an outrageous figure. It needs to be addressed in a number of steps and supported by government. We need to ensure that this figure declines or, at the very least, plateaus.

I do not know the ratio of injuries to deaths on our roads; I would imagine it is about four or five to one. For every death, a number of people are injured for life. They carry their disabilities forever, and that is also a tragedy. I also believe that we will never stop accidents from happening, but we must do our best to ensure that our roads are as safe as possible.

HON MARTIN ALDRIDGE (Agricultural) [10.29 am]: I rise to speak to the motion that has been put before the house today by Hon Jim Chown, and I thank him for giving us the opportunity to speak about road safety. Road safety is a very important matter, and particularly very important in my electorate of Agricultural Region, which I share with Hon Jim Chown, given some of the road death and injury statistics he has outlined. It is particularly bad in the wheatbelt in comparison with other regions, and certainly in comparison with metropolitan averages.

This motion is borne out of the “Imagine Zero” consultation paper released by the Road Safety Council. The consultation paper commences a new 10-year road safety strategy for Western Australia to succeed the current Towards Zero safety strategy. In the consultation paper, the Road Safety Council talks about road safety in Western Australia having cost \$20 billion over the last few decades. To put the road safety issue in monetary terms, that is a significant cost. Some 1 800 Western Australians have not returned home as a result of road trauma over the last decade. This road safety strategy is out for public comment, and I think that is a good thing.

Speed is only part of that conversation. I want to quote a couple of sections from the “Imagine Zero” paper. On page 10 it states —

Vehicles that crash at high speeds are more likely to result in death or serious injury. Almost all roads allowing speeds of up to 110km/h are in regional WA.

If regional WA had the same fatality rate as metropolitan Perth, 84 fewer people would have been killed on WA roads in 2018.

Those are pretty stark figures to contrast. On page 20, the paper states —

Outside of urban areas, the default speed limit on unsigned roads remain at 110km/h.

A 1km/h drop in travel speeds across all roads could save 10 lives per year in WA.

These are some of the things in the report that specifically refer to the issue of speed limits. On page 31, there is a breakdown of fatalities by speed zone. Forty per cent of fatalities in Western Australia occur in 110-kilometre-an-hour zones, and 15 per cent of serious injuries occur in 110-kilometre-an-hour zones. I want to point out to members that speed is really only one part of the road safety solution. In fact, 40 per cent of deaths and 15 per cent of serious injuries occur in 110-kilometre-an-hour zones. As the report says, most of those zones are in regional Western Australia.

I agree with some of the commentary about what the community thinks about reducing speed limits to 100 kilometres an hour—a maximum 10-kilometre-an-hour reduction in Western Australia. I do not think we would find any clear community support for such a proposal, particularly when we consider the size of Western Australia and the distances that we have to travel. That would have a very significant impact on those of us who live in regional Western Australia.

Having said that, what makes me uncomfortable about this motion is the suggestion that we should somehow pressure the Road Safety Council to not consider these issues. The Road Safety Council is and should be an independent body of road safety experts who dare to challenge us on policy and solutions for addressing road safety in Western Australia. Much though we might not like its recommendations, and as much as some of its recommendations may not be politically palatable, I think it needs to mix the best science with the best experience to determine the best recommendations for government to consider, keeping in mind that these are ultimately government decisions. The Premier has already come out to discount the notion of reducing the speed limit to 100 kilometres an hour in Western Australia, as is his right, but we should also respect the right of the Road Safety Council to make recommendations, backed by science, that will actually lead to real outcomes.

I want to reflect on a couple of other aspects of the motion, because I am going to run out of time and this is a topic that is dear to me. There is a lot of conjecture about the benefit of training regimes, which is one part of the equation. When my siblings and I got our drivers' licences at age 17 years, my grandfather paid for us all to go and do a defensive driving course. I was a beneficiary of that training, but I am not sure whether that defensive driver training actually contributed to the skills I have and has kept me safer on the road. Nevertheless, there are mixed views on driver training. There is research to show that people do not develop full cognitive function until their early 20s, and therefore advanced driver training at a younger age is of limited benefit.

However, there are other things that need to be considered in the road safety mix. I think fatigue and distraction are major issues that we need to tackle, particularly on regional roads. Our vehicle manufacturers are making it far easier for us to be distracted. It is against the law for people to touch their phones whilst they are driving, yet we now have technology through which people can replicate their phone on the dashboard of their car. For the entirety of their journey, they can play with all their apps and send text messages by using the car touch screen, and that is not illegal. Times have moved on and technology has surpassed our laws, and things like that are increasing driver distraction. Cars these days have wi-fi, people can watch movies, and music can be streamed from the internet. There are all sorts of things that can add to driver distraction.

I want to briefly talk about something that has been of concern for some time. On page 35 of the consultation paper, there is reference to the role that automation is going to play in making our roads safer. I believe we will probably reach a point at which we will have very few or no fatalities on our roads, but that will be at the point at which we have a significant level of automation in our road transport system. Something in the consultation paper that concerns me is what is referred to as the “automation paradox”. I recently bought a new car and I would consider it to be semi-autonomous.

Hon Alannah MacTiernan: What type of car is it?

Hon MARTIN ALDRIDGE: It is a Mazda. It keeps me on the road, it detects the white lines, it picks up traffic signs, it brakes for me. It does a whole range of things that could arguably make things safer, but what does that do to driver behaviour? I think it is contributing to the dumbing down of driver behaviour and making us less responsible in some cases—at least, that is my concern, and that concern has also been outlined in this consultation paper. We are entering a period of increasing technology in our vehicles, which will play a role in reducing driver responsibility and awareness on our roads. That is something that we are going to have to grapple with in years to come, as more and more technology is built into our motor vehicles.

The Insurance Commission of WA provides compulsory third party insurance, but it needs to take a far more active role—similar to the Transport Accident Commission in Victoria. A lot of the advertising that we see in Western Australia is developed by the TAC in Victoria. The Insurance Commission of WA, our state insurer, which insures every person on our roads through compulsory third party insurance or no-fault catastrophic injury insurance, needs to play a bigger role in addressing and funding the road safety challenge. It is in its interests. A big part of the \$20 billion that I talked about at the beginning of my remarks probably comes out of ICWA funds. I think that it could play a bigger role in helping the government and the community of Western Australia address the road safety challenge in Western Australia. I thank members, and I thank Hon Jim Chown for bringing the motion to the house.

HON ROBIN SCOTT (Mining and Pastoral) [10.40 am]: I would like to thank Hon Jim Chown for the perfect timing of his motion as we head into winter. Saving lives must be a priority for everyone, whether it be on the roads or in our industries. Lowering the speed limit is not enough to solve this problem. We have to approach it from many different angles. The first thing I would like to say is that raising the speed limit on country regional roads would be a much better idea. Anyone driving from Meekatharra to Perth would cringe at the thought of having to drive at a lower speed. From my point of view, the most important thing that is needed is driver training and education, along with road maintenance.

A huge problem is the mum-and-dad driving instructors that we see on the road every single day, with little Johnny or Mary behind the wheel, with their L-plates displayed, driving in the right-hand lane travelling at 55 kilometres an hour in an 80-kilometre-an-hour zone, holding up other drivers and creating absolute frustration for everyone. We see drivers entering the freeway doing 60 kilometres an hour down the on-ramp, which creates absolute chaos for everybody. Drivers jam on their brakes, worrying whether Johnny is going to pull out or pull over! There needs to be some way of assessing a mum and dad to determine whether they are capable of passing on good driving habits to their offspring. At the moment anybody can jump in a car. Anybody with a full driver's licence can take anyone for a drive, and download all their bad driving skills onto a new driver.

Hon Jim Chown: On that subject, if I may, if you are instructing in Sweden, you have to pass an instructors' course.

Hon ROBIN SCOTT: That is a good idea. It seems that most drivers in Perth do not understand the zipper effect when entering a freeway—letting one guy go and then the next guy. Everybody is bumper to bumper, refusing to let that little bloomin' Mazda squeeze in there, thinking, "You're not getting in front of me!" My day is brightened when I let somebody squeeze in front of me because I think I have done the right thing. I get an even bigger smile when somebody puts up their hand and acknowledges what I have done. We have to look at teaching people how the zipper effect works. It takes away all the stress.

Another problem I have is when I come off the freeway and encounter speed traps and Multanova radars. I have been "done" numerous times coming off a freeway, maybe coming from the farm or down south after visiting my family. When I am sitting on 100 or 110 kilometres an hour on the freeway, I get off at Nicholson Road and the speed limit is immediately 60 kilometres an hour. When we first get on that road, after travelling a couple of hundred kilometres, we realise that we are doing 67 or 68 kilometres an hour, so we start to slow down. Just as we start to slow down, poof, a photograph is taken. That camera is on a road that is straight for nearly one kilometre. I have lived in that area for 49 years and I have never seen an accident there. That camera is put there strategically to catch people coming off the freeway who are just not concentrating and who are just seven or eight kilometres an hour over the speed limit. We do not lose any points. If we lost points, there would be more people without a driver's licence and that would cut the number of fines that go into the Road Safety Council's fine bank, or whatever it is called.

Hon Charles Smith interjected.

Hon ROBIN SCOTT: Yes; exactly. Every single year, \$100 million is raised as a result of fines. We should be using that money to get more police cars on the road. If I see a police car, I am the best driver on the road because I am aware that police are there and I will do the right thing!

I turn to the suggestion to lower the speed limit. A number of people have died while sitting at traffic lights or when they are about to drive through traffic lights after some hoon comes crashing through at speeds up to 120 kilometres an hour. That hoon will not drop his speed by 10 kilometres an hour. These people have no respect for any other road users and they will continue killing people until we find out who they are and educate them.

I suggest that perhaps we could encourage children aged 13 and over in secondary schools to attend virtual reality driving classes for two or three years during which they get to drive a car for an hour using these virtual reality screens. At the end of their two or three years' training, when they go for their learner's permit, the assessors can look back and see how these kids have reacted during the virtual reality driving courses. If they are up to scratch, they are granted a learner's permit; if not, they could be taken aside and told, "Listen, Johnny, you're not doing this right. We've got to straighten you out." We need these things to help young people understand the dangers of driving.

Most drivers know that it is a privilege to drive on the road. Unfortunately, the ones who do not will continue killing people regardless of the speed limit. Every accident is preventable. The mining industry has a "near miss" reporting regime. If someone comes close to tripping over something or falling off something, it is reported. Maybe the Road Safety Council could introduce something like that. How many times have members been driving along and are inattentive for just a few seconds when something happens and they think, "Oops, that was close" and then forget about it? The people who are interested in improving road safety could report that to the Road Safety Council. At the end of every six months, it could put out a paper explaining why this happened and how people should concentrate more to prevent near misses.

Hon Kyle McGinn: Is that their near misses or other people's?

Hon ROBIN SCOTT: It is other people's, as well as our own. If someone has a near miss, they could report it. Maybe the Road Safety Council could build up some sort of dossier of near misses and explain how we could cut them out.

I agree very much with Hon Martin Aldridge when he spoke about cars dumbing us down. All I need to do is press the start button in my car and it basically takes me to Parliament House. That really is dumbing people down. I no longer have to look to see whether another car is on my left or right because my car knows and it will not let me go left or right. Hon Martin Aldridge also commented on the number of accidents that occur on a road with a speed limit of 110 kilometres an hour. When an accident occurs, is someone able to tell at what speed the driver was travelling? Were they doing 60 kilometres an hour or 160 kilometres an hour? That is really important. I have driven hundreds of thousands of kilometres in the regions over the last four decades and I know what it is like to drive. I have been driving along at 110 kilometres an hour and somebody has screamed past me doing 180 kilometres an hour. I have been very fortunate; I have not had any accidents. At the same time, I have been driving at 110 kilometres an hour and, all of a sudden, I am right up the bumper of somebody travelling at 60 kilometres an hour. These things have to be investigated. We cannot just say that accidents occur because the speed limit is 110 kilometres an hour. We have to look at the overall picture. Education is the secret to all this.

We encourage people to stop smoking, through education. When I was young, I was told that if I smoked I would get my fingers chopped off! It did not stop me smoking then, but I was able to stop smoking more than 40 years ago. Now I cannot understand why anybody smokes, with all the information that is available. We used to be encouraged to smoke; apparently it made you into a man!

To finish up, I want to say that some drivers do not give two hoots about other road users. They are risk-takers and they threaten everybody else on the road. They are the people that we should focus on.

HON DIANE EVERS (South West) [10.49 am]: I am really pleased that we have a chance to speak on this motion today, because I also agree that we should increase the driver training for youth. Four of my offspring have just gone through the training program with various rates of success and instruction from outside as well as within the family. All their friends have also gone through the training. It is a hit-and-miss process as to what skills people come out with after their training. I was a recipient of driver training in high school that was provided to every student at the time. It was really worthwhile. Over the course of a term, once a week students were either out on the road or in the classroom learning the necessary skills. When we talk about driver training in schools, we should be talking about not only the idea of getting into a car and knowing the road rules, but also the whole process of transport from one place to another. We have to look at alternative modes of transport such as bicycles and how drivers should treat cyclists; how drivers should be considerate; the idea of pulling over to the extent that a driver can when they hear a siren approaching; and drivers being able to slow down or get off the road if people come up behind them and they are not comfortable travelling at the speed limit, because, for example, they are driving a vehicle that is best not driven at that speed. Those are cases that we would really like to leave in the past. If we look towards the future, we see that we will have more autonomous vehicles that do a lot of this driving for us. We have to consider how both new student drivers and older drivers will interact with that. We change as we get older. There will be more older drivers on the roads and whether those people will continue to drive will be another issue. We want to make sure that that is managed and handled before there is an accident or a crash of any sort.

If we are going to run a driver training program in an educational setting for all students, we must look at it holistically and include the issues of distraction, mental health and attitude. When a driver gets on the road, what are they actually thinking? Are they thinking: “I was supposed to be there 10 minutes ago so I’m going to drive there really quickly” or “The rain is coming down and everything is a mess so I’m going to drive really fast to get out of the rain”? People can drive on our roads with a bad attitude. At times I have to check myself in that regard, and I imagine many people in this place and throughout the population would have to check themselves at times and ask themselves whether they should be driving.

Just as a digression, I learnt to ride a motorcycle very early on and did a specific training course for that. It was really worthwhile—stay upright. Every motorcyclist should do something like that because it teaches them that when they go out on the road, they are not as protected as they are in a car. All the safety measures put into cars are there to protect us from our own distraction, inability or bad attitude. But because motorcyclists do not have that protection, we find that a lot of motorcyclists have a greater sense of self preservation. When they go out on the road, they look at the road condition and the traffic around them and they drive more defensively.

It is unfortunate, but we need to drive defensively because at any point another driver could be doing the wrong thing on the road, whether it is done under the influence of drugs or alcohol or as a result of sleep deprivation or poor mental health. We always have to drive defensively. It will be interesting to see how well autonomous vehicles will manage those issues, because, from what I have heard, they are better able to manage them than individual drivers. That is one aspect that should also be included in the driver training course. We might also need to resit the driver training course at a later stage. Back in Illinois where I learnt to drive, every four years, a driver would take another written test and every eight years, another driving test. I believe that people do not have to resit a driving test here until they are 80 years old.

Hon Martin Aldridge: It has been removed.

Hon DIANE EVERS: So a person does not have to resit a driving test at all?

Hon Martin Aldridge: Not unless a medical practitioner requests it.

Hon DIANE EVERS: That might be something to consider if we want to keep good drivers on the road.

We also have to look at the condition of our roads. There has been a lot of talk about road maintenance, but we put a lot of money into roads. Every time we make them a little safer, people seem to take up those safety issues with a little more distraction. In fact, some countries have tried to limit crashes in urban areas by removing all signs and kerbs and the things that are traditionally put in place to separate people from traffic. The drivers there are now so careful that they have, for the most part, eliminated some crashes in those areas. The Swedish model introduced a few other things including the lowering of speed limits in urban areas. Those areas may not have fatalities on their roads, but serious injuries can still affect people and their families just as much as a death. We need to take into account the different measures that can be adopted for different areas. It may be that lowering the speed limit in some areas is part of the solution. I believe that that report said that the limit should not apply to all roads; some freeways and highways would be exempt and continue to have the 110-kilometre-an-hour speed limit—even the report acknowledged that that might happen on some roads.

The other issue is road maintenance. We rely so much on freight using our roads. We need to seriously look toward the future on this issue. In the past, rail was the be-all and end-all to get freight from one spot to another. We need to go back to that because if we could get more freight on rail, it would mean less personal vehicle and truck interaction on the road. That in itself would reduce the wear and tear on the roads and the chance of an accident occurring. If we could increase the amount of rail freight and try to separate heavy transport from individual vehicles, we would go a long way to addressing some of these issues.

I also want to talk about regional roads. We often talk about putting in more passing lanes. I like the idea of the single lane in the middle of the road between Mt Barker and Kojonup. People can travel either way on that lane. We are all still new to that, so we take a lot more notice of it. But in general, a lot of city drivers or metropolitan learner drivers never learn how to overtake a road train, and possibly never should overtake a road train. Given that they are travelling at probably 100 kilometres an hour or sometimes more, perhaps they should just wait until there is a safe place to overtake. Part of the driver training must be about teaching patience as well—that goes for all of us. Perhaps the risk is not worth overtaking in a place that might not be as safe as a driver thinks it is. The opposite also applies to kids who have grown up and learnt to drive in country areas. When they get to the city and enter the freeway for the first time, they might be one of those drivers who is a little bit hesitant about it. We have to be aware of those drivers, accept that and be careful and patient with them. It comes back to our driving attitude.

No single measure will improve our driving skills. A driving course will need to address a range of issues including the physical road network, licensing, training and our culture or attitude. Our attitude is still, “I have this vehicle and I want to get from point A to point B and nobody should get in my way of doing that as long as I’m following the law.” But perhaps there is more to it. When a driver comes up alongside a number of cyclists, rather than becoming impatient and trying to overtake them all, they should take some time. It may set the driver back a minute or two, but it will not be the end of the world. It will encourage those cyclists to continue using that form of transport rather than putting another dozen cars on the road at the same time that the driver wants to travel. Like I said, we need to look at this holistically, and that includes looking at our cultural attitude. The road safety messages advertised half the time are really trying to convey that message and help us to understand and get used to the idea that we are all in this together so we need to look after our loved ones and everyone else. This is a good thing. I am pleased that we are doing this but more still has to be done about it to somehow infiltrate our culture and get us used to this idea. Thank you.

HON KEN BASTON (Mining and Pastoral) [10.59 am]: I want to add a few words to this debate, particularly as it applies to the northern section of our state. Many factors, apart from speed, contribute to unsafe roads—fatigue, drink-driving, and livestock and wildlife on our roads, of which there are many up there. In the Kimberley, for example, speed was determined to be a factor in only 6.5 per cent of serious or fatal accidents, despite 55 per cent of those crashes occurring on roads with a speed limit of 110 kilometres an hour. The following statistics relate to the five years from 2013 to 2017 in the Kimberley, but are restricted to incidents in which someone was killed or seriously injured or were in serious crashes, unless otherwise specified. Seatbelts were not worn by 19 per cent of vehicle occupants killed or seriously injured. Speed was a factor in 6.5 per cent of crashes in which people were killed or seriously injured. At least one rider—not a driver—with a blood alcohol concentration of .05 per cent or higher was recorded in 21.7 per cent of crashes in which people were killed or seriously injured. Research indicates that 20 per cent of crashes in which people were killed or seriously injured involved fatigue. Fatigue is one of the biggest killers, particularly in the north. Decreasing the maximum speed limit will be detrimental to drivers in those regions because people driving at less than 110 kilometres an hour become bored and do not concentrate on driving. The road appears as a bitumen pad in front of us. In the Northern Territory, the speed limit used to be open, but, with various changes of government, it was put back to 130 kilometres an hour for a 1 000-kilometre stretch of the Stuart Highway from Alice Springs.

If the speed limit is decreased by 10 kilometres an hour to 100 kilometres an hour, basically that will slow down vehicles, allow driver fatigue to creep in and make things more difficult. On the road from Port Hedland to Tom Price, where many members would have travelled, there is a great many trucks pulling trailers. Although they are not as long as normal sheep trailers, there are four trailers. It is not a matter of passing one lot of four trailers behind a prime mover; it is the next one, the next one and the next one, which are all following bumper to bumper.

It is very difficult and quite dangerous, especially, I imagine, for someone towing a caravan. These trucks all do 100 kilometres an hour. I would like to increase the speed limit of between 100 and 110 kilometres an hour to 120 kilometres an hour, or have the trucks reduce their speed limit by 10 kilometres an hour when a driver is passing them, in which case the speed limit can remain at 110 kilometres an hour. That would give drivers the ability to pass a truck, because currently they do need to increase their speed to over the speed limit in order to pass trucks. We can make the roads wider and do all we like, but, eventually, drivers will encounter more than one of those vehicles. I have done that a couple of times and it is a pretty hard task. It is pretty hard for a driver sticking to the speed limit of 110 kilometres an hour to pass a truck with many trailers that is travelling at 100 kilometres an hour. It cannot be done; the driver needs to fly past at about 130 kilometres an hour to do so safely—and we are talking about safety.

Lowering the speed limit would also increase, of course, the time it takes to go from Port Hedland to Broome. It would add about an hour and a half to the trip. The other problem is that there are not many rest stops on that road. It is a fairly, dare I say, barren piece of country, although with water, it can turn into anything! There is the Pardoo Roadhouse, and the Sandfire Roadhouse, which is about 380 kays from Broome. There are not too many places where people, including truck drivers, pull up to rest, stretch their legs and have a coffee and relax. As I mentioned, fatigue appears to be the most common reason for serious crashes. In 19.2 per cent of accidents in the Pilbara, 20 per cent in the Kimberley and 23.7 per cent in the goldfields–Esperance region, the cause was due to fatigue. I do not believe keeping people on the road longer with slower speed limits is the right approach.

Driver education has been mentioned. I am very much a believer in driver education. I was very pleased to see in this budget, minister, that there is \$3.8 million to enhance driver training. In May 2011, I put out a press release after one of our budgets had come down, interestingly, when we had a surplus of \$442 million. I was in Halls Creek where I met with the magistrate attending to cases. She said that most of the people who came through there were Indigenous people who did not have a driver's licence and had been picked up for drink-driving and driving without a licence. They had been given community service rather than being sent to jail but had not turned up, so they were arrested and the cycle continued. In 2011, I was successful in getting \$6 million to enhance driver training in regional Aboriginal communities so those Aboriginal people could get a driver's licence. The magistrate did not want them to come out of jail until they had their licence, which they had to pass while they were in jail. Interestingly, I approached some of the jails, such as Roebourne and Broome, which were all in favour of it; it was just a matter of getting the funds to make it happen. In the budget handed down the other day—I congratulate the minister—there is \$4.8 million to enhance driver training and education in regional and remote communities. I am pleased that that funding is seen as necessary for people in remote areas where people need to drive. There was even talk of a Kimberley licence that covered the whole north to make it a little easier for people to obtain a licence. As I think Hon Jim Chown touched on, as much as a licence is a privilege, it gets us into the workforce. These days, no-one can employ someone without a driver's licence because they cannot claim workers' compensation, so it is really important for the pastoral industry and any other industry that employs people up there.

I think we need to tackle this issue by looking at the discrepancy between the travelling speed of the road trains that work up there and that of normal light vehicles. I think the speed limit on passing lanes could be increased to 120 kilometres an hour. I know people who have driven a bit faster in the second lane to pass a vehicle, but at the top of the hill, what should they see coming the other way but a vehicle with the blue-and-red lights, and they have been booked. There is no leeway to allow drivers to speed up on the passing lane. When a truck is going 100 kilometres an hour and a car is travelling at 110 kilometres an hour to pass the truck, it can take ages and increases the danger.

I think a driver's licence test should be more than just a test. When someone sits for an aircraft licence, they have to know how the carburettor and everything else works. When we sit for our motor vehicle driver's licence, we know nothing about the vehicle; we do not even know how to change a tyre or roll a tyre, or even what will happen when a car skids in the gravel. All those things should be taught.

Hon Simon O'Brien: We were.

Hon KEN BASTON: Maybe Hon Simon O'Brien was. It is extremely important that drivers are educated to know more than what a Stop sign or a Slow-down sign is.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [11.08 am]: I waited for as long as I could because I wanted to give as many people as possible the opportunity to comment. I want to compliment Hon Jim Chown for bringing on this important topic to be discussed in the house. It is quite clear that there is great interest in this subject right across the Parliament, as one would understand. Each and every one of us uses the roads each day and, of course, each and every one of us is deeply concerned by the number of fatalities and injuries that occur on a daily basis. I will get into some of the detail of the issues that have been raised, but I particularly want to compliment Hon Martin Aldridge for setting the context very well.

Of course, the job of the Road Safety Council is to come forward with options. Notwithstanding *The West Australian's* need to have very flamboyant headlines, it is important that an options paper such as this is allowed to be aired and that we have a rational and sensible discussion about those options. The Premier and the Minister for Road Safety have made it clear that we do not see community support at this time for a wholesale reduction in speed limits. However, we recognise that we need to have a discussion about this. We also need to acknowledge that speed is an issue in road

safety. There is clear evidence that the risk of being involved in a crash resulting in serious injury doubles if the speed limit is increased from 60 kilometres an hour to 65 kilometres an hour, and for every five kilometres after that. That is what the data tells us. However, that does not mean that we should embrace a reduction in speed limits. That is because other factors are involved. One factor is the practical issue of how we can continue to make our lives workable and can effectively move people and freight around this vast state. As Hon Martin Aldridge has said, it is very important that we allow the Road Safety Council to put forward ideas and options, and at the same time have a sensible discussion and ultimately make a political decision about where we want to go on this issue.

I need to correct some of the problems that are embedded in this motion. I refer in particular to paragraph (c), which asks this house to urge the government to fund the \$900 million maintenance shortfall for the state's roads. I cannot let that go unaddressed. A serious effort has been made under Minister Rita Saffioti, in a constrained budget environment, to deal with this issue. As of June 2018, the total maintenance backlog was not the figure of \$900 million quoted in the motion, but was \$657 million. That is a 43 per cent reduction on the 2012 figure. In 2012, the maintenance backlog was in excess of \$1 billion. Since we have come into government, we have increased the regional road budget each year by 20 per cent on the previous year. In that way, we have been able to bring back the maintenance backlog. We understand that we cannot deal with this overnight. However, that represents an incredibly serious effort to reverse the peak in the backlog in 2012.

Some very interesting ideas have been put forward in the debate today. Hon Jim Chown suggested that we should increase significantly, by a factor of some 600 per cent, the cost of a driver's licence. He said that this approach has been taken in Sweden and has had a significant impact on getting people to understand the seriousness of holding a driver's licence. I would urge Hon Jim Chown to listen to some of the comments of the gentleman who sits next to him, Hon Ken Baston. One of the very real problems is that under the existing regime, many people in our community do not have a driver's licence and are ruled out from ever getting a driver's licence because of the cost. Although it is true that we need to improve our cultural values around driving, increasing the cost of a driver's licence would put it out of the reach of many more people in our community. Not just Aboriginal people in remote communities, but also many, many young Western Australians would be priced out of the opportunity to hold a driver's licence. Therefore, I would urge members not to go down that path.

I understand Hon Robin Scott's comment that we should require parents who want to teach their children to drive to undertake a training program. He said that he gets very frustrated at driving behind people with L-plates. We were all L-platers at some time. I believe we need to exercise a bit of patience. As members of this place, we should be careful that we do not live in a bubble and fail to understand the detail of people's lives. The idea that parents should not be actively involved in the driver training of their children fails to understand the limited means of many people to undertake driver training from trained professionals.

Hon Robin Scott interjected.

Hon ALANNAH MacTIERNAN: I would certainly encourage people, if they can afford it, to have that initial training. However, we need to understand the financial means of many people in our community. As I have said, we in this place should be careful that we do not live in a bit of a bubble and do not understand the financial pressures that many people are facing.

Hon Robin Scott interjected.

Hon ALANNAH MacTIERNAN: I know what the member's point was. It was that parents should be trained —

Hon Robin Scott interjected.

The ACTING PRESIDENT (Hon Dr Steve Thomas): Order! The honourable minister has the call.

Hon ALANNAH MacTIERNAN: Certainly, the member could put that idea forward. Many parents very much want to be engaged in their children undertaking driver training. Many parents have had many years of driving experience. We should encourage parents to be involved.

Hon Robin Scott also suggested increasing the speed limit on some country roads. I am not sure whether that is a good idea. He also spoke about having virtual reality training programs. That is very interesting, and although that is quite expensive at the moment, it is certainly an idea that we should look to develop. I am acting outside my ministerial area when I say this, but that may well be something that is currently being looked at.

Hon Martin Aldridge, Hon Robin Scott and Hon Diane Evers talked about the impact of automated vehicles. Indeed, that has come with some massive safety improvements. However, the concomitant problem is that drivers will become less attentive, because they have less need to focus and concentrate on the driving task, and we accept that. My personal view is that, by 2040, our roads will look very different. We see the convergence of a number of different factors. The younger generation is very much into ridesharing, where we see a merger of private and public transport. Clear statistics across the world show that fewer and fewer young people are getting drivers' licences, and their behaviour is changing. At the same time, the technology is emerging for autonomous vehicles. We will see a move towards fully autonomous vehicles and there is no doubt that that will ultimately lead to a much safer system. It will not be fail-safe or without challenges, but by 2040 we will have moved quite far down that path.

In the meantime, as all members have said, driver training is an important part of the process and we should be constantly seeking to upgrade it. In 2017, we made a number of changes to improve the provisional licence process to enable novice drivers to develop the necessary skills to drive a vehicle safely and build the experience they need to cope with potential hazards and distractions while driving. We have re-sequenced the hazard perception test and the practical driving assessment, so that the hazard perception test must be completed before the practical driving assessment. That will result in driver's licence applicants having greater driving experience when attempting their practical driving assessment. I very much like Hon Ken Baston's idea of requiring many of our prisoners to complete their drivers' licences while in prison. That would be a very practical and interesting measure, and we will take it forward to the Minister for Road Safety and the Minister for Aboriginal Affairs.

I thank all members for their participation today. This is an area in which we need to bring to bear ideas from across the Parliament, to resolve the complex issues of road safety.

HON COLIN TINCKNELL (South West) [11.23 am]: I want to make a little contribution, and then maybe give Hon Jim Chown a chance to finish off. In the early 2000s I spent a couple of years living in New Zealand, and during that time defensive driving courses were part of the school curriculum. New Zealand's figures and details show a much better record on road accidents. A captive audience, such as in a school, provides the perfect opportunity for participation in driver training. It is supported by the schools, to make it available to people who do not have the resources. Drivers in New Zealand start at the age of 15, not 17, as it is in Australia. I am not saying that that is a great idea, but this is why it was brought into the schools. It is important for students, from the moment they get into high school, to learn how to drive. It has made a difference.

A few months ago, I moved a One Nation non-government business motion on roads, and I produced a lot of figures about the wheatbelt. Statistics show that Western Australia's wheatbelt has the most unsafe roads in Australia. I gave the statistics in that debate, but nothing has changed, even though we have spent a lot of money on roads. The previous government and this government have spent many dollars on the roads, and we need to continue to do that. One of the ideas we talked about in the previous debate was to get some of the giant trucks off the road, and some of our cargo onto rail. However, that is a debate for another day. Better education is needed. People get very frustrated with merging. Hon Robin Scott mentioned improving the roads in the wheatbelt, getting the mass of trucks off the road, and starting driver education in high school. I commend Hon Jim Chown for bringing this motion to the house.

HON JIM CHOWN (Agricultural) [11.26 am] — in reply: I thank all members for their contribution to debate on this motion today. A number of ideas have come forward that I hope the Road Safety Commission will entertain, if it is not already entertaining them. I also thank the minister for her contribution on the matter. As a matter of clarification, I have a real issue with parents training their children under the learner driver scheme. All of us, and I include myself in this, pick up bad driving habits as we get older. It is absolutely essential that learner drivers get the best possible tutoring from somebody who understands the requirements. That gives a very good grounding. If parents train their own children as learners, it has been proven beyond any doubt at all that the children just pick up the bad habits the parents have accumulated over many years. In the Swedish model, parents can teach their children, or someone else, how to drive, but the parents must first attend and pass a driving instructor course. The parents learn as well, drop all their bad habits, and then pass the proper procedures on to the learner drivers.

I am also a little surprised at the minister's response about costs. Costs are important in everyday life, but what is a life worth? I think it is worth more than \$185.

Hon Colin Tincknell: It is our number one resource.

Hon JIM CHOWN: Absolutely. A life is worth whatever we want to pay to ensure that our children, when they learn to drive, will enter the road system of this state with the best possible education behind them. That is what the European models are saying. We need to legislate for people to undergo serious driving training in various courses, so that when they enter the traffic with their learners' permits, they have an education behind them about how they need to act and react, culturally and in driving experience on the road. We do not do it in this state. I think this is worth a lot more than \$185. This is worthy of serious contemplation by government and the Road Safety Commission, to ensure that training is the best possible, and looking around the world to see where real results have been achieved by implementing this.

Motion lapsed, pursuant to standing orders.

**SHIRE OF AUGUSTA–MARGARET RIVER EROSION AND SEDIMENT CONTROL
LOCAL LAW 2019 — DISALLOWANCE**

Discharge of Order

Hon Martin Pritchard reported that the concerns of the Joint Standing Committee on Delegated Legislation had been resolved, and on his motion without notice it was resolved —

That order of the day 4, Shire of Augusta Margaret River Erosion and Sediment Control Local Law 2019 — Disallowance, be discharged from the notice paper.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 12 June on the following motion moved by Hon Stephen Dawson (Minister for Environment) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 2664A–D (budget papers 2019–20) laid upon the table of the house on Thursday, 9 May 2019.

HON DONNA FARAGHER (East Metropolitan) [11.30 am]: I would like to say a few words about this year’s budget and note the related tabled papers that were tabled on 9 May. In the very first instance, I wholeheartedly endorse the various comments made by members on this side of the house, including National Party and crossbench members, in their contributions on this year’s budget and the performance of the McGowan Labor government or, rather, its lack of performance.

It appears to me that a hallmark of Labor governments generally is that they are always quick to put out a press release and take credit for something they did not commence or even support when they were in opposition, and have an innate ability to rewrite history to suit themselves. It was a hallmark of the former Gallop and Carpenter governments, which I witnessed firsthand during my first term in this place, and it is a hallmark of this current government, and this current budget is no exception. We see in both this budget and press releases that are continually put out by this government—it is very good at putting out press statements and I will reflect on one a bit later—and we hear in other forums words such as “planning for” and “committed to”, but when we drill down, we find that very little has actually been achieved by this government. In fact, most of its glory pages are about works that were commenced or funded by the former Liberal government. I find it interesting that the government is very happy to always criticise us. Members opposite are—Hon Peter Collier has mentioned this on numerous occasions—fixated with the former Liberal government and blame it for everything, yet they are very happy to stand there with scissors and cut the red ribbon on a whole range of projects across the length and breadth of this state.

I go back to the point that much of the work within this term of government is focused on “planning for” or being “committed to”, and I want to take a couple of examples from the East Metropolitan Region. There are plenty of others, and I have quite a bit of information that I want to go through today, but my time is obviously limited. The first relates to the Midland train station relocation. This is something that I have mentioned in this place before and, indeed, during a similar debate a couple of years ago. It is always helpful to look back and see how much progress has been made over that time. By way of background, it was a clear election commitment by the then Labor opposition prior to the last election that \$79 million would be allocated for the relocation of the Midland train station, with construction starting in this term of government. That was clear; it was unequivocal. If we fast forward to the first budget of the McGowan government, I asked a series of questions during the budget estimates process. I sought advice from the Public Transport Authority, as well as from the minister representing the Minister for Transport, on both that funding commitment that had been given prior to the election and the anticipated construction timetable. The advice I received was that only \$2 million of a \$28 million allocation had been set aside for planning, with the remaining funds going to the purchase of land at Bellevue. I want to quote the *Hansard* of the estimates hearing dated 18 October 2017. Hon Stephen Dawson said in part —

This project has not been properly funded yet, and until we know what it is going to cost we cannot tell you exactly what the figure will be at the end of the day.

I then asked —

So the minister therefore cannot tell me when construction is going to commence?

He responded by saying —

No; my advice is that we cannot tell you that at this stage.

There was further back and forth between me and the minister and the departmental advisers, and then I said —

Just so I am clear, only a very small percentage of that \$101 million is earmarked for Midland train station. That will go nowhere near to the original commitment by the then Labor opposition of \$79 million for the relocation of Midland train station. That is not in the budget.

Hon Stephen Dawson replied —

Mr Kannis, can I ask you to respond?

Mr Kannis responded —

There is no capital cost in the forward estimates or in that \$100 million for the relocation of Midland station.

I accept that this is a significant project. It has been a longstanding project across various governments; I understand that. However, it is clear that the commitment of funds is actually unclear, even now, and that any

form of construction before the end of this government's term is highly unlikely. I point to the fact that on page 551 of budget paper No 2 under the heading "Metronet—New Stations and Existing Station Upgrades", it states —

\$83.9 million will be spent on new stations and upgrading existing stations. Of this, \$35.8 million will be spent on planning and preliminaries for new stations (\$24.3 million in 2019–20). Planning will be undertaken for a new station on the Mandurah line and for the relocation of the Midland station to the Midland town centre.

That is what it says in the budget. The Metronet webpage—it is always helpful to get an update from there—refers to the Midland station project and under the heading "Planning"; it states —

Government will receive a Project Definition Plan for Midland in 2020 with the project's proposed details to enable an investment decision.

Two years on, there is absolutely no clarity. The government will say that there is, but there is no clarity based on the information that is publicly available.

Another example is the Swan Valley Planning Act. At page 609 of budget paper No 2, it states —

The review of the Swan Valley Planning Framework will lead to the preparation of a new Bill and planning framework that protects the region's attributes.

Back in 2017, the Minister for Planning put out a press release that stated that the McGowan government would "prioritise a solution", but this has not occurred. There was a review, at the request of the minister, of the Swan Valley Planning Act by Hon John Kobelke, and that was released last year. Back in June 2018, in a press statement titled "Swan Valley planning framework review released for comment", the minister again stated —

The State Government will consider the report and feedback in determining its final plan for the Swan Valley.

Then there was a direct quote from the minister —

"I intend to present the State Government's response to the report by September 30."

That was 30 September 2018. We then found out via an article in the local paper that the date for the response to the report to come back would be November 2018. I asked a question in this place on 10 April this year in relation to the status of that. The question was —

- (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 ... and, if not, why not?
- (3) If no to (1), when will the government response be finalised ...
- (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?

The minister did her usual political response, but then said —

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.

I do not know about you, Mr Acting President, but I take it from that answer that the minister was saying that there was no date; that it was just being prepared. The minister also would not confirm whether the government would introduce a bill to amend the act or replace it with a new planning framework this year; she simply said that any legislative change required would be progressed as soon as practicable. As the minister has a wont to do, she will no doubt continue to blame the previous government. But she has been planning minister for over two years. It is time she took responsibility for this matter. She needs to finalise the government's response to the review as soon as possible and, to use her words, prioritise a solution.

More generally, we continue to see issues with the delivery of frontline services across our state by this government. Health is an example. We have seen record ambulance ramping, with the last two weeks recording the highest level of ramping in history. I understand that during the week of 27 May to 2 June, ambulance ramping reached 1 056.9 hours, which is a record for ambulance ramping since the McGowan government took office. On one day, ambulances were ramped for at least 234.7 hours, which is an all-time high.

This budget also contained announcements on King Edward Memorial Hospital for Women. Some funding—around \$3 million—is to be provided for the commencement of planning for the co-location and integration of women's health services at King Edward Memorial Hospital to the Queen Elizabeth II Medical Centre. We also know from reports, particularly through the media, that the government has stated that it expects construction of a new women's hospital will begin in the next term of the McGowan government. As a former patient of King Edward Memorial Hospital, I strongly support that decision, but it needs to be made a priority now and not left to a future government

and a future term. King Edward Memorial Hospital is, of course, the state's largest maternity hospital. However, some might not be aware that its neonatal care unit cares for more than 3 000 preterm and sick infants—more than 3 000 little babies—every year. I was not aware of this at the time, but I have since learnt that King Edward Memorial Hospital has the largest neonatal care unit in the Southern Hemisphere. Western Australians should be incredibly proud that we have a first-class neonatal unit operating in this state.

Members may know—newer ones may not, but I do not intend to go through it in great detail now—that I had a very difficult pregnancy with my second child and spent some time away from this chamber. I spent some time at King Edward Memorial Hospital, both for the birth and after Harry's arrival, but also for periods in the lead-up to his birth. King Edward Memorial Hospital has absolutely amazing staff. They are calm, professional and caring. The medical and nursing staff are highly skilled and have specialist qualities. As I have said on other occasions in this place and will always say, they were simply amazing, because they provide amazing care. However, there is no doubt that the conditions staff work under are not ideal, to say the least. The reality is that the hospital is over 100 years old. That is equally true for patients, some of whom can spend months as inpatients at the hospital. I know the conditions. I have seen some of the conditions firsthand. In fact, I raised some of these concerns with health service staff. I simply hope that this is not a false promise by this government. We cannot just have a plan for a plan. Our government had a strong record on health. We built and refurbished hospitals in both metropolitan and regional WA. In supporting the proposal that has been put forward, I say that it must be made a priority. I hope the government will make it one.

I turn now to the education portfolio. Since Labor came to government, the Minister for Education and Training has clearly brought a few issues upon herself. The first, of course, was with respect to Perth Modern School. That did not end well for her but it certainly ended well for the students and staff of Perth Modern School and their families. This time last year, we were in the midst of a debate on the minister's completely unsellable education cuts. At the time, the minister was holding fast to her decision to close Moora Residential College, in spite of the massive protests underway within both the Moora community from students and staff, and, indeed, the wider Western Australian community. It touched a chord with people right across this state. Equally, there was no appetite by this government to reverse other cuts. There were lots of other cuts. We should all remember that when the minister first made her announcement back in December of the previous year, she announced only a few of them. In fact, it took me about three weeks of questioning in this place for her to finally reveal the exact detail. It was not a lot of detail, but we finally got a table of the list of cuts. The minister never put all those cuts in any of the press releases she put out on the changes she was putting forward. Equally, there was no appetite by the government to reverse cuts relating to Herdsman Lake Wildlife Centre. I have spent a lot of time talking about that wonderful centre, which I visited again recently. There were also cuts to the agricultural education farms provision trust fund, Landsdale Farm School, camp schools and community kindergartens. Fast-forward another 12 months and where are we? Thankfully—albeit the minister did not put out the press statement; the Premier had to—the government begrudgingly accepted commonwealth funding to keep Moora Residential College open.

Hon Darren West: Member, it wasn't begrudgingly.

Hon DONNA FARAGHER: It was.

Hon Darren West: It was not. It was welcomed.

Hon DONNA FARAGHER: We will go back and have a look at some of the comments on that. The fact is that it has remained open, and that is a good thing. I hope Hon Darren West would also say it is a good thing. Am I hearing him? Was it a good thing?

Hon Darren West: Yes, but it wasn't begrudging.

Hon DONNA FARAGHER: Good, excellent. I am pleased that the member has said that.

However, others were not so lucky. The government no longer has day-to-day management of Landsdale Farm School or the camp schools, with the exception of one. Herdsman Lake Wildlife Centre continues to operate —

A member interjected.

Hon DONNA FARAGHER: Yes, I will take Hon Alison Xamon's interjection; it is a good interjection.

The ACTING PRESIDENT (Hon Dr Steve Thomas): Hon Alison Xamon, if you are going to interject, I suggest you be in your chair at the appropriate moment.

Hon DONNA FARAGHER: I am sure she was in her chair when I accepted that interjection!

Nonetheless —

Hon Darren West interjected.

The ACTING PRESIDENT: Order, Hon Darren West! Hon Donna Faragher has the call.

Hon DONNA FARAGHER: However, it is operating on a shoestring, and there is no long-term funding commitment or arrangement in place. Therefore, I agree with Hon Alison Xamon: its future remains precarious.

I do not think that is something anyone wants, because it is an amazing centre that supports thousands of students every year. It is run by a small team and a range of volunteers, and it is part of the Western Australian Gould League, which actually celebrates its eightieth anniversary this year.

Then, of course, there are the community kindergartens. I like talking about community kindergartens. They might be small in number, but they are nonetheless important. Community kindergartens have long been recognised as an acceptable alternative to school-based kindergarten programs, and they are a choice that many families take. The Liberal Party supports that; we support all schools and we support community kindies.

The Minister for Education and Training will say that she is not about closing community kindergartens and that they just need to increase their enrolments. That is a false argument. If that were the case, why were they included in the minister's original budget cuts? I refer to a letter that was sent by the Department of Education to a community kindergarten, dated 13 December 2017—the date that the minister put out the first statement about the education cuts. It states —

As you would be aware, the State Government has committed to budget repair measures to deliver sustainable growth and an operating surplus by 2020–21. The Government has indicated that all parts of the community will contribute to this endeavour, including government agencies.

The Department of Education has carefully assessed all activities and expenditure to ensure it provides services more efficiently, focuses on whole of government objectives and delivers cost savings to assist with the State budget.

I am writing to advise that a decision has been made to increase the enrolment threshold required for community kindergartens to attract staff and operational funding from the Department. The threshold will increase from 10 to 16 age-eligible enrollees and take effect for the 2019 school year.

Quite clearly, the increase in the enrolment threshold was directly related to the government's budget cuts and bottom line. It is a decision that will potentially impact on a number of smaller community kindergartens, which, I might say, are by and large in the East Metropolitan Region—my electorate. I appreciate that last year—after significant questioning and a range of calls from community kindergartens—the minister provided an exemption to those that fell short of the threshold. I am not sure whether the minister will be that kind this year.

These kindergartens deliver the school curriculum, much like any other kindy, but generally within a setting that is purpose-built for kindy kids and has a very strong focus on play-based learning. Play-based learning and its role in the early years is very much increasing in prominence. That is one of the key reasons that parents choose a community kindergarten for their children. That is not to say that other kindergartens, in school-based settings, do not use play-based learning; they certainly do, and many do so to very good effect. They effectively balance the differences between play-based and explicit learning.

I asked a question of the minister this week about the work on play-based learning that had been undertaken by her parliamentary secretary, who is in the house today. She referred to a document that was released in March this year titled, "Importance of Play-based Learning", which I found on the Department of Education's website after that question was asked. It is a four-page document and it states —

Your child is naturally curious.

They want to know about the world around them. Right from birth, children are learning. They do this by watching and listening, moving, talking, feeling, exploring and questioning; by interacting with people, other children, animals, objects and spaces indoors and outdoors, around the home, and when you are out and about.

In other words, your child learns through play.

Children's first teachers are their families. The daily interactions and experiences you share with your child is how they learn about their world, their culture and family. When children are little, a lot of these interactions involve play.

Play is an essential part of every child's learning. When children are playing, they are building their knowledge, skills and attitudes for lifelong learning.

The ACTING PRESIDENT: Honourable members, there is a dull roar of conversation echoing around the chamber that is making it difficult for me to hear the member on her feet. Could you keep it to a minimum. Hon Donna Faragher has the call.

Hon DONNA FARAGHER: Thank you, Mr Acting President. I will go back; I am not quite sure where I finished there. It states —

Play is an essential part of every child's learning. When children are playing, they are building their knowledge, skills and attitudes for lifelong learning. When children start school they bring all they have learned with them. Their teachers seek to build on these skills, interests and knowledge using the same vehicle for learning that works so well at home —

PLAY!

I agree; I absolutely agree, and the parliamentary secretary to the Minister for Education and Training will agree, because I understand that this might well be her document. The parliamentary secretary visited a number of schools and met with a number of stakeholders, and that is a very good thing. I have to say, though, that in spite of the fact that play-based learning is a key centrepiece of community kindergartens, the parliamentary secretary, in all of her consultations, did not bother to consult with the Community Kindergartens Association or visit any of the community kindergartens in this state. Actually, I doubt very much that the minister has ever visited a community kindergarten since she became minister, either.

I think there has been a lack of consultation by the government. It would have been appropriate to include community kindergartens and the association in the consultations. There is a vast list of people that the government consulted with, but the fact is that community kindergartens receive government funding and staffing support. I would have thought it would have been a great opportunity for the government, in addition to visiting a range of other schools and talking to a range of other people, to take the time, as I have done, to visit a community kindergarten. I say to the minister, who I appreciate is out of the chamber on urgent parliamentary business, that I will continue to strongly support community kindergartens. I strongly support public education in this state. I support all education in this state. I also strongly support community kindergartens. As I said, they might be small in number but over the past year or so, I have met many families, parents and students who very much value these community kindergartens and what they bring to their areas. I expect that a bit of noise will continue if the minister tries to close down any community kindergartens simply because they fall a little short of the enrolment numbers.

Turning to the education budget more generally, I note the funding commitments both in this coming financial year and in the forward estimates. However, I want to reflect on the end of last year and the bilateral agreement that the government signed with the commonwealth. The government made a decision to reduce its funding contribution to public schools as part of that agreement.

[Interruption.]

The ACTING PRESIDENT: There seem to be some gremlins in the air today, honourable members. Although I am not casting aspersions, it might be a good time to remind members that if their phone is not on silent, it should not be in the chamber.

Hon DONNA FARAGHER: It is definitely Thursday. Everything tends to go a bit haywire.

The bilateral agreement did see a record increase in commonwealth education funding flow to Western Australia. That was duly noted by the government and the opposition. However, back in December, the McGowan government also took the opportunity to progressively reduce its funding contribution by around 10 per cent between 2018 and 2023. As a result of the agreement, the state will progressively reduce its funding contribution to public schools—I am talking about the school resource standard—to the minimum level that has been set or required by the commonwealth.

In answers to questions without notice last year, the minister avoided, and she will continue to avoid, answering direct questions about state funding, even though the Treasurer confirmed at the time that there would be a reduction in state funding. Put simply, the government took advantage of the commonwealth's increased funding by reducing its own. It was not even prepared to say that it would maintain a funding contribution higher than the minimum level, as had been the case in previous years across other governments, including our own. It would not even confirm whether schools would be better off in real terms over the life of the agreement. That happened in December. So much for the Labor Party's commitment to public education!

Equally, I want to say—I think I mentioned this at the beginning of my contribution—that I am a little tired of the government's press statements that take credit for decisions made by the former Liberal government or give the impression that something is being done when, in fact, at the moment, they are just words. It may well become a reality, but we are unclear. I will give one very recent example. A joint press statement was released by Hon Alannah MacTiernan, Hon Sue Ellery and Hon Dave Kelly titled "Education initiative to raise primary industries profile" dated 28 May 2019. It states —

The McGowan Government is driving a major initiative to showcase the diversity of careers across agriculture, fisheries, fibre, forestry and food sectors to thousands of Western Australian secondary school students.

The PRIMED project will provide students and educators with a better understanding of the careers available across primary industries, many of which are in the emerging sectors.

The McGowan Government will invest \$5 million over five years in PRIMED, and is now looking to partner with industry to take this innovative project forward.

On face value, this program appears to have merit—absolutely. We require diversity in options and opportunities for students to consider future career paths, particularly in these sectors. Absolutely, it has merit. It is a little cute, though, given the fact that last year the government made cuts to regional education, including to agricultural colleges. That matter is conveniently forgotten. With that in mind, I asked the Minister for Agriculture and Food in this place a little more about the project. I was quite genuinely interested because it

was a bit unclear from the press statement what the project would involve. I also had a couple of calls from people who were keen to find out more. I obviously was not at the event when the initiative was announced. I asked the minister some very clear questions. I asked —

- (1) Will the minister provide a breakdown of how the \$5 million will be allocated?

That question was simple enough —

- (2) Is the government expecting industry to match the \$5 million investment in order for the program to proceed?
- (3) Will the minister table the two-page pamphlet that has been distributed to industry —

I thank the minister for doing that.

Hon Alannah MacTiernan: It wasn't a two-page pamphlet, was it?

Hon DONNA FARAGHER: That is how it was described in the paper at the time. I am happy to note that it was a little larger than that. I then asked —

- (4) Will the minister provide more detail on the program to be delivered?

Again, I would have thought that was a pretty simple question to answer —

- (5) Who will deliver the program to students?

I gave the minister notice of that question. The response was a ramble. She stated —

- (1)–(5) This fantastic project has been a collaboration between the Minister for Education and Training and me, and our respective agencies, to deal with this issue of agricultural education.

I accept that —

At this point we have developed a prospectus. Once we have seen the results of that prospectus and the investment that will be forthcoming from the private sector, we will complete the business case.

There was a bit of banter and then the minister reflected on the private sector wanting to have some skin in the game. I accept that that is part of the program. The minister concluded by saying —

I am giving an answer that I believe answers the member's question. We have a prospectus. When we see what the buy-in is from the private sector, we will be in a position to make detailed commitments about what the money is to be spent on. Obviously, we need to know what the size of the pie is going to be and the areas of interest from the private sector before we determine the exact composition of that program.

After reading the press statement, I think we could reasonably expect that a program is ready to go when the government seeks some additional investment from the private sector. But, no, all it has is a four-page prospectus. It is nothing now. I hope that the minister will be able to keep us informed about the PRIMED project. I hope that it will deliver very good and positive outcomes. I think everyone in this house would hope that that is the case. To put out a press statement, though, indicating that an initiative is ready to go —

Hon Alannah MacTiernan interjected.

Hon DONNA FARAGHER: I am on limited time. When I asked very straightforward questions about a program, I was simply told that there is a prospectus.

Hon Alannah MacTiernan: We wanted to have industry dialogue in terms of the development.

Hon DONNA FARAGHER: The minister should put out a press release that states that. She did not do that. She puts out press statements, like the ministerial statements she makes in this place, that do not say anything. They give the impression that she is doing something, but when the first element of scrutiny is put on her and she is asked a question, I am told it is a prospectus. It is not a program that is ready to go or that seeks additional input so that we can tell the sector exactly what it is going to involve. It is simply a prospectus. Yes, the minister might want to speak to the sector—I accept that. The minister might even want to modify things on a whole range of other matters. If that is what the minister is seeking to do, I accept that, but she needs to make it plain in the press statements that she puts out.

I note an additional \$13 million in the state budget for preventive maintenance measures across state schools. That is a good allocation, but maintenance for schools will always be an issue, irrespective of who is in government. Although this is a good contribution, it will not be enough. I am quite sure that the minister will accept that as well. There is no doubt that maintenance is a key issue for both metropolitan and regional schools. There are obviously the day-to-day maintenance issues, but then there are the more substantive, long-term maintenance issues that particularly affect older schools. Many of those are in the East Metropolitan Region, particularly a number of the primary schools that have significant maintenance issues. Often those issues come to the fore

around this time of year when we have bad weather and all of a sudden, a number of issues become particularly apparent. This problem is not confined to my electorate; it occurs across the state to varying degrees. Recently, I visited Hedland Senior High School, which has, of course, been the subject of significant media attention. Hon Jacqui Boyde touched on this matter quite extensively in her contribution on the budget papers. I recognise that an allocation of funds was made to deal with some immediate issues at the school. However, there is absolutely no doubt that further urgent works need to be undertaken on the gym, the pool, the shade areas and the toilets. I encourage the minister to do all that she can to ensure that further funding is provided to the school. I will be watching that very closely.

In mentioning Hedland, this is an opportunity for me to raise my next issue, which is a digression. I appreciate that the minister is out on urgent parliamentary business, but I will raise this with her behind the Chair. I am not sure whether the minister is aware of the Hedland school attendance strategy. In addition to visiting the school and undertaking other activities, I had the opportunity to meet with representatives from Education, Police and local government. I want to thank them very much for taking time out of their very busy schedules to meet with me. Essentially, the attendance strategy is designed to address what one might call “chronic school attendance issues”. Hon Ken Baston is here and is aware of this strategy. Currently, around 20 or so students are picked up and bused to school every day. I was informed that since the commencement of this service and other supports provided as part of the strategy, there has been a significant increase in attendance at both the primary schools and the high school. In fact, a number of the students who were previously using the bus service to get to and from school are now regularly attending school without the need to access the bus, so there is obviously a continued benefit. As I understand it, the bus service costs less than \$50 000 a year, or around \$12 000 a term. Currently, there is funding for the bus until term 2 only, and that funding has been provided by the Hedland schools network. Obviously, those involved with the strategy are very keen to see it continue. I raise this issue in good faith, with a request that the minister seek some advice from her department to determine whether there is scope to provide department funds or some other form of support to continue providing this bus service. It is quite clear from the discussions that I have had that the strategy has very strong support within the community and from the agencies involved. As I understand it, it is the first of its kind for the community and it is making a significant and positive difference. If the minister is not acquainted with the attendance strategy, I sincerely ask that she be made aware of it and look at the issues around continuing funding for that bus. That would be welcomed by the community and those involved with the strategy.

On a related matter, I want to quickly touch on the highly successful Cadets WA program. It does not fall within the Department of Education’s portfolio, but it is clearly involved with education given that it is a school-based program. As I understand it from information gleaned through estimates in the other place, a review is underway of Cadets WA and the way that it is funded. At the outset, I do not have an issue with a review being undertaken. It is always opportune for a review to be undertaken after programs have been operating for a period—that is not my issue. However, I will be watching this review very closely. I am a former youth minister. I was the first Minister for Youth of the former Barnett government. I have talked about the Cadets WA program in this place on many occasions. It is a program that I am strongly supportive of. It is a program that has helped thousands of young people for many years. It provides opportunities for young people to learn new skills and to participate in practical outdoor activities and a range of other things that promote teamwork, citizenship and confidence. I think that we would all agree that that is incredibly important. Cadets WA is not necessarily for everybody, but it offers a variety of opportunities and choices including not only the Army, Navy and Australian Air Force Cadets programs, which are very good but not necessarily what everyone wants to be part of, but also the bush ranger program and a whole subset of other programs that suit different interests and the like. The program was introduced in 1996 by the former Court Liberal government and, as I say, it has supported thousands of young people over that period.

When I was minister during our first budget, I oversaw the first funding increase to Cadets WA since its inception. We were elected in 2008, so it was the budget following that, and since 1996 there had been no increase in funding for Cadets WA. When I was informed of that I was quite floored and I did not think it was appropriate, because I know the value of Cadets WA. At the time, it was the first funding increase for the Cadets WA program in 14 years. I accept that a review is underway, and according to what I gleaned from the discussions via estimates in the other place, the results of that review will be known in good time. Cadets WA was chronically underfunded by the previous Labor government and I certainly do not want to see a repeat of that. I am sure Cadets WA and the people involved also do not want to see a repeat.

I would like to canvass a number of issues, but time is very quickly slipping away from me so I might take the opportunity to raise some of those matters at another time in another debate.

Perhaps I will end where I began. This government completely lacks transparency across a range of areas. It needs to do more than just put out a press statement or take credit for something it did not commence or even support, or rewrite it to suit itself. There is not a lot of time left for this government to actually do something. Members opposite are very pleased with themselves. We see that in the responses or lack of responses they give us in Parliament, and we see it in media statements and within the general community. Members opposite might well

be king of the sandcastle right now, but we all know how quickly that can go—very, very quickly. When it does—and it will—members opposite had better look out because I tell them what, one thing is very clear: the Premier will not be standing with them, as he will go right in the opposite direction. Members opposite do not have to believe me, Mr Acting President.

The ACTING PRESIDENT (Hon Dr Steve Thomas): I do.

Hon DONNA FARAGHER: Excellent—a perfect interjection, Mr Acting President!

Members do not have to believe me; they need only look at the Premier's performance after the Darling Range by-election and the federal election. I refer to the man who was front and centre here in Western Australia in both the Darling Range by-election and the federal election.

Hon Tjorn Sibma: On a bus.

Hon DONNA FARAGHER: Yes, on a bus. Everywhere we went, he was there. Where is the bus? Good question.

Hon Tjorn Sibma interjected.

Hon DONNA FARAGHER: We saw how he performed before the elections and we saw how he performed after the elections. He did not want to know about it. He blamed everyone else but himself. He wanted to be front and centre if he had had a win, but he did not like it when he did not. Do members know what will happen when that time comes? From what I can see, this Premier will blame all the ministers on his front bench for not doing what he asked them to do, and then blame everyone else on the back bench. It will not be his fault because he does not accept that. That is what will happen. I say again that members opposite need to do more.

There is not a lot of time left. I would have liked to have spoken on portfolios other than education today, including training and women's interests. There are portfolios across a range of areas, front line and others, that this government continually shows its complete lack of ability to govern. With that, Mr Acting President, I thank you for allowing me to make a contribution.

Debate adjourned, on motion by **Hon Ken Baston**.

PUBLIC HEALTH AMENDMENT (IMMUNISATION REQUIREMENTS FOR ENROLMENT) BILL 2019

Second Reading

Resumed from 12 June.

HON ALISON XAMON (North Metropolitan) [12.24 pm]: I rise to continue the comments I commenced yesterday in the Greens' response to this legislation. To briefly recap, I confirm that the Greens absolutely support increasing public rates of vaccination because we recognise that vaccination works and a herd immunity of 95 per cent is considered to be optimal, and we need to implement public health measures to achieve that outcome. However, the Greens still have considerable concerns about the nature of this type of legislation—whether it will achieve the stated outcome and whether there will potentially be unforeseen and adverse consequences as a result of proceeding with it.

For members' recollection, I also expressed my deep concern about the way I feel debate on this legislation—I think it is really important and it is critical that we are not afraid to analyse it—has effectively been hijacked by an unhelpful debate by some who have tried to persuade all members in this place that vaccinations do not work and that it is all just part of a larger conspiracy by big pharma. I also outlined how unhelpful that has been in progressing this issue. At the same time, we have also heard from a number of people within the community who have, I think, some very legitimate and important concerns about how this will impact on us as a community, and on their children. I am really concerned that their voices have effectively been drowned out and sidelined because we have not been able to have a sensible discussion around this matter. Nevertheless, I will stand here fearlessly and try to unpick my concerns around this legislation. I remind members that if anyone wishes to falsely portray me in this place or anywhere else as anti-vaccination, it would be a lie. Certainly if they say that in this place, they will be misleading Parliament. I wanted to make sure I recapped those fundamental points for the record.

One of the other things I had been talking about was where this legislation sits within the overall national framework. As I have already stipulated, this has come out of a Council of Australian Governments agreement, but it is not uniform legislation as such. We are already seeing that states implementing these regimes have different approaches. As I said, Victoria and New South Wales legislation is similar to the legislation before us, but Queensland's legislation does not go as far. Queensland has made the decision that rather than taking a blanket approach of banning unvaccinated children from early childhood education opportunities, they have given providers the power to refuse enrolments of unvaccinated children if that is the will of those providers. I had also started to note that South Australia is undertaking a process similar to the Western Australian approach. Broadly speaking, I am acknowledging that for the states that are embarking on this regime, there is a general effort to have some sort of similar policy approach—but they are by no means identical. The hope of the people who have put

this forward is that this Public Health Amendment (Immunisation Requirements for Enrolment) Bill will build on the elements of no jab, no pay legislation. I understand that the public policy outcome being sought is to ensure that there is a trigger for vaccine hesitators, or even straight-out disorganised parents, to embark on vaccination regimes for their children and to ensure their vaccination regimes are up to date.

I acknowledge also that the bill is intended to send out a very clear signal to the community that protecting people from vaccine-preventable diseases is a shared community responsibility. I agree with that sentiment, especially given, as has already been articulated by people previously, some children simply cannot be vaccinated. I therefore understand that from a public policy perspective, we want to send a clear message to people who can vaccinate, to please make sure that their child is part of that herd immunity. I understand that is for the wellbeing of not just that particular child, but all children. I concur with that policy intent and sentiment. My concern is that when we compare the data on vaccination rates from the time the no jab, no pay policy was introduced at the beginning of 2015 with the data for 2018—nearly three years after the legislation came into the effect—it is not readily apparent that those states with the additional no jab, no pay legislation have made greater advances in vaccination rates than those that do not have that legislation. The data does not bear that out. In fact, there has been an improvement in vaccination rates across the board in all states. The no jab, no pay legislation may have had an effect. However, it is important to realise that on an evidence-based approach, the jury is still out. In essence, the concern is that we have already captured the people who might be motivated to vaccinate their child because of financial imperative, and the jury is still out on whether this additional no jab, no play measure will provide any additional effect. The briefers on this bill were very helpful. They have been quite diligent in trying to convey as much information as they can. As they rightly pointed out to me, there may be any number of explanations for why vaccination rates have increased around the country. The reality is that it is a very blunt measure, and in many ways it is simply too early to tell what the real impacts have been. I accept all these points. However, in the absence of any other evidence, it seems that all we have to go on at the moment is that there has been no palpable increase in vaccination rates in those states in which no jab, no play has been implemented. It is important to note that.

The no jab, no play regime differs from the no jab, no pay regime, because that was about people's access to money. The Greens also have a concern about that regime. A lot can be said about how that impacts disproportionately on some parts of the community compared with others and all that sort of thing. However, I do not need to revisit that debate, because that is not a debate for me to have. That debate has been had. That has been decided. That is in place. It is what it is. The reason that it is important to differentiate that strategy from no jab, no play is that it is about competing rights. That is the crux of the problem we face in trying to figure out a way forward in tackling this legislation. I say that notwithstanding our well-established support of vaccination. I note that in the contributions that have been made in this place, I did not hear one single member say that they do not believe that vaccination works. I say that for the benefit of people who are listening to this debate, and particularly for those people who have been sending me abuse and think that somehow I am unilaterally able to change the will of this Parliament. That has been incredibly unhelpful, and it will not help us to get anywhere when we start to look at who should be exempt and how we can make that happen in practice.

As I have said, it is my understanding that not one single member in either this upper house or the other place believes that vaccination does not work. I want to stress that. However, notwithstanding that, we must not shy away from the fact that if this bill is passed, it may set a precedent in our state for the use of coercive health measures. That is a very grave concern. Hon Aaron Stonehouse raised some very good points about the risk of introducing coercive health measures as a way to achieve public health outcomes. I share many of those concerns. The bill is an attempt to straddle the line between the right to public health—which we certainly should frame in terms of a right—and the right to access early childhood education. I suspect that everybody in this place recognises that early childhood education is critically important in determining the wellbeing of children and their life paths. However, I am not convinced that we have yet got that balance right. I suspect that whether we get that balance right will come down to what the exemptions look like. As I have said, it is important to encourage people who are likely to vaccinate but are disorganised. However, we also need to recognise that a number of people should be given the opportunity to be exempt from this legislation.

We know from both national and international evidence that access to early childhood education is essential. My concern is that we do not have evidence that the implementation of no jab, no play—which will potentially put at risk access to early childhood education—will have the stated effect of increasing vaccination rates. The Greens strongly support universal access to kindergarten in the year before school. The Greens also strongly support ensuring that our early childhood educators and staff in childcare centres are well educated and well paid to be able to implement positive early education programs. In this context, we welcome the proposed wide range of exemptions, because hopefully that will enable a number of children from priority communities to sit outside this legislation. I am aware that there is much debate around that and that we will need to tease that out in committee. I make it very clear that the Greens support the exemptions that were articulated in the original legislation. However, I am genuinely concerned that people whose children fall outside the exempted categories and who firmly oppose vaccination will become even more entrenched in their opposition and have their children excluded from education.

I want to quote Dr David Isaacs, a clinical professor in paediatric infectious diseases. He made the point when the federal no jab, no pay legislation was being considered that, in his view —

... all you'll do through this policy is alienate anti-vaxxers more and then you'll have a resentful group of suspicious people less likely to listen to government advice."

I remind members that those comments are from a man who is at the forefront of vaccination research and implementation and could not be a greater proponent of vaccination. These are the sorts of concerns that are being raised.

A 2015 national estimate suggests that 1.3 per cent of children will need to have alternative educational arrangements made for them. Again, in weighing up the balance between these competing rights, I reiterate that the real concern to me is that it is difficult to source evidence indicating that the bill is likely to increase immunisation coverage to warrant it, especially as the federal government's no jab, no pay scheme is already in place for children attending child care.

Many public health experts who specialise in increasing immunisation rates and the Royal College of Physicians do not support this type of legislation. They maintain that any small rise in the number of children being vaccinated as a result of this legislation—as I say, we are yet to see whether that will occur—is outweighed by the potential costs. We are risking a child missing out on education opportunities and having their exposure to socialisation restricted because of their parent's decision. I also need to acknowledge that the Australian Medical Association in WA is strongly in support of this bill and is eager to see it passed as soon as possible. I do not want to be selective about my feedback. I recognise that there are two different views on this.

I am concerned about a lack of detail in the bill, and I will go through a few particular parts that are of concern to me. This bill provides that the burden of responsibility for verifying immunisation status lies with the childcare centre or the school. I note that although many may already collect this information and have processes in place, this bill is introducing an additional requirement for the centre or school to take reasonable steps to secure this information. It is not clear at this stage what is meant by "reasonable steps", only that it would depend on context. I accept that, to some extent, this detail is probably best dealt with in the regulations, but as the bill is also introducing a financial penalty for noncompliance, which is a significant move from how the current system operates, I think it is an important issue to raise. A person in charge of a school community may be fined up to \$10 000 if it turns out that an unimmunised child is involved at their school. It is my understanding that this penalty is higher than the penalty a principal would incur if they knowingly employed an unregistered teacher, so I wonder about the proportion of that sort of penalty. I am pretty sure that principals and people in charge of childcare centres would appreciate some explicit direction on exactly what reasonable steps are required, given that they will be personally liable.

The administrative burden is likely to be disproportionately higher for childcare centres and kindergartens with high numbers of disadvantaged children within their enrolments. To be effective, this legislation needs to also be accompanied by measures to ensure that particularly disadvantaged families are adequately supported to get their children immunised. Similarly, the process for obtaining medical exemptions has not yet been established. Apparently, it is intended that all exemptions will have to be signed off by the Chief Medical Officer, but we do not yet know what the interface between the parents and the Chief Medical Officer will be. We really have no understanding of how onerous or otherwise this process might prove to be for parents who need, and seek, an exemption. Again, understanding what this process is likely to look like is incredibly important in knowing how this bill will likely impact on parents and children and how this may play out with unintended consequences.

During the briefing, I also sought clarification about a review process in the event that an enrolment is refused. The briefing officers advised that the responsible person would be able to apply to the regional office for the review. I ask the minister to confirm whether people will indeed be able to go to the regional office if they seek a review of the decision of the reasonable officer. I also foreshadow that during debate on one of the proposed amendments in Committee of the Whole House we will look at the broader issue of how people can appeal exemptions.

I want to make some comments about the discussion paper. Prior to the introduction of the legislation, the Department of Health released a discussion paper to seek feedback, to quote the website —

... from the early education and care industry, schools, government, parents and other stakeholders to determine the most effective option for achieving improved childhood immunisation rates in WA.

That is effectively what that was about. I note that the findings of the consultation have not yet been written up, which is interesting given that it was meant to help inform the way forward. It seems from the outset that the path had already been committed to regardless of this discussion paper process. I did, however, ask at the briefing what was the outcome of that discussion process, and I heard that 540 responses were received and that the preliminary themes and concerns that were raised were about limiting access to education, the removal of choice, vaccine safety, implementation challenges, marginalisation of certain sections of the community and the integrity of immunisation records. Because we have yet to see the report on the discussion paper, it is difficult to conclude the basis of the government's decision to proceed with this particular approach.

As I have said, I have also been inundated with correspondence from people who are concerned about this legislation and who have a broad range of concerns. I note that their leaders are echoing the concerns raised during

the consultation process. As I say, members, I find some of the arguments quite compelling. For example, registered nurses have written to me who are supportive of vaccination in general but whose children have had adverse reactions to a particular vaccine. They want the choice not to give that particular vaccine to their child again, yet those children may not qualify for a medical exemption under this legislation. It is really important to note this, because these parents are not anti-vaxxers. They are displaying a genuine concern for the wellbeing of their child, yet if they choose not to continue vaccinating their child or to engage in selective vaccination, they will not be able to access formal child care or kindergarten, which will affect their ability to participate in the workforce or potentially feed their family. It will also potentially have an enormously adverse impact on their child in not being able to access early education. They then may choose an informal arrangement with other people who do not vaccinate their children. Members need to be realistic about the fact that that is likely to be an outcome—people will get together and put in place their own informal babysitting clubs, if you like. I suggest that their children would then be at even greater risk of disease, because there would be no herd immunity whatsoever. It is an invidious position to put a parent and their child in. I have sympathy for these people who are raising these kinds of issues, particularly those who are raising them in a very sensible way.

I will talk a little bit about my experience. Members know that I have three fabulous children. Although all my children are fully immunised and, indeed, are immunised beyond the stipulated vaccination regime because they have travelled in Asia—they had to have all the weird and wonderful vaccinations that people who travel overseas require—their path to this status was achieved outside the standard schedule for me because of various advice that I received and also health conditions, yet I am not quite sure that I would have been entitled to one of those exemptions. My gorgeous, stunning daughter, who is now 23 years old, was five pounds and eight ounces when she was born. She was very little; I am little. But, she was very little when she was born in hospital. Unfortunately, when she was five days old, I found out that she had contracted golden staph. She was tiny. She was in intensive care and we did not know whether she was going to live. It was a very frightening time. I thank Princess Margaret Hospital for Children for saving my daughter's life and thank God that we now have the drugs available to save children's lives. At the time, my grandmother was distraught beyond belief because she associated babies who contracted golden staph with them inevitably dying. It was wonderful that my daughter lived and she is fine, but it completely wiped out her immune system. Even though I did everything I was supposed to do as a mother to try to raise her immune system, unfortunately, it meant that for the first two and a half years of her life, it was compromised as a result. She had colds and earaches and all the things that happen to kids who catch everything all the time. I was told that the best thing for me to do would be to hold off on vaccinating her for quite some time, until I felt that she was potentially going to be strong enough to be able to undertake the vaccination regime. At the time, a regime had been introduced whereby I needed to verify her vaccination status. She was not vaccinated at that stage, so I had to fill out a conscientious objector form. I was not actually a conscientious objector, but I was not able to vaccinate her, on the advice given by doctors. I do not think that that would have been enough to constitute an exemption in terms of the exemptions that are foreseen in this bill. I also note that somewhere in the mystical records I am down as a conscientious objector, yet that is not actually what I am and is not how I define myself, but that was the option open to me.

My third child was a gorgeous, little, chubby buggerlugs, but, unfortunately, he was not able to get the vaccinations during the early parts of the regime because, most of the time, when the vaccination schedule came around, he had a cold or something like that. The one thing that we know is that we are not supposed to give kids vaccinations when they are unwell. The case was that I had to do a catch-up with him. This mean that somewhere out in the records—I question the integrity of these records—it looks like he is partially vaccinated, but he is not; he is fully vaccinated plus some. He is about to get the Gardasil vaccination as well, which is really good that that can happen.

I suspect that the rates of vaccination for some parents are very different from what has been recorded within the system. I just used my example of three kids who were fully vaccinated, but the records did not indicate that. I am down as a conscientious objector, but I am actually not one. This was the situation I was in. I know that I am not alone in that. A number of parents have indicated that, like me, they have every intention of ensuring that their kids will be fully vaccinated, but they want to be what I term “vaccine variators”. They want to make sure that the vaccinations are done when their children are well and at an age-appropriate time, and this legislation does not take that into account. The legislation is trying to get those people who are disorganised or a little bit hopeless, and let us be clear, it is also trying to punish those people who refuse to accept the science of vaccinations. What it is not doing is allowing flexibility for those parents who might have a more comprehensive understanding of the health of their child at a particular time than some faceless bureaucrat. This is just a fact, and I am really concerned about it.

I think the bill is also reliant on the integrity of the Australian immunisation records, which are dodgy. I am able to produce paper records of all three of my children's vaccinations. I can give them to their schools now, because I still have two children in school, and it is there. I can supply it to anyone who is interested, but I know for a fact that it is not reflected on the electronic record. I think it is a problem for parents to rely on doctors who might not have their paperwork up to date or have a bit of a backlog, and there is a whole range of other things that I will talk about in a moment as well. There are lots of reasons why I think that an electronic record cannot be relied on,

particularly when we are talking about excluding children from early education. In introducing a coercive measure, we need to be assured of the reliability of this data that is informing a decision to exclude a child from early education or child care, and I have not been assured about the ease of compliance, particularly given my own experience of the register not being a complete and accurate record of my own children's immunisation status.

We also know that one of the biggest cohorts recorded as under-vaccinated are people who have immigrated to Australia. This does not necessarily mean that they are not up to date, but it does mean that we do not have their records, so I am wondering how we are going to address that. Will we make the assumption that if a person does not have a record, they are not vaccinated and therefore they need to be excluded?

I note that one of the arguments made in the second reading speech is that vaccinations in the Australian childhood immunisation schedule are free under the national immunisation program, but the briefers were not able to provide me with any sort of assurance that it is or will become free for vaccinations outside the scheduled times—that is, catch-up programs for children who were too unwell to be vaccinated at the scheduled time. It is certainly my experience, and the experience of parents within my office, that I ended up being hundreds of dollars out of pocket, which I was prepared to pay because I am pro-vaccination and I wanted my children to be fully vaccinated, during the catch-up schedules for my children. So when people tell me it is free, I want to know, please, where I can go to get a refund for the hundreds of dollars that I paid to ensure that my children are fully vaccinated.

In summary, vaccination is a deeply polarising issue in our community. The debate levelled around vaccination has been overly simplified. Of course, like any other area of public health policy that relates to behavioural change, there needs to be nuance, and the power is understanding the drivers of behaviour and making sure that we respond accordingly. Associate Professor Julie Leask and Hal Willaby from the School of Public Health at the University of Sydney cogently summed up these issues in an article written for *The Conversation* when the no jab, no play legislation was being considered in New South Wales. They said —

The proposed legislation seeks to reduce the risk of a vaccine-preventable disease outbreak. But it may actually increase the risk by corralling unvaccinated children together where an outbreak of a disease such as measles could spread much more rapidly. This is effectively punishing children for their parents' decision.

Systematically enforced universal record checks of children's vaccination status serves to remind late parents nearly as well as bans would, while allowing the children to participate in society without further disadvantage.

As for the parents who actively decline vaccines, they do so out of a desire to do the right thing by their children. These parents may be genuinely misguided about vaccination, but they are not wilfully selfish. For them—and the vaccine-hesitant parents—listening, respectful communication, and quality information are more likely to win them over than castigation and coercion.

I think that is important feedback and I think it is something that we need to contemplate. I would add that we need to have in place a range of public health measures that I do not believe we are currently adequately undertaking around vaccination. We need to ensure that vaccinations are always free, particularly for any child under 18. We need to make vaccinations as accessible as possible; for example, I went to try to have my sons aged 16 and 13 vaccinated for the flu. I was able to go to a chemist to have it done, but I was told that I would have to make a doctor's appointment—even though my sons are bigger than me—go all the way to Glen Forrest, spend time there, get their vaccinations, hang around and then come back. I just want to be able to take them to the local chemist to get their vaccinations, just like I could. I know that is not part of the childhood schedule, but I am talking about making vaccinations as easily accessible as possible. We need to do something about the records and make it easier to ensure that those records are accurate and kept up to date. I would love to be able to hand over the paper records I have and have them put in the electronic national immunisation register, but this is not available to me because that option will not be undertaken. I think we need to do more around education. I applaud those parents in Fremantle who worked really hard to not only talk about how they support natural birth and a whole range of things, but also make the point that they vaccinate their children and are prepared to do that. Those are my concerns.

Sitting suspended from 1.00 to 2.00 pm

HON MARTIN ALDRIDGE (Agricultural) [2.00 pm]: I rise to contribute to the second reading debate on the Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019. In doing so I point out that I am the lead speaker for the Nationals WA. I did not intend to be the lead speaker, but Hon Colin de Grussa is away on urgent parliamentary business today so I am filling in. I will do my best in his absence.

This bill was introduced not that long ago, on 8 May 2019. I took some interest in it when it was introduced—I think I was in the chair—and listened to the minister's second reading speech. I was interested to hear whether this bill would come with any cost. Shortly after, I asked two parliamentary questions on notice, which, unfortunately, have not been answered. They are not due to be answered until 6 August, but the government has had these questions since 4 June 2019. Question on notice 2179 was to the Minister for Health and question on

notice 2178 was to the Minister for Education and Training. This bill amends two acts: one is in the jurisdiction of the Minister for Education and Training and the other in the jurisdiction of the Minister for Health. I have asked both ministers a similar question. I asked the Minister for Education and Training —

I refer to the *Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019*, which amends the *School Education Act 1999*, which is an Act under the control of the Minister for Education, and I ask:

- (a) will the passage of the Bill burden the Department of Education or any other agency under the Minister's control arising from any provision of the Bill; and
- (b) if yes to (a), will the added burden be funded within the approved appropriation of the affected department or agency, or will it require further resourcing to be provided?

A similar question was asked of the Minister for Health about the amendments that will be made to the Public Health Act 2016. As I said, unfortunately, those answers are not due until 6 August, which is beyond the winter recess. My understanding is that the government intends this bill to pass through both chambers before we rise for the winter recess.

This bill was introduced for the first time into the Legislative Council and a number of provisions are now listed on the supplementary notice paper, although that would not have been known to the government at the time.

I listened to the minister's second reading speech with interest because I am interested in how this bill will be treated by the Legislative Assembly when it arrives in that chamber via a message from this chamber. I refer members to section 46 of the Constitution Acts Amendment Act 1899, "Powers of the 2 Houses in respect of legislation", which states —

- (1) Bills appropriating revenue or moneys, or imposing taxation, shall not originate in the Legislative Council; but a Bill shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand of payment or appropriation of fees for licences, or fees for registration or other services under the Bill.

I am quite familiar with that provision of the state Constitution because, on 13 September 2016, the Speaker made a ruling in the other place about the Constitution and Electoral Amendment Bill 2016. I am familiar with that bill because I introduced it to this place and it was passed by the Legislative Council and transmitted by message to the Legislative Assembly for concurrence. Then Speaker Sutherland said —

Section 46(1) of the Constitution Acts Amendment Act 1899 provides that "Bills appropriating revenue or moneys ... shall not originate in the Legislative Council." It is the longstanding practice of this house that if a bill has the effect of creating new costs against the consolidated fund or creates a potential or contingent liability for those costs, it is considered to be a bill appropriating revenue. The house does not require there to be specific words in the bill appropriating revenue before classifying a bill as one that appropriates revenue.

...

I accordingly rule the bill out of order, and I will be sending a message to the Council advising of the same, together with a request that the Council ensure that it strictly observes section 46(1) of the Constitution Acts Amendment Act 1899 in relation to all future bills.

Not much attention was given to that matter until 18 October 2016, just over five weeks after the ruling I just quoted, when Speaker Sutherland made a ruling on the School Boarding Facilities Legislation Amendment and Repeal Bill 2015. His ruling was —

I have had an opportunity to consider the provisions of the School Boarding Facilities Legislation Amendment and Repeal Bill 2015 transmitted by the Legislative Council to the Legislative Assembly on 18 August 2016. In my view, the bill appropriates revenue or moneys and, in accordance with section 46 of the Constitution Acts Amendment Act 1899, the bill can only originate in the Legislative Assembly, not the Legislative Council.

My reasoning is as follows. Section 46(1) of the Constitution Acts Amendment Act 1899 provides that "Bills appropriating revenue or moneys ... shall not originate in the Legislative Council." It is the longstanding practice of this house that if a bill has the effect of creating new costs against the consolidated fund or creates a potential or contingent liability —

There was a series of interjections, but the ruling continued —

It is the longstanding practice of this house that if a bill has the effect of creating new costs against the consolidated fund or creates a potential or contingent liability for those costs, it is considered to be a bill appropriating revenue or moneys. The house does not require there to be specific words in the bill appropriating revenue before classifying a bill as one that appropriates revenue or moneys.

Turning to the bill, it empowers the Minister for Education to establish student residential colleges. The minister may “acquire, hold, manage, improve, develop and dispose of property or an interest in property” for the purposes of performing the functions conferred on the minister under proposed part 6A that relates to student residential colleges. Given the large cost of acquiring, improving and developing student residential colleges, the bill will have significant financial implications for the state.

I therefore rule that the bill appropriates revenue or moneys, and, as such a bill cannot originate in the Legislative Council by reason of section 46(1) of the Constitution Acts Amendment Act 1899, I rule the bill out of order.

I will be sending a message to the Council advising of the same, together with a request that the Council ensures that it strictly observes section 46(1) of the Constitution Acts Amendment Act 1899 in relation to all future bills.

That was Speaker Sutherland on 18 October 2016. The Leader of the Opposition will be very familiar with that bill because it was his bill. Acting on the advice of, I believe, the Parliamentary Counsel’s Office, and if not, the State Solicitor’s Office, it was introduced into the Legislative Council. All it did was transfer an existing provision in the Country High School Hostels Authority Act to the School Education Act. An existing provision was transferred from one act to another as the Country High School Hostels Authority was wound up to give the Department of Education jurisdiction over residential colleges.

Obviously, the points I have made will not stop the bill from proceeding through the debate in the Legislative Council today, but I take some interest in how the Legislative Assembly will treat this bill when it is received in the other place. Looking at the second reading speech and the provisions in the bill, I find it very hard to accept that it does not create a new cost to the state of Western Australia that it does not have today. Under the provisions regarding the Chief Health Officer, the exemption provisions and the reporting provisions, it would be very difficult to claim—although I do not yet know the government’s response to those two questions on notice that I referred to—whether it will require additional resources to be provided to the health and education departments to administer the policy of this bill when it passes. I will be interested to get a response from the government, even if it is by reply to the second reading or during Committee of the Whole House on clause 1 of the bill, in this respect. I point out that there has been a very interesting view between the Legislative Council and the Legislative Assembly on this particular provision of the state Constitution and it has caused the houses some difficulty from time to time, not to mention the two cases that I referred to.

Turning to the bill, earlier this week I read an article on news.com.au, titled “Smallpox and the photos anti-vaxxers don’t want you to see”. I am not going to comment on the anti-vax movement, because there has been plenty of commentary about that in the debate thus far. The article mostly explained how June 2019 marks some 270 years since the birth of Dr Edward Jenner, who invented the world’s first vaccine in response to the smallpox outbreak at that time. I will quote two sections from this article, which was published on 8 June 2019 by news.com.au. It states —

Smallpox killed over half a billion people in the 20th century alone—three times the number of deaths from all of the century’s wars combined.

It began with flu-like symptoms, progressing to an horrendous rash consisting of deep sores, filled with fluid that would blister, ooze, crust and scab over, leaving permanent scars on those lucky enough to survive.

I do not think I appreciated, and perhaps other members did, the long history of vaccines and certainly the birth, some 270 years ago, of Dr Jenner, who is considered the father of vaccines.

I want to talk a little about how the objective of this bill is to increase the rate of vaccination. Obviously, in a perfect world we would have close to a 100 per cent vaccination rate, but I believe, from the second reading speech and from the briefing that I had, that the objective is to get to a 95 per cent or greater level of vaccination, the preferred vaccination rate, to ensure a level of protection across the population. For WA Health on page 274 of volume 1 of budget paper No 2, some vaccination rates are listed. Under “Outcomes and Key Effectiveness Indicators” is the specific outcome “Prevention, health promotion and aged and continuing care services that help Western Australians to live healthy and safe lives”. The first indicator relates to immunisations. It makes for some interesting reading. Obviously, the budget targets for 2018–19 and 2019–20 were equal to or greater than the 95 per cent rate that I just mentioned. That reflects the minister’s second reading speech and the intent of this bill. Interestingly, it reports data on 12-month-olds, two-year-olds and five-year-olds. It also breaks it down by Aboriginal and non-Aboriginal children. It is interesting to look at the figures for Aboriginal children. The estimated actual for 2018–19 for two-year-old Aboriginal children, according to the most recent budget papers, is an 81.8 per cent vaccination rate. That is a very low vaccination rate; in fact, it is lower than the 2017–18 actual. The vaccination rate for two-year-old Aboriginal children was going backwards from 2017–18 to 2018–19, based on the budget papers. For two-year-old non-Aboriginal children, it has gone from 89.5 per cent in 2017–18 to 90.6 per cent in 2018–19. That is a slight improvement on non-Aboriginal rates. The data on five-year-olds is quite interesting. The rate for non-Aboriginal children goes from 90.6 per cent to 93.2 per cent; from two years to five years, there is a definite increase in the percentage of children vaccinated. Aboriginal children go from a vaccination rate of 81.8 per cent, as I just

mentioned, to 94.9 per cent. There is a higher vaccination rate amongst five-year-old Aboriginal children in Western Australia. It has been pointed out to me that the interaction with compulsory early education begins between the ages of two and five years. That is what is largely driving that uplift in vaccination rates, particularly amongst Aboriginal children. This is something I will come back to shortly. According to the budget papers, the estimated actual in 2018–19 for the vaccination rate of five-year-old Aboriginal children is 94.9 per cent. We are only a whisker away from not only the budget target but also the government's target with regard to the policy of this bill. Obviously, in the other categories of 12 months and two years, there is still quite some way to go.

State and federal governments have made concerted efforts over a number of years to look at policy responses to drive vaccination rates to this 95 per cent level. They talk about herd immunity, and that is where they want to get those population health targets to, because once the population is at a 95 per cent level of immunisation, the public health benefit is greatest. We obviously have two approaches here: the stick and the carrot. The stick approach is that the government will not pay people's childcare fees or it will exclude their children from early education if their children's vaccinations are not up to date. The carrot approach, which is demonstrated by the data in the budget papers, is that when these children engage in early education, there is an enormous uplift in vaccination rates. Unless somebody can give me some other explanation for that, the best assumption that I can make, and the position that was put forward to me that I think I accept, is that once these students are enrolled in early education, the government has contact with them, whether that be through the Department of Education, the Department of Health, community health or nurses. The government is working with these families and children. Before then, it has limited contact with these children. That is an important point to consider, unless it is contested, when we look at the exemptions.

When I looked at the second reading speech in greater detail, I looked at the list of proposed exemptions, because it is proposed that the exemptions are going to be a regulatory function. When I saw the exemptions that are in the second reading speech, the first thing I asked myself was: who will be left? Who will be left after we have exempted those mentioned in the eight dot points in the second reading speech? Presumably, there will be eight exemptions. Who is left? That was one of the issues that I raised in my briefing with the department. I was told that the exemptions have been established based on the Victorian legislation, which has similar, if not the same, exemptions in place. I understand that similar laws are operating in other jurisdictions that have a different regime of exemptions, but they have exemptions. Unless I am mistaken, the other jurisdictions that were mentioned in my briefing—although I did not take that note—were New South Wales and Queensland. I am told that based on the Victorian experience, which our bill mirrors, the exemptions affect about one per cent of the children who would be considered for enrolment in Victoria's education system. When I asked for more data to break that down by exemption type, I was advised that, unfortunately, Victoria was not prepared to share that data with Western Australia. Indeed, I assume that data is not publicly available. That was obviously an obstacle from my perspective because we could not drill down into understanding these classes of exemptions. One class, for example, is children evacuated from their residence as the result of a declared natural disaster under the Emergency Management Act 2005. I would have thought that in some years the number of children in that exemption class would be zero, if not close to zero. Perhaps there could be circumstances in which there is some type of significant natural disaster in Western Australia—they do happen from time to time—and we could have quite significant evacuations for a number of weeks, if not months. That is not out of the question, but I could not imagine that exemption clause being used routinely.

I want to talk a bit about the Australian Immunisation Register. I paid quite a bit of attention to Hon Alison Xamon's contribution, because for those parents of young children in this chamber, it has from time to time caused some grief. I certainly have my story with this certificate or AIR record, as it is referred to. First of all, the problem is accessing it. I do not know whether anyone has needed to access myGov. I would love not to have had the responsibility of a myGov account, but I have one because I have children in child care. We have to access myGov for not only childcare rebates and subsidies, but also access to the AIR record. If members are not on myGov, while we are talking here this afternoon, try to sign up. We need two-factor authentication and to download an app to our phones. It has a thing that ticks and times out if we do not put in the six-digit code fast enough. It drives me mad. We get a notification from myGov saying, "You have a notification from myGov." I think: what is it writing to us about now? My partner and I always argue about who is going to access the communication on myGov because neither of us wants to do it. It is not a simple process. I raised this matter in the briefing, and I am told that we can call a number. I do not know whether anyone has tried calling Centrelink lately, but that is probably more painful than trying to get on to myGov for probably obvious reasons. It does not want people calling it. I am concerned about access to this AIR record, particularly for disadvantaged people, people who do not have a computer or internet at home or who might need to be supported through that process, because it is not that easy.

I am also concerned about the currency of the AIR certificate. Similar to Hon Alison Xamon, I have been faced with a situation in which one of the doctors providing a vaccination to my child did not do their job of providing that advice to the Australian government to make sure that the certificate for my child was current. So I had to go back to my doctor and chase up the practice, and ask why it was not done that and get the practice to do it. Then there is a delay in processing and having the certificate reissued. That is another obstacle that some parents may have to face. I hope that the system that is put in place considers that accessing the AIR certificate can be problematic.

In my briefing, I asked about the purple book. Members who are parents of young children will know what the purple book is. It is almost a sacred document in our house. If your house is burning down, you grab your purple book.

Hon Sue Ellery: Would you grab your children as well?

Hon MARTIN ALDRIDGE: I would probably grab the book first! It is like an instruction manual for a child. At the very front of it—it might be the back—is the vaccination schedule that parents take to all their child's vaccination appointments. The nurse or doctor removes a sticker from the vaccine vial and sticks it into the purple book. They record the time and date the vaccine was given and the type of vaccine, and they sign it. I thought there would be nothing more accurate than that little bit of paper in my purple book. It has a sticker from the vaccine vial and the signature of the medical practitioner who gave the vaccine. I thought every day of the week that that would be more accurate than when I have relied on a medical practitioner, a doctor or a nurse, to have told the Australian government it has happened. I wonder whether there is scope. I think there is a regulatory power in prescribing what is evidence, but I would like consideration to be given to using the purple book as perhaps alternative evidence of meeting the vaccination schedule.

One thing that I thought was quite interesting from my briefing—it has always puzzled me—is that it is never too late to start vaccinating. I have the recommended schedule here. A lot of the vaccines are in the younger years. The bulk of the vaccination schedule is from birth to four years of age. My question was: if someone has reached 40 years of age, is it too late for some vaccinations? I was quite surprised to hear at the briefing that it is not too late. It is never too late to start vaccinating. The Australian government provides free vaccines for people up to 19 years of age, which surprised me. I wonder whether that message needs to be spread a bit further and wider if we have missed a whole bunch of children from these younger years before things such as the no jab, no play and no jab, no pay policies are put into place. If there are big cohorts of unvaccinated younger people out there, it is important to let them know that it is not too late to start vaccinating. Indeed, the Australian government will continue to support that until 19 years of age. That was something that I learnt in my briefing that I wanted to share.

When I look at clause 2, the commencement clause, I see that part 1 of the bill, including the short title, will come into effect on the day on which the act receives assent and the rest of the act on a day fixed by proclamation. My understanding, from conversations behind the Chair as well as the briefing that I was provided, is that the intent is to have this passed by 30 June and proclaimed by 1 July. I am told that the effect of the bill will be from 1 January. It will be in effect from 1 January because that is when most children will commence their school year. The first of July is only a few weeks away. I may have a child who is enrolling in child care for the first time, changing childcare centres or perhaps changing schools as a kindergarten student, which, in effect, triggers a new enrolment. Will this legislation have full effect from 1 July?

My reading of the legislation, confirmed by the information I received in the briefing, is that the legislation would have full effect on 1 July. Essentially, we are going to pass a new law that for some children will have effect within a few weeks. For the bulk of children, it will be 1 January next year, when they start kindergarten or perhaps mum and dad decide to enrol them in a childcare centre. I want confirmation of that and the extent to which the government has started to communicate that information. I do not think government can wait for the passage of the bill, because if the legislation is to have effect from 1 July, that communication needs to be advanced.

I was told in the briefing about a number of things that the department is doing and has done to communicate to parents the effect of this new legislation even though it has not yet been passed, which is difficult to do. Obviously, there has been some advertising. When I left home early on Tuesday morning to travel to Perth to come to Parliament, before I had even put my car into reverse, the FM radio came on and I heard a radio advertisement telling me about the changes this legislation would bring in from 1 July. The government has obviously initiated a radio campaign to inform parents enrolling their children from 1 July this year about their obligations arising under this legislation. I want to understand more fully the effect that this legislation will have on those parents from 1 July until the end of the year.

Supplementary notice paper 127 lists a number of amendments. I have said before, on another bill—it escapes me which one—that the supplementary notice paper reflects the complexity of the issues we are dealing with. Some significant contributions have been made so far in the second reading debate about the amount of correspondence we have received to our offices on this issue. One thing that has struck me about the plentiful correspondence I have received is that not a lot appears to be from my constituency. That is the first observation I make. I have an auto-response that I get my staff to send whenever I receive an inquiry. The first thing I ask for is a person's address, because I want to know whether they are in my constituency; and, if they are not, I want to refer them to the appropriate member of Parliament to assist them. To my knowledge, I am not sure that anyone has responded to that request. It strikes me as suspicious where some of these inquiries have come from. Nevertheless, I have had some genuine correspondence from people with various concerns about this bill. Hon Alison Xamon in her contribution to this debate addressed a number of key issues that have been raised.

The Nationals WA have engaged with the Minister for Health and the Leader of the House, who has carriage of the bill in this place, to discuss an amendment listed on the supplementary notice paper today. The amendment is to provide an annual reporting provision in the annual report. We will go into greater detail on the amendment

when we go into Committee of the Whole House. I think it will be valuable to not only Parliament, but also the public to have some de-identified public data on the number of exemptions provided and the way in which children catch up with their vaccinations as a result. It is one thing for a child to receive an exemption to enrol in education or child care with the view that once they are enrolled, we can engage with and vaccinate them, because we want those next steps to happen. I know that the Minister for Health has written to the Leader of the Nationals WA in this place, who is away on urgent parliamentary business, giving commitments around extra resourcing for schools to make sure that significant effort is made to target particularly those students who are enrolled under an exemption to bring them up to the appropriate stage of the vaccination schedule. I recognise the government's cooperation on the amendment listed on the supplementary notice paper and I am sure we will discuss that in great detail.

As I said earlier, the primary contentions sit around the exemption provisions. On behalf of the Nationals, I will say that we believe the best way forward is to allow the government the flexibility of a regulation-making power for exemptions. There are and will be opportunities for both houses of Parliament to scrutinise those regulations through the ordinary course of disallowance motions if someone feels compelled to do so. I am not aware of any other jurisdiction with similar laws that has no exemptions. The exemptions vary, but all the other jurisdictions have exemptions. I certainly could not support putting exemptions in the primary legislation. I think that would be a mistake because it would make it very difficult for a future government to revisit easily an exemption in the primary legislation unless there was some other reason for reviewing that law. For example, there could be a time when an exemption is no longer valid because we have decided that vaccination rates or circumstances with respect to one of the exemption provisions are no longer current or, in fact, an exemption is having a perverse effect and needs to be removed. Indeed, there could be a new provision that has not been considered that needs to be included. Although I appreciate concerns around the effect the exemptions will have—I share some of those concerns about how many students this legislation will capture and how many will be exempt—I think that it is the best path forward.

Ultimately, in a perfect world, vaccination rates would be increasing and the number of children excluded from having their enrolment accepted would be low, because they would either be seeking an exemption or bringing their vaccination schedule up to date. There are catch-up provisions and a regulation-making power in the bill to allow a family to make efforts to catch up on the vaccination of a child. With those few words expressing my views, I indicate that the National Party supports the bill in principle. There are a number of amendments. I have spoken to some, not all, of those amendments, but we will address them when we enter the Committee of the Whole House stage. Thank you.

HON TJORN SIBMA (North Metropolitan) [2.38 pm]: I wish to take this opportunity to thank the government for its intent in the Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019, but I think the bill's deficiencies have been canvassed reasonably eloquently and knowledgeably by other speakers in the chamber. I am particularly committed to the very simple but effective amendment proposed by Hon Rick Mazza to reduce exclusion clauses to solely medical reasons.

That is important to not only make this bill effective, but also clarify the intent of the bill. I am sure that other people have made this observation, but I am not 100 per cent convinced that this is a public health bill. I am, admittedly, an immunisation hardliner, but that is not to say that responses should not be nuanced, contemporary and flexible enough to accommodate practical impediments in ensuring that our immunisation rates hit at least that 95 per cent target that will permit confidence in herd immunity. Individual medical circumstances differ between individuals. I commend the government on bringing this matter to some public attention with this legislation and reinforcing the need to remain eternally vigilant of preventable health crises, which will emerge with great rapidity and without mercy should we drop the ball.

We are facing a number of threats to sensible medical practice in this and other jurisdictions, and they seem to be combined. The first is complacency. We are probably only three generations removed from one of the world's most devastating global pandemics, the Spanish influenza crisis that immediately followed the First World War, but we are probably only two generations away from the polio epidemic of the 1950s. With each generation that passes, the social memory fades. We are not used to members of our families and communities being struck down by random, merciless and fatal maladies that are preventable. I speak here with some family experience, and I want to draw on that a bit, with the indulgence of the house, because it informs my personal view as much as my political view on these matters. In my first address to this house I made reference to one of the seminal figures in my life, a gentleman named Paul Berry, who was my mother's uncle. Paul contracted polio in the late 1950s, within about three or four months of an effective polio vaccine being developed. He was devastatingly, tantalisingly close to being protected from that virus. Paul's life, and the lives of the rest of the family, were informed by his very courageous struggle to deal with the consequences of that illness. That was effectively paralysis between the waste and the neck. He spent every night for 47 years sleeping in an iron lung at the old Shenton Park rehabilitation hospital. I come from that perspective, which is colloquially known now as the lived experience, or perhaps it is lived experience with some vicarious aspects.

I do not have to go far back in my family to understand the intent behind this bill and the wisdom of that intent, even though there may well be some practical impediments. I speak now of my then slightly younger than six-month-old

niece, Lolle. While living in Broome with her parents, who are both medical practitioners, she contracted whooping cough. She was exposed to a source of contagion that was allowed to develop because there was not sufficient coverage in the community. If we understand anything about the vaccination schedule that all children go through, whooping cough immunity is not fully developed until around two years of age. There are about three separate vaccination points. Lolle was not fully immunised. I remember the severe anxiety that my sister and brother-in-law showed during the time that Lolle was in hospital. She pulled through, and she is now quite the vibrant and happy little girl. It is important to reflect on circumstances such as that, because it helps us deal with the conceptualisation of risk and the appreciation of intent.

Like every other member of this chamber, I have received copious correspondence from people with very strong ideological dispositions against any form of compulsory vaccination regime. Parents who understandably want to put their children's interests first are worried about the kinds of risks that vaccination may present to their child. We are not really in a very good position, unfortunately, to have educated discussions about risk, particularly in the public health domain, because we are so isolated from broad, large-scale and devastating consequences of effectively lowering our guard. I reflect on a number of examples across Japan, the UK and Sweden in the 1970s, particularly involving whooping cough. I got these figures from the World Health Organization, but I think they were originally sourced from the Centers for Disease Control and Prevention in the United States. In 1974, when Japan had about a 70 per cent level of immunisation across the country, it registered 393 cases of whooping cough and zero deaths. For a range of reasons, that level of vaccination dropped by an order of about 50 per cent. Five years later, in 1979, Japan had 13 000 cases of the same strain of whooping cough, with 41 deaths. The lesson is that we have historical evidence about what happens if we do not vaccinate. That is the kind of conversation we need to have more often.

There is a very helpful resource for parents who have these kinds of questions about vaccination and why it is important. This resource also provides some measure of myth busting and disabusing people of some unfortunately sticky but wrong notions about, for example, the connection between vaccination and autism, the kinds of antigens contained in vaccines that have doubtful provenance, and all the rest. The project is called Sharing Knowledge About Immunisation; it goes by the acronym SKAI. If other members are interested in this website, I am more than happy to direct them to it. As much as anything, a sensible public health campaign is probably overdue. There is an element of target group reach. I can see that there are people who have adopted an ideologically fixed position that could quite easily be categorised as anti-vaxxer, whom we will never reach. No form of public education, however well researched, will ever convince some people of the merits of vaccination, but I think a large proportion of people, particularly in the metropolitan area, have some legitimate concerns grounded, I think, in understandable reasons, but have formed their views incorrectly. The information sources they have looked to have been misguided or skewed and they probably have some undue reservations about permitting their child to do what is in that child's best interests 99.99 per cent of the time and what is certainly in the community's broader interest.

I do not think I have made this observation publicly, but I have made it privately over a number of years. I am not normally a great advocate of public health advertising for that kind of sake, but I have noticed a recent trend, probably in the last five or seven years. I do not necessarily think, for example, that targeting 32 or 33-year-old tubby middle-aged blokes who want to treat themselves to a sausage roll and a fizzy drink at a service station is really the most crucial public health dilemma facing us as a community, and, frankly, their behaviours are not likely to change as a consequence of this kind of public health fund. I think measures such as these, flawed but as well intended as they are, must be dealt with by a more effective communication strategy, and I will leave the decision on whether that comes directly from government or in cooperation with other medical professionals to those more equipped and specialised than I am. I think we are missing some opportunity there, and we could really think a little more clearly about the kinds of priorities that we engage in.

I will end by saying that I cannot really fathom the justification of the eight exclusions contemplated by this bill. I would think that a number of these excluded groups will never be excluded and are more likely to have higher rates of immunisation than the general community. I do not understand the necessity of excluding groups of Aboriginal children, who, frankly, have exemplary personal immunisation histories, when those children who are not immunised—I do not mean to be derisive here—exist in pockets of almond milk latte belts through North Fremantle, Claremont and perhaps Maylands. I do not want to single out particular suburbs, but they are well established. There are similar trends in other Australian capital cities, particularly in inner-city Melbourne and inner-city Sydney. There is something constitutional or interestingly sociological going on in those micro-populations. I suggest very humbly to the government that if it is seeking to demarcate groups of people for special attention and remediation, it should perhaps look at those kinds of people. Generally—I am speaking in generalisations here—they are well-educated, middle-class mothers who want to do the right thing for their kids. Their motivations are pure. With respect, I think they have formed some very incorrect notions and have a misapprehension of the kinds of risks that they are not only exposing their child to, but also, more importantly, other children. This is what this is about. These are the kinds of people who I think have a sound social conscience and who want to be responsible members of the community. Perhaps if the government appeals to those kinds of people in those kinds of terms, we will get somewhere close to ensuring we get that 95 per cent herd immunity level, and hopefully just a little bit above that too.

HON MATTHEW SWINBOURN (East Metropolitan) [2.54 pm]: I rise in support of the Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019. I appreciate some of the contributions that have been made by other members of the house. Hon Tjorn Sibma and I share a common person, his brother-in-law, who was a very close friend of mine in high school. I appreciated him talking about the experience of his niece and Jason's daughter. I have also had the lived experience, albeit vicarious, that the member talked about. My grandmother suffered from polio and was crippled by it. She is fortunately still with us, but she has obviously carried the scar of polio for her life. She was of that generation of people who suffered that epidemic during the 1940s and 1950s following the war. Many members would be familiar with my personal history and would know that we spent a lot of time at Princess Margaret Hospital for Children. There used to be a mural of pictures of the history of the hospital and there were pictures of children who were bedridden or in an iron lung and those sorts of things. It is worth reminding ourselves of the significant impact that polio had on those children and their families. For some reason, and I do not quite know why, the polio outbreak was particularly severe in Western Australia. Hon Tjorn Sibma also mentioned the Spanish influenza. The number of people who died from that was more than the number of people who died as a consequence of the First World War, such was its impact. I am not sure that we are necessarily placed in a better position for the outbreak of a serious virus like that than they were in 1919. We do not want to catastrophise these things, and we do not want to see them ever happen, but the problem with viruses is that once they set in, there is no cure. We can deal with the bacterial infections, fevers and things like that, but we cannot cure a disease caused by a virus in any meaningful way. For a disease such as rabies, treatment is given after someone has been bitten by a dog, and the treatments are very painful with very low rates of success. Fortunately, we are not affected by the rabies virus in Australia, and let us hope we keep it that way, but people travel to countries where it exists. I have that experience of a family member who has lived with the consequences of polio, a completely preventable disease, and it is essentially eradicated from Australia. Some years ago, I met a young boy who had suffered from it, but he was a migrant from Vietnam and had contracted it in that country without the chance to be immunised and protected from it.

I also have the lived experience of a child who at times is immunocompromised and who needs the protection of herd immunity. We talk about the rights of individuals, but every individual has the right to good health. This kind of communal stuff drives us all together, because we cannot escape from each other in that sense. We live in a community; we live in a communal environment. A person cannot say that because their child is healthy, they should not have to take action to prevent those children whose health is at risk if they contract even a small viral disease. We have that responsibility. Someone whose child falls into those categories very often lives in fear about them even contracting a cold and those sorts of things, because it can kill them off. It is just the thing that tops it off for them. All my children are vaccinated and always have been. Mitchell's issues did not arise until he was 10 years old. Fortunately, he is doing quite well at the moment, but that will not always be the case. Whooping cough, obviously, is a big issue. Babies are not protected from it at that very early age and are very susceptible. It is crushing for someone to bring a happy, health little child into this world, only to have them catch this preventable communicable disease.

I support the policy of the bill. It is hard with these kinds of measures. I am a very big supporter of the education of all children and equality for all children in their access to education, but we have the issue here of diminishing returns in getting up to that herd-level immunity. These are the harder things we must do in public policy to get over the line. It pleases me greatly to be part of a chamber in which so far there has been almost unanimous support for the policy principles behind the bill—that it is important for us to get all children protected. One member, I cannot remember who, talked about choice. There is a choice here—parents choose to vaccinate their children or not—but choices come with consequences. Unfortunately, the consequence for parents who choose not to vaccinate their child is that they do not get access to the kindy or the playgroup. That is a choice that they will have to make, and it is a hard choice. But the responsibility and consequence that comes from that is that our other children who cannot be vaccinated can attend with the benefit of the protection of those children who have been vaccinated.

With those short comments, I commend the bill to the house.

HON CHARLES SMITH (East Metropolitan) [3.00 pm]: I want to offer a few brief remarks on the Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019. As I am sure all members are aware, this year has seen a significant increase in cases of flu, with headlines reporting over 3 000 cases in Western Australia in the month of May alone. This year, the flu season has indeed struck early, and it has been quite deadly. Our hospitals are struggling with patients. Too many people have lost their loved ones to this all-too-common and now all-too-deadly virus. Many of us here will have had what we call childhood diseases—measles, mumps or chicken pox. As we grow older, we forget what it was like to be afflicted with those viruses. But—by God!—adult mumps is no joking matter. A few short years ago, I had mumps as an adult. I can tell members, for a man, it was the most excruciating experience in the nether regions that I have ever had to put up with; it was awful. I would encourage all men here to make sure that their immunisation against mumps is up to date. It was absolutely awful. I thought that may be of interest. One can have mumps and get it again, obviously, as I did. Just because one had it as a child does not mean that one cannot get it again, because I did.

Through the miracle of vaccines, humanity has managed to overcome diseases like smallpox and polio. The history of vaccines is extremely interesting and demonstrates the intellectual capacity of our early scientists to understand

disease. It is no surprise that many people, myself included, believe vaccines to be incredibly important, particularly for those most vulnerable in our society. We can come together on issues such as this from all sides of politics to fight for this common goal. Although some people who have contacted my office have valid concerns about the implementation of the program, we can agree on the importance of preventing these so-called modern preventable illnesses, particularly for children. Although I have some concerns about how exemptions will work for those who are medically unable to be vaccinated and the government's definition of "disadvantaged", I support the intention of the bill; therefore, it has my support.

HON SUE ELLERY (South Metropolitan — Minister for Education and Training) [3.04 pm] — in reply: I thank members for their contributions to the second reading debate on the Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019. I want to take a little while to go through my responses and to canvass as much as possible.

This policy is about lifting the rate of vaccination. It does not propose one single bullet to get us to 100 per cent. I think Hon Dr Steve Thomas made the point that because of the medical exemptions, that will actually never happen—those exemptions alone will preclude us from getting to that point—but the intention of the policy is to lift the rate. There was a view expressed by some that we should adopt what I might refer to as a "purist model" and have no exemptions or no educational exemptions. I do not describe it as being a "purist model" in a derogatory sense, because I think the motivation is pure, and I understand that motivation. However, that is not the advice of the educationalists, particularly the early childhood educationalists, and I ask those who are taking that position to reconsider. We need to listen to the advice of the educationalists, and particularly the early childhood educationalists. They are deeply committed to increasing vaccination rates, but they see better than us the range of obstacles that already exist for certain cohorts of children. Their advice is that to give those cohorts of children the very best chance of successful education, we need to have a mechanism that enables them to get into the education system as early as it is possible to do so, while taking the necessary steps to get those vaccinations done. Effectively, we should not be putting more obstacles in their way, because there are already enough obstacles in their path for many of them.

The government's position is that this bill reaches the right balance between a greater and more intensive focus on lifting the vaccination rates and ensuring that we are not putting additional obstacles in the way of children who are already at a potential disadvantage. The government's view is that those exemptions are best placed in the regulations; however, in discussions undertaken last week, there seemed to be a view from some members that they wanted those exemptions to be put into the act. Therefore, with the best of intentions, thinking that we were going to reach agreement, we drafted some amendments that would have the effect of putting those exemptions into the bill and put them into the supplementary notice paper in my name. This week, we were advised that members will not be supporting those amendments. In fact, we were advised that they may not be supporting exemptions at all. I want to tell the house now that I will not be moving the amendments in my name in the supplementary notice paper to move the exemptions into the bill. The government's position is that they are best placed in the regulations, and in the discussions that have been had with various members around the house, my understanding now is that the majority of members of the house will support those exemptions being in the regulations.

I want to say a little bit more about that. The purpose of prescribing the classes of exempt children in the regulations is to recognise the difficulty in universally defining what constitutes a vulnerable or disadvantaged child for the purposes of the policy objective. Using regulations in this respect is therefore administratively the best mechanism to ensure that should any unforeseen issues arise during implementation, no class of children would be administratively disadvantaged if they needed an exemption but could not get it without having to go through the parliamentary process. The proposed classes of exempt children have been based on those classes recognised in other jurisdictions; primarily the federal government's no jab, no pay immunisation requirement exemptions and those exemptions that apply in New South Wales' and Victoria's regimes.

I understand that people have questions about the exemptions and I want to provide more information about that in my second reading reply. One question was how people in charge will assess whether a child is an exempt child and whether there will be additional training and education of staff. It is proposed that the person in charge of a childcare service, community kindergarten or school would follow the following process for determining a child's eligibility for exemption. I will go through the steps in the event that an exemption is applied and how it is followed up. An exemption eligibility form, which is yet to be developed, will assist people in charge to determine whether the child is eligible to enrol under an exemption class. The form will be provided to all persons in charge of childcare services and kindergarten programs. When a parent or guardian applies to enrol their child and cannot demonstrate that their child has an up-to-date immunisation status according to their child's Australian immunisation register statement, the parent or guardian will be required to complete the exemption eligibility form.

The person in charge must consider the completed form and any supporting documentation that is provided. If the child is not eligible for an exemption, the application for enrolment cannot be progressed further by the childcare service or kindergarten program, and if the child is eligible for an exemption, the application for enrolment meets the immunisation enrolment requirements and the application for enrolment can be progressed. The person in

charge retains the exemption eligibility form on the child's record. The proposed exemptions are considered factual and should be able to be reasonably proven. Children enrolled under an exemption will be followed up in accordance with recently introduced requirements under the Public Health Regulations 2017.

During term 1 of each school year, the Department of Health will request reports of children enrolled in childcare services, kindergarten programs and preprimary who are not up to date with their vaccinations. This will capture children enrolled under an exemption class and who are under-vaccinated. With this information, the Department of Health will follow up with families—I will step members through that in a moment—of these children to provide additional support in accessing local immunisation services as a means to ensure that these children receive the missing vaccinations. Communications with these families will provide information on where to access local immunisation services. The planned communication strategy includes email and SMS reminders to parents and guardians. Public health units across Western Australia will contact parents and guardians by phone. Parents will be supported in meeting their requirements. To reduce the chance of a child being refused enrolment in early education and care as a result of the proposed changes, families have already been advised of the proposed immunisation enrolment requirements via media statements in December 2018, information on the Department of Health's website, the Department of Health's annual Starting Schools campaign, the Department of Health's social media, and the public consultation that recently occurred on the consultation draft of the bill.

Should the bill be passed by the Parliament, a communications plan has been developed by the Department of Health, which includes how families can continue to learn about the new immunisation enrolment requirements and what it means for them. Additionally, under existing regulations, the Department of Health has already requested that children currently enrolled in childcare services, kindergarten programs and preprimary who are under-vaccinated or whose immunisation status is unknown are to be reported to the Department of Health by the end of May 2019—so that has just gone. With this information, the Department of Health will undertake intensive follow-up with these families to support them in accessing immunisation services and ensuring their child has caught up on missing vaccinations. The Department of Health is supporting these families to minimise the impact of the proposed changes.

For new enrolments, schools and childcare services will be including in their enrolment packages information that directs parents and guardians on how to meet the new immunisation enrolment requirements, including how to access their child's Australian immunisation history statement. The Department of Health will follow up with the families of these children to provide additional support in accessing local immunisation services as a means to ensure these children receive the missing vaccinations. Communications with these families will provide information on how to get their immunisation history updated, where to access local immunisation services, how to access translation services if required, and where to find more information on the immunisation requirements online.

The planned follow-up strategy for children in the metropolitan area is as follows: an email will be sent to families by the communicable disease control directorate within the Department of Health. After one month, the families of remaining under-vaccinated children will receive an SMS reminder from the communicable disease control directorate. After a further month, the families of remaining under-vaccinated children will be contacted by phone by the metropolitan communicable disease control public health unit. For under-vaccinated children in the regions, the communicable disease control unit has provided assistance at the WA Country Health Service to provide the follow-up for these families through the public health units. The public health units will provide this follow-up through their preferred approach within local communities and across their regions.

I turn to some of the explicit issues that were raised in members' contributions. A question was raised about why the government considers the number of classes of exempt children to be appropriate. We recognise that some children with a vulnerability or disadvantage may be negatively affected by the immunisation requirements if they are prevented from accessing the benefits of early childhood education. Research shows that engaging in early education has a positive impact on children educationally and developmentally. For vulnerable and disadvantaged children, these services—kindergarten, child care or preprimary—may in fact be the first point of intervention. The government's intention is to strike a balance between supporting children to engage in these services and protecting public health.

The proposed classes of exempt children have been based primarily on the federal government's no jab, no pay immunisation requirement exemptions and New South Wales' and Victoria's immunisation enrolment exemptions. Although the exemption list may appear extensive, in Victoria—which has similar exemptions—to date only 1.1 per cent of children in kindergarten have been exempted; of those, one-third are exempted on medical grounds. The federal government has also advised that no secretary exemptions—which is a mechanism that it uses—from the immunisation requirements for the purposes of no jab, no pay have been given for Western Australian children.

The exemption for Aboriginal and Torres Strait Islander children aligns with the commonwealth's Closing the Gap policy and recognises the importance of these children attending early education and care services. It is also not the intention for children who enrol under an exemption to remain under-vaccinated. Once enrolled, the student's details are known and can be followed up by the Department of Health.

The purpose of prescribing the classes of exempt children in the regulations versus the act is to recognise the difficulty in universally defining what constitutes a vulnerable or disadvantaged child for the purposes of the policy objective. Using regulations in this respect is therefore administratively necessary to ensure that should any unforeseen issues arise during implementation, no class of children would be administratively disadvantaged if they needed to be exempt but could not be without having to go through the parliamentary process.

Questions were asked about each exemption. In respect to children who are in the care of the state, living in those circumstances can be a proxy indicator for exposure to family violence, addiction and/or neglect. These circumstances are likely to indicate a parent's inability to prioritise their children's health and/or to access immunisation services. A child receives a medical check within 20 working days of entering into child protection's care. Child protection workers provide the child's health background information to the general practitioner or health professional, including their immunisation status, so that any missing vaccinations can be provided or they can be put on a catch-up schedule. Although it is unlikely that those children would remain under-vaccinated for long, it is important that they have access to early education and care as they can be educationally vulnerable. This is also an exemption in New South Wales and Victoria.

I refer to the exemption for children who are in the care of a responsible person who receives an income support payment in the form of a Health Care Card, pension card or card issued by the Department of Veterans' Affairs. Receipt of income support payments can be a proxy for disadvantage and a more complicated picture. Although vaccinations are provided free of charge, families who fall under this exemption may be dealing with other barriers and/or stressful circumstances that have made it hard for them to prioritise preventive health measures for their children, such as immunisation. This exemption also captures some grandparent carer arrangements. This is also an exemption in Victoria.

I refer to similar existing immunisation policies in New South Wales and Victoria, where a grace period is provided for exempt children for 12 weeks and 16 weeks respectively. The question was asked why the bill proposes to enrol children without limitation or condition on their enrolment. The bill before us does not have a grace period for exempt children to catch up with their vaccinations. The purpose of the exemption classes is to allow those vulnerable and disadvantaged children access to the benefits of early childhood education while the Department of Health follows up and provides support to those families. A grace period would create an additional administrative burden for persons in charge of childcare services, community kindies and schools to follow-up with those families to obtain an up-to-date immunisation certificate. It could also result in disruption to the child's education in childcare or kindy if they commence but do not comply within the grace period. Having to revoke the enrolment would unfairly disadvantage the child. In New South Wales and Victoria, the onus is on the persons in charge of childcare services and schools to take reasonable steps to obtain the required AIR immunisation history statement from parents of exempt children and confirm whether the child is up to date by the end of the grace period. In contrast, in Western Australia it is considered more appropriate for the Department of Health to have the resources to provide intensive follow-up with the families of children enrolled under an exemption to ensure that those children receive their missing vaccinations. In accordance with recently introduced requirements under the Public Health Regulations 2017, during term 1 of each school year the Department of Health will request reports of children enrolled in childcare services, kindy programs and preprimary who are not up to date with their vaccinations. This will capture children enrolled under an exemption class and who are under-vaccinated.

It was asked whether the government had considered an inconvenience model, whereby the process for parents or guardians to apply for their child to be exempt is somewhat inconvenient. The former Prime Minister Mr Turnbull wrote to the Premier proposing that the Council of Australian Governments assess the cost benefits and regulatory impacts of a national approach. This request was met with strong support from other jurisdictions, including Western Australia. The Premier indicated that Western Australia would take a proactive position on this issue, independent of the COAG process. Accordingly, an inconvenience model was not specifically considered for Western Australia. The so-called inconvenience model does not stop the child being enrolled in childcare or a kindy program, but relies on a declaration by the parent about why the child is not immunised. It was not considered to provide the same level of impetus for immunisation as the proposed Western Australian legislation.

New South Wales, Victoria and Queensland have implemented legislation and immunisation policies based on similar underlying policy objectives to Western Australia's bill. South Australia recently announced that it intends to implement a similar immunisation policy in the near future. Although Tasmania does not have a no jab, no play provision, its requirements demand more accountability from the parent or guardian than Western Australia's current immunisation requirements for enrolment. In Tasmania, a parent or guardian of a child enrolling at school or another facility must show whether they have received particular vaccinations and provide evidence. If they are not able to do so, a statutory declaration form must be provided. They are also required to provide a reason explaining why their child is not up to date—for example, the person certifying the certificate believes on reasonable grounds that the child may suffer an adverse reaction to the immunisation, tests indicate that the child has a natural immunity, the parent or guardian has a conscientious objection against immunisation, or the parent believes that the child has been immunised against that disease but cannot produce an immunisation certificate or

other proof of immunisation. In Western Australia, parents and guardians of children are required to provide the immunisation status of their child as on the AIR only at enrolment, but a reason for why their child's immunisation status is not up to date is not required. Tasmania has higher immunisation rates than Western Australia. In 2018, for the five-year-old age group, Tasmania recorded 95.8 per cent of children as being fully immunised, while Western Australia's immunisation rate is 93.6 per cent.

A question was asked about whether the Commissioner for Children and Young People had been consulted on the bill's provisions. Before the bill was introduced, he had not, but I am advised that the Minister for Health briefed him yesterday. I am advised that his position is supportive of immunisation. However, he expressed the view that alternative education options be provided for children who were exempted. That is not a position that the government can support. It would mean that as Minister for Education and Training I would provide an alternative place or program to put all the unvaccinated children together in one spot to continue their education. That is not a policy position that I would support.

Hon Nick Goiran interjected.

Hon SUE ELLERY: If the member lets me finish my second reading reply, he is welcome to ask me any questions he wants when we get into Committee of the Whole.

A question was asked about modelling to assess the bill's implementation. The evaluation of the implementation and impact of the proposed immunisation policy will occur in three parts: monitoring the immunisation rates of children aged five years and under, both before, during, and after policy implementation, as well as the number of notifications of vaccine preventable diseases—it will measure the number of children and the number of notifications of the diseases; gathering qualitative data on the impacts to the early education and care industry, families and the state government; and undertaking a statutory review in accordance with section 306 of the Public Health Act.

The desired outcomes of the implementation of the bill include an improvement in immunisation coverage rates to more than 95 per cent, with a minimal negative impact experienced by stakeholders, and a reinforcement of the importance of vaccinations for children and the wider community.

A question was asked about projections of the expected increase in immunisation rates if the bill comes into effect. Since the implementation of the Victorian legislation around the same time as the commonwealth's no job, no pay legislation in early 2016, an increase in immunisation rates amongst children under five years has been experienced. Western Australia expects to see similar improvements in immunisation rates in this age group. Similar to what has occurred in Victoria, the bill is expected to have a greater impact on the immunisation rates for children enrolled in kindy programs. That is due to the combined effort of the commonwealth's no job, no pay scheme, which has achieved and maintained high immunisation rates among children in childcare services.

The question was asked about estimates of the number of children expected to qualify for an exemption. It is not possible to give a precise estimate; however, in Victoria, where similar legislation and exemptions have already been implemented, approximately 1.1 per cent of kindy enrolments were children eligible for an exemption. As I said earlier, approximately one-third of those exemptions were on medical grounds. The remaining two-thirds of kindy enrolments—that is, around 0.7 per cent—were eligible for an exemption and able to enrol. In Western Australia in 2017, around 33.3 per cent of children between the ages of zero and five years attended a formal childcare or education care service and received a childcare benefit. This data is based on the *Report on Government Services*. Note that this report was released before the change to the childcare subsidy. Of the 33.3 per cent of children attending formal child care in WA, childcare services reported that about only one per cent of children in their services are under-vaccinated. In WA, in data as of 31 December 2018, immunisation coverage rates for Aboriginal and Torres Strait Islander children were lower than for non-Aboriginal and Torres Strait Islander children in the two youngest age groups. Aboriginal and Torres Strait Islander children in WA had immunisation rates of 87.8 per cent for the 12 to 15 months age group and 82 per cent for the 24 to 27 months age group, which are six per cent and nine per cent lower than for non-Aboriginal and Torres Strait Islander children. It is noted that for children aged between 60 and 63 months—that is about five years old—immunisation coverage was 95.2 per cent for Aboriginal and Torres Strait Islander children compared with 93.5 per cent for non-Aboriginal and Torres Strait Islander children.

A question was asked about the impact on children who are excluded from early education and care. In 2015, the Australian Institute of Health and Welfare issued a report on the impact of early childhood education and care on learning development. It found that these years are a critical period of intense learning for children that provides a foundation for later academic and social success. Longitudinal studies have demonstrated the effectiveness of high-quality, focused kindy programs in reducing the effects of social disadvantage, developing children's social competency and emotional health and preparing children for a successful transition to school. Children living in disadvantaged communities, those not proficient in English and Indigenous children were identified as particularly vulnerable and the most likely to benefit from high-quality kindergarten programs. I know honourable members were saying that there should be no exemptions for those children. It might appear at first blush to be counterintuitive to say that children who are not vaccinated cannot enrol. People might think that the best thing

they can do is provide no exemptions and demand that children are vaccinated. The best advice available to me as Minister for Education and Training, from those early education specialists, is that the balance is far better tipped towards getting those children who are already identified as being liable for ongoing educational disadvantage enrolled and in a service with all the connections that come with that and turning up to a place where services can be delivered to them and then fix the under-vaccination. Early education intervention has been shown to have a substantial short-term and long-term effect on cognition, social and emotional development, school progress and preventing antisocial behaviour and even crime.

There was a question about the operational requirements of people in charge of childcare services, kindies and schools. People in charge of those facilities will be required to determine whether a child meets immunisation enrolment requirements under proposed section 141D in the bill, and when a child may qualify as an exempt child to assist the parents or guardians to enrol their child under an exemption. This means that the person in charge of the facility will need to explain the new policy to parents and guardians, and administer its requirements, including determining whether appropriate documentation has been provided and consider applications for exemption. To support persons in charge of childcare services and kindy programs through these new processes, supporting guidelines will be made available on the websites of the Department of Health and the Department of Education. These guidelines will clarify the classes of children that are exempt and will advise persons in charge how to assist parents and guardians to enrol their child under an exemption should one apply. When required, telephone and email support will also be available through the Department of Health. The proposed exemptions are considered factual and should be easily proven. Persons in charge of childcare services, community kindies and schools will endeavour to integrate the immunisation enrolment requirement into existing enrolment processes.

There was a question about how many children will be eligible for a medical exemption. The commonwealth government's Australian Immunisation Register prescribes that medical exemptions for vaccination include persons who had anaphylaxis after a recent dose of vaccine, had anaphylaxis after exposure to any component of a vaccine, have a significant immunocompromising condition—that is only for live vaccines—or have natural immunity through prior infection from only hepatitis B, measles, mumps, rubella and chickenpox. Medical exemption from immunisation, however, is rare. As of December 2018, of the 8 944 children in Western Australia aged between 60 and 63 months registered on the AIR, only 24 had an approved exemption. Of those children with exemptions, seven were recorded as having a medical contraindication to vaccination—that is, they were immunocompromised or had anaphylaxis after a previous dose of vaccine, for example—18 were recorded as having natural immunity to a vaccine-preventable disease and one child had both a medical contraindication and natural immunity for two different vaccines.

I refer to proposed section 141C(1), which provides that the Chief Health Officer may issue an alternative immunisation certificate for a child if the Chief Health Officer is satisfied that there is a special circumstance that applies to the child and but for that circumstance, the child's immunisations would be up to date. The specific process to be followed to obtain an alternative certificate issued by the Chief Health Officer is not included in the bill. This will enable flexibility in how a child's circumstance may be brought to the Chief Health Officer's attention for assessment—that is, whether it is done through the parent, a local GP or the local public health unit. Assessment of a child's circumstance will be made on a case-by-case basis and the process will be managed by the communicable disease control directorate within the Department of Health. It is difficult to estimate how many children will apply for and may be issued with a Chief Health Officer immunisation certificate.

A concern was expressed about the example of a parent who may try to enrol their child in the school but the person at the school is incompetent—I think that was the word used by the honourable member—in applying the legislation. The AIR certificate required to be provided clearly shows whether a child is up to date with their vaccinations. To support persons in charge of childcare services and kindy programs through these new processes, supporting guidelines will be made available through the Departments of Health and Education. These guidelines will clarify the classes of children that are exempt and advise persons in charge how to assist parents and guardians to enrol their child under an exemption should one apply. When required, telephone and email support will be available through the Department of Health.

There was a question about whether there would be capacity to appeal a rejected request for a Chief Health Officer medical exemption. An appeal process is not built into the bill; however, I indicate that in discussions between the Minister for Health and Hon Aaron Stonehouse, agreement has been reached and the government will support his amendment to give effect to an appeals process.

I have touched on exemptions.

Questions were asked about the degree of enrolment in kindy. The Department of Education estimates that more than 96 per cent of kindergarten-age children are enrolled in kindergarten programs in WA. Based on the last recorded national vaccine objection rate, which was 1.34 per cent recorded in December 2015, approximately 600 students for 2019 would be excluded from enrolment. Of the 33 per cent of children attending formal care in WA, childcare services have reported that about only one per cent of children in their services are under-vaccinated.

A series of questions was asked about children applying to enrol in kindy programs prior to the legislation coming into effect. The Department of Education's "Enrolment in Public Schools Policy: Enrolment in Public Schools Procedures" states —

The principal will:

- receive applications for enrolment for Kindergarten from the beginning of the year prior to eligibility;
- assess all applications for enrolment for the following year after the enrolment closing date (first Friday of Term 3 each year) ...

This year that is 26 July. The policy states that the principal will —

- notify parents in writing of the outcome of enrolment decisions ... within three weeks of the closing date for applications if enrolling for the following year;

For this year, that is before 23 August. I am advised that the majority of students in government kindy programs are enrolled during term 3, and that particularly applies when there is competition for a place in a kindy program. Although government school kindies request applications well in advance of the first attendance date, not all parents comply with this request. Each school's circumstances are different and often depend on the demand for places. If this legislation is delayed, the changes cannot be applied retrospectively to children who are already enrolled. Although applications for enrolment may be received prior to the legislation coming into operation, the bill provides that a school must not permit a child to enrol unless they are up to date with their immunisations, on a catch-up schedule, have an immunisation certificate issued by the Chief Health Officer, or the person in charge of the school is satisfied that the child is an exempt child.

Members proposed a grace period or a conditional enrolment. The government does not support this proposal. A conditional enrolment is inconsistent with current enrolment arrangements for kindy. The legislative scheme is based upon being compliant at enrolment by either being up to date or, if not, exempt on a medical or educational disadvantage basis. There is follow-up by the Department of Health if a child is exempt on an educational disadvantage basis. Once enrolled, the student's details are known and can be followed up by the Department of Health if they are not up to date. In effect, allowing for a grace period simply delays the point at which the decision needs to be made about whether a child is up to date or exempt. In doing so, it adds another layer of administration for the school that could have a significant impact on planning for class sizes and operations.

Although government school kindies request applications well in advance of the first attendance date, not all parents comply with this request. Each school's circumstances are different and, as I said, are dictated by the level of demand. There is always a number of parents who enrol their children shortly before or when kindy has commenced. A grace period in such instances is therefore problematic. For those who apply earlier but are not compliant, it would create uncertainty and then have a knock-on effect for those waiting to get a place, subject to others meeting or not complying with the requirements during the grace period. If the decision is to be made at enrolment, the child must be either up to date or exempt when they enrol. If neither, the enrolment is not accepted. It becomes known that the position is that the child must be up to date at enrolment, whenever that occurs.

Questions were asked about the definition of a "child care service" under clause 4(2), which will insert in section 4(1) —

- (b) does not include a child care service prescribed for the purposes of this definition;

There are not many types of childcare services that do not fall under the Education and Care Services National Law (WA) Act 2012 or the Child Care Services Act 2007. Having the ability to exclude services provides the ability to accommodate services that may in future be captured under these pieces of legislation, but which for regulatory reasons it may be impractical or unnecessary for them to be subject to the immunisation enrolment requirements; and to remove services from the excluded list, should these services' regulatory requirements change, to provide that the public health immunisation enrolment requirements apply to these services. To avoid duplicated or unnecessary regulatory burden, the bill proposes excluding childcare services that provide occasional care, mobile care, outside school hours care and vacation care. Children who attend before and after school care also attend school; therefore, their immunisation status will be reported when they enrol in a kindergarten program. Standalone vacation services will not enrol a child unless they are enrolled in school. Again, the immunisation status of those children will already be captured.

Hon Aaron Stonehouse quoted from a letter from the Royal Australasian College of Physicians that was tabled in the South Australian Parliament, in which it recommended that states and territories did not implement their policies until they had been reviewed and published. Although the college may not support the policy, the Australian Medical Association of Western Australia suggests that no jab, no play will likely improve vaccination rates and, importantly, it will send a message to families that it is a shared responsibility to contribute to the eradication of serious vaccine-preventable diseases. The AMA's view is that for the most part, families of under-vaccinated children do not object to vaccination, but are more likely to be too busy and unaware of the vital importance of vaccination or may simply not have got around to keeping on top of the vaccination schedule. It is anticipated that this policy will provide the motivation for these families to get their children's immunisation status up to date.

A question was asked by Hon Alison Xamon about data between 2016 and 2019. In data extracted on 31 December 2018, WA had the second lowest immunisation rates compared with those in other jurisdictions. For children aged between 12 and 15 months, the rate was 93.4 per cent, and for children aged between 24 and 27 months, 90 per cent. We also had the lowest immunisation coverage for children aged between 60 and 63 months, at 93.6 per cent. For the past two years, immunisation rates for WA children in all the above age groups have also been lower than in New South Wales, Victoria and Queensland, where legislation based on similar underlying policy objectives to the bill have already been established. Looking at recent experiences in Victoria, immunisation rates have experienced an upward trend, and I have referred to that already. Prior to this time, immunisation rates in that jurisdiction were generally considered to be plateauing.

Regarding a lack of detail on schools verifying immunisation statuses, as I previously indicated, to support persons in charge of childcare services and kindy programs, supporting guidelines will be made available by the Department of Health and the Department of Education on their websites. Those guidelines will clarify the classes of children who are exempt and will advise people in charge how to assist parents and guardians to enrol their child under an exemption, should one apply. When required, a follow-up will be made by the Department of Health. In terms of review provisions by the schools, a question was raised about regional education directors in the regional education offices. I have already talked about the guidelines. For government schools, any refusal to enrol a person associated with a request for an educational disadvantage exemption will be given the opportunity to seek a review by the regional education office. That is not unusual. That office deals with all sorts of reviews about decisions made by schools, whether it is an argument about an enrolment because there is a dispute about whether they are inside or outside the local intake area, or whether it is a dispute about the level of disability services that are being provided to a child. All sorts of decisions that are made at a school level are regularly reviewed at the regional education office.

Concern was expressed about children who have adverse reactions and are recommended by a GP to have delayed vaccinations. The bill provides the ability to address when a delay in vaccinations has been recommended. In this situation, the child's GP may place them on a catch-up schedule that is recorded with the AIR. A copy of the history form that the GP is required to complete to record the catch-up schedule can be provided to the childcare service or school. Alternatively, under proposed section 141C(1)(a)(ii), the Chief Health Officer may issue an alternative immunisation certificate for a child if the Chief Health Officer is satisfied that a special circumstance applies to the child and, but for that circumstance, the child's immunisations would be up to date. The specific process to be followed to obtain an alternative certificate issued by the Chief Health Officer has not been included in the bill, but this will enable flexibility in how a child's circumstance may be brought to the Chief Health Officer's attention for assessment. I think I have touched on that already. Assessment of a child's circumstance will be made on a case-by-case basis and the process will be managed by the communicable disease control directorate within the Department of Health.

There was a question about what exists to prevent conscientious objectors from establishing their own informal childcare arrangements. The Department of Communities currently approves and monitors childcare services through its education and care regulatory unit. Should the unit become aware of an unregulated childcare service, it would investigate and take action if the service was found to be in breach of the law and regulations. WA is on record for having a tight compliance regime, and there are penalties for noncompliance.

How will the information on the AIR be kept up to date? The Australian Childhood Immunisation Register was introduced in 1996 to record all immunisations administered to children from birth to seven years. The earliest year of birth for which data was recorded is 1989. In September 2016, the ACIR expanded to become what we know now as the Australian Immunisation Register, a national register that records immunisations given to people of all ages in Australia. The AIR can record vaccines given from 1 January 1996. It includes vaccines given through the national immunisation program, through school programs and for reasons such as the flu or travel. Immunisation providers in WA must be providers with and regulated by the Department of Health. Currently, the Department of Health ensures that AIR records are updated by immunisation providers in two ways: national immunisation program vaccines are provided to immunisation providers on the agreement that immunisation events are recorded in the AIR for the receiving individual; and regular audits are conducted to match the number of vaccines ordered by an immunisation provider against the number of immunisation events recorded in the AIR. When there is a discrepancy in numbers, the Department of Health undertakes an investigation and follows up with the relevant immunisation providers. In the event that there are AIR data issues, the department seeks to rectify these.

As part of the implementation, immunisation providers, which include child health clinics, community healthcare centres, general practitioners, Aboriginal health services and the central immunisation clinic, will be advised of the legislation and reminded of the importance of ensuring that all vaccines provided to an individual are recorded promptly and accurately on the register. Additionally, under recently introduced regulations, the Department of Health has requested the reports of children currently enrolled in childcare services, kindy programs and preprimary who are under-vaccinated or whose immunisation status is unknown. With this information, the Department of Health intends to undertake follow-up with these families to ensure that these children receive their missing vaccinations and their AIR records are updated. This will improve the quality of the register's data for WA children and ensure a robust implementation.

A question was asked about how parents obtain acceptable documentation if their child was vaccinated overseas. The parent can take their child's records of vaccination to their local immunisation provider and ask them to update the Australian Immunisation Register. The immunisation provider should check which vaccinations match the national immunisation program schedule, provide advice on any catch-up vaccinations required and submit the data to the AIR. Once the AIR is updated, these vaccines will be recorded on the child's Australian Immunisation Register immunisation history statement. If the overseas vaccination records are in a language other than English, a free translating service is available through the Australian government's Department of Social Services; I do not know that it is called that anymore. If a child is waiting for their Australian Immunisation Register entry to be updated to reflect any overseas vaccinations, and the time it is taking for this administrative process to occur is impacting on the ability to enrol the child in a childcare service or kindy program, the bill provides a mechanism under new section 141C by which the Chief Health Officer may issue an alternative certificate in the interim for the purpose of enrolment.

The vaccinations on the childhood immunisation schedule are still free if taken at a later date. Vaccines listed on the national immunisation program schedule are free. From 1 July 2017, people up to 19 years of age—Hon Martin Aldridge made this point—can get catch-up vaccinations for free under the NIP if they did not receive them during their childhood. I do not know how old the honourable member's sons are, but if they are under 18 years, they are covered. This catch-up vaccination also applies to the HPV vaccination should a student miss the vaccination that is routinely administered to students through the secondary school program. Refugees and other humanitarian entrants aged 20 years and over are also eligible for free catch-up vaccines through the NIP.

Hon Martin Aldridge asked whether this bill in fact constitutes a money bill and may well be compromised when it gets to the Legislative Assembly. The answer is no. The government has advised that the Assembly would not take that view, so it is not an issue. I have to check whether I can table that advice for the member, which is from the Deputy Clerk of the Legislative Assembly.

Another question was asked about the estimated number of children who could be exempt. I have touched on this already. Then there were issues about myGov; I feel the member's pain. The honourable member referred to question on notice 2179. I am advised that an answer was provided to the honourable member. I have a copy of it and it is also on the website. The answer was no. Hon Martin Aldridge also asked about the purple book. It is hard for schools and childcare services to interpret. The AIR certificate provides one form of easily recognisable and nationally recognised documentation that clearly states whether a child is or is not up to date with their vaccines. No additional interpretation is required for schools and care services.

In respect of commencement, if the bill comes into effect by 1 July 2019, it will apply to any new enrolments into childcare services from 1 July 2019 and any new enrolments into schools and community kindergartens from 1 July 2019 for the 2020 school year.

Hon Donna Faragher interjected.

Hon SUE ELLERY: That is how I feel. That concludes my second reading reply. I commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chair of Committees (Hon Dr Steve Thomas) in the chair; Hon Sue Ellery (Minister for Education and Training) in charge of the bill.

Clause 1: Short title —

Hon NICK GOIRAN: The minister revealed in her second reading reply that the Commissioner for Children and Young People was first consulted on the bill yesterday. What prompted this consultation to occur?

Hon SUE ELLERY: It was done by the Minister for Health, and I am sorry, but I have not spoken to him directly, so I am not sure what the motivation was.

Hon NICK GOIRAN: Was the consultation in person or in writing?

Hon SUE ELLERY: I am sorry, honourable member, but I have not spoken to the Minister for Health, so I cannot give the member that information. One of the questions I think the member asked by way of interjection when I was giving the second reading reply was whether the response from the commissioner had been in writing. I have seen an email, but, as I said, I have not spoken to the Minister for Health. I will check, and if the commissioner is comfortable with me providing the member with that email, I am happy to table it, but I will need to check that; I will probably do that when we break.

Hon NICK GOIRAN: Let us come back to that once the minister has had the opportunity to find out what consultation took place with the Commissioner for Children and Young People. Ultimately, I would be seeking the tabling of any documents created or received as part of that consultation process. We can follow that up in due course.

In the second reading speech, the minister stated that, in 2017, Western Australia recorded the lowest immunisation coverage for two-year-olds, at 89.1 per cent. What is Western Australia's current rate of vaccination for two-year-olds?

Hon SUE ELLERY: The advice I have been given is that, for the age group 24 months to 27 months, the rate is 90 per cent, and the date for that information is 31 December 2018.

Hon NICK GOIRAN: To ensure that we are comparing apples with apples, is that the same age range as was mentioned in the second reading speech, where the reference was to 89.1 per cent?

Hon SUE ELLERY: I am not in a position to tell the member; I do not have advice here. If the member wants to tell me how that helps him, I am happy to see whether I can provide him with some other information about what the reference was for that number in the second reading speech.

Hon NICK GOIRAN: I am happy to elaborate. In the second reading speech, the minister said that Western Australia recorded the lowest immunisation coverage for two-year-olds of all Australian states. The answer that the minister has just given me is for the age range 24 to 27 months, so that is for a three-month period above two-year-olds, or part of the two to three-year-old range. I just want to make sure that we are comparing like with like.

Hon SUE ELLERY: In the second reading speech, I think the sentence the member is referring to is —

In particular, in 2017 WA recorded the lowest immunisation coverage for two-year-olds at 89.1 per cent.

The information I have just provided to the member is not about two-year-olds; it is about that three-month age group that the member has just identified.

Hon NICK GOIRAN: I go back to my original question: what is WA's current rate for vaccination of two-year-olds?

Hon SUE ELLERY: We do not have at the table the 2017 figure. If Hon Nick Goiran would like to explain what he is looking for in particular, I might be able to explain from the table, but I do not have the comparative reference for 2017 available to me at the table.

Hon NICK GOIRAN: The government thought it was sufficiently important that the house be informed that the coverage for two-year-olds was 89.1 per cent. I did not decide that nor did any other member. The government decided it was so important that it put it in the second reading speech. It goes to great lengths to explain to members that WA recorded the lowest rate across the nation. The government thought it was important—and I agree. If it is an issue, we should be concerned. Wherever the government got that information from I would like to know. Given that was 2017, what is the rate today? Are we concerned only because it was that rate in 2017 and now it is a fantastic rate or maybe it is a worse rate? I do not know; I am simply asking the government to indicate to the chamber the source of the information that it thought was so important it put it in the second reading speech.

Hon SUE ELLERY: As I have said already, we do not have the reference at the table. I will undertake to find out whether we can get the reference. I think the point needs to be made that our vaccination rates are too low.

Hon MICHAEL MISCHIN: Thank you, minister for that, but it is pretty fundamental to the point of the bill, is it not? We are being told that certain children will be excluded from the preschool education system on the basis that it is a public health measure to increase vaccination rates. Do not get me wrong; I am not unsupportive of the idea. I think it is entirely proper that the government make a judgement to compel public health measures when they can be established. We have been told that our vaccination rates are too low, and that by increasing that rate, it will improve public health, but the minister cannot tell us whether the trend is an increase anyway. The other way it flows through is that the government is compelling certain people to go against their conscientious objections to this. The government is not looking at trying to persuade them but to force them to get vaccinations, whereas for a vast group of exempted children, the government is saying that the best way of dealing with that problem is to persuade them after they have enrolled. I do not understand how this public health policy is being translated into a bill. We will get to the exemptions in due course. It seems to me to be pretty fundamental if the minister is saying that there is a significant public health risk by not improving our vaccination rate and that underpins the purpose of the bill, but the minister cannot tell us with any certainty what the figures are.

Hon SUE ELLERY: I am not sure which part of my last answer to Hon Nick Goiran that Hon Michael Mischin missed, but I did say that I do not have it at the table and I will undertake to get it.

Hon NICK GOIRAN: I will move on to a different topic and wait to hear back from the minister about the consultation with the Commissioner for Children and Young People and on the immunisation rates as they stand.

In the minister's reply to the second reading debate, she made mention of advice from early educationalists. Where can we find this advice?

Hon SUE ELLERY: It is the advice provided to me and the government by the Department of Education.

Hon NICK GOIRAN: I think the minister explained to us that she was relying on that advice for the exemptions because the advisers had indicated that it was very important for children who I think are described as “educationally vulnerable” to have access to early education. Has that advice been provided to the minister in writing?

Hon SUE ELLERY: I appreciate that the honourable member will not have my second reading reply available in *Hansard* yet, but when he does, he will note that I referred at one point to research and I gave a reference. I can find it if the member wants me to. As the Minister for Education and Training, I can say that there are swathes of decent public servants in the Department of Education in the area of early education. It is not disputed—I cannot believe that the honourable member would dispute it—that investment in the early years is where we get the biggest bang for our buck because children’s brains are still developing. We can set them up to be successful learners if we invest in early education. Indeed, when the Liberal Party was in government, the former education minister introduced KindiLink, which is a really successful program specifically aimed at providing better intervention for Indigenous children in the early years. It is a program I am pleased to be able to support, because it was based on the advice I have just referred to, which is now held to be common amongst all educationalists—that is, the early years are a critical time for investment and assistance, making those connections and setting children up to be successful learners.

Hon NICK GOIRAN: For the record, of course I do not dispute that whatsoever. I appreciate that the minister may not have a copy of my second reading contribution to hand, but she will recall that I mentioned that the opposition not only supports immunisation—in fact I said “strongly pro-immunisation”—but also, we are strongly pro-early education. I was simply asking the minister to provide the advice she referred to on multiple occasions in her second reading speech. I understand that is not available, other than a paper that the minister referred me to, and I will have a look at that and we may come back to it at a later stage.

I understand from the minister’s second reading reply that the scheme in Western Australia is intended to be similar to those in New South Wales, Victoria and Queensland. Can the minister indicate to the house in what respect the scheme is different from those jurisdictions?

Hon SUE ELLERY: I set some of these things out in my second reading reply. In New South Wales, the exemptions are different. There are limited classes of children who are temporarily exempt. These include those who are subject to a guardianship order—we have that; placed in out-of-home care; being cared for by an adult who is not the child’s parents due to exceptional circumstances such as illness or incapacity; those who have been evacuated following a state of emergency; and, Aboriginal and Torres Strait Islander children. Parents and guardians of children temporarily exempt have 12 weeks—that is the grace period—from enrolment to provide documentation. In New South Wales there is a smaller number of exemptions and slightly different exemptions and the grace period. Victoria has a grace period similar to New South Wales. Temporary exemptions are available to recognised, vulnerable and disadvantaged children, including evacuated children following an emergency, and children in emergency care—for example, children in emergency foster care. Queensland’s immunisation policy is slightly different. It does not require the exclusion of children, but it authorises childcare services, after following a prescribed process, to exercise a discretion to refuse, cancel or place a condition on the enrolment or attendance of a child whose immunisation status is not up to date.

Committee interrupted, pursuant to standing orders.

[Continued on page 4198.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — SOUTH METROPOLITAN PERSONNEL INC

641. Hon PETER COLLIER to the minister representing the Minister for Commerce:

My question was to the Leader of the House representing the Minister for Commerce, but I think it was redirected, and I thank the minister for that; it is not that difficult.

- (1) Is the Minister for Commerce aware whether the Department of Mines, Industry Regulation and Safety had conducted an investigation into the organisation SMP lifeskills2work?
- (2) If yes to (1), did the investigation make any findings that any directors of SMP lifeskills2work have failed to disclose a material personal financial interest under the Associations Incorporation Act 2015; and, if so, what were those findings?
- (3) If yes to (1), did the investigation make any findings that any directors of SMP lifeskills2work had voted on contracts that they had a material personal financial interest under the Associations Incorporation Act 2015; and, if so, what were those findings?
- (4) What was the value of the contracts outlined in (3)?
- (5) What is the total value of government funding to SMP lifeskills2work in 2018?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Commerce.

- (1) SMP lifeskills is a business name registered to South Metropolitan Personnel Inc. A complaint was made in 2018 to the Department of Mines, Industry Regulation and Safety about South Metropolitan Personnel Inc. The department investigated the complaint allegations.
- (2) The department has completed its investigation. Information gathered as part of that investigation contains personal information that is subject to confidentiality provisions of the Fair Trading Act 2010. The commissioner is bound by these provisions, and unless the commissioner determines to name any entity or issue a warning, the outcome is not public information.
- (3) The department has completed its investigation. The commissioner is bound by the confidentiality provisions of the FTA and it is not public information.
- (4) The commissioner is bound by the confidentiality provisions of the FTA and it is not public information.
- (5) Information available on the public register maintained by the Australian Charities and Not-for-profits Commission indicates that in 2018 South Metropolitan Personnel Inc's total income was \$4 516 419, and 90.23 per cent of this income was from government grants.

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — SUBCONTRACTORS WA

642. Hon PETER COLLIER to the minister representing the Minister for Commerce:

- (1) Have any complaints been made to Consumer Protection regarding Subcontractors WA or its chair, Louise Stewart?
- (2) If yes to (1), what was the nature of those complaints?
- (3) Has Consumer Protection undertaken an investigation into those complaints?
- (4) If yes to (3), has the investigation been completed; and, if so, will the minister table the findings of the investigation?
- (5) If the investigation has not been completed, when will it be completed?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Commerce.

- (1) A complaint was made to Consumer Protection about Subcontractors WA Inc.
- (2) The investigation is ongoing and it is not open to me to disclose the nature of the complaint.
- (3) Yes. Consumer Protection is currently investigating the matter.
- (4) The investigation is ongoing. Information gathered as part of that investigation contains personal information that is subject to the confidentiality provisions of the Fair Trading Act 2010. The commissioner is bound by these provisions, and unless the commissioner determines to name any entity or issue a warning, the outcome is not public information.
- (5) The commissioner does not make comment on investigations or time frames.

ATTORNEY GENERAL — LEGISLATIVE AGENDA

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

I refer to the following projects promised by the Attorney General and ask in respect of each about the status of that project and of any legislation necessary for its establishment: increased punishment of vegan anti-animal cruelty activists; asbestos diseases compensation legislation; the justice pipeline planning and assessment model for which \$850 000 was budgeted in 2017–18; the so-called high-risk offenders board; the remaining reforms to the Coroner's Court; amendments to the Criminal Law (Mentally Impaired Accused) Act 1996; the Western Australian crime statistics and research office; and the appointment of a permanent, rather than an acting, Commissioner for Victims of Crime.

Hon SUE ELLERY replied:

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

The Attorney General continues to implement the McGowan government's extensive law reform agenda and attend to a number of matters that were ignored by the honourable member during his time as Attorney General. The appointment of the Commissioner for Victims of Crime is a matter for the director general of the Department of Justice.

COMMUNITY KINDERGARTENS — IN-KIND SUPPORT

644. Hon DONNA FARAGHER to the Minister for Education and Training:

I refer to the answer given to question without notice 487 asked on 15 May 2019 regarding community kindergartens. Will the minister provide a breakdown of the in-kind departmental resources that are provided to administer the community kindergarten program?

Hon SUE ELLERY replied:

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

There is approximately 0.3 of an FTE across a level 7 position and a level 8 position, equating to \$44 712.46 per annum. It is difficult to quantify the exact amount in FTEs and dollars as the support provided varies from month to month. In-kind support includes attendance at Community Kindergartens Association meetings and events, writing briefings, administering grants, providing policy advice and other communications through linked school principals, teachers and parent management committees.

GRANDCARERS ASSISTANCE PROGRAM

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

I refer to the answer to question without notice asked on 11 June 2019 in which she informed the house that the Department of Communities' review of the grandcarer support program is still progressing.

- (1) When did the review commence?
- (2) Will the review be informed by the research being finalised by Wanslea Family Services, Edith Cowan University and Curtin University?
- (3) If yes to (2), when is that research due to be finalised?

Hon SUE ELLERY replied:

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

- (1) The review of the grandcarer support program commenced in September 2018.
- (2) Yes.
- (3) The draft reports from the research partners are expected to be finalised by the end of June 2019.

WATER RESOURCES MANAGEMENT — LEGISLATION

646. Hon JACQUI BOYDELL to the minister representing the Minister for Water:

I refer to the Minister for Water's press release dated Thursday, 23 August 2018 announcing reform of the state's water future by consolidating six acts into a single water resources management act.

- (1) Will the minister table details of all stakeholder and industry consultation undertaken to date?
- (2) For any industry bodies that have not been consulted yet, when can they expect to be consulted, and please outline the format in which the consultation will take place?
- (3) Does the minister have a time line for the completion of stakeholder and industry consultation?
- (4) Can the minister please provide an update to the answers to parts (1) and (2) of question without notice 132 asked by me on 12 March this year?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been given to me by the Minister for Water.

- (1) Ongoing consultation is being undertaken through the Water Resources Reform Reference Group, which includes representatives from vegetablesWA, WAFarmers, the Chamber of Minerals and Energy of Western Australia, the Western Australian Local Government Association, the WA division of the Urban Development Institute of Australia, the Australian Water Association, Forest Industries Federation (WA) Inc, water cooperatives, the Association of Mining and Exploration Companies, the Conservation Council of Western Australia, the WA Environmental Defender's Office, the Australian Petroleum Production and Exploration Association, the Water Corporation, Irrigation Australia Ltd, the Australian Drilling Industry Association, and the Pastoralists and Graziers Association of Western Australia.
- (2) Consultation will continue to occur through meetings with the Water Resources Reform Reference Group, whose membership represents key industry stakeholders.
- (3) Consultation is ongoing.
- (4) The responses given in parts (1) and (2) of question without notice 132 remain current.

FISHERIES — SHARK FIN

647. Hon RICK MAZZA to the minister representing the Minister for Fisheries:

I refer to moves to ban the sale of food containing shark fin, with possible fines rising to \$250 000, and the Australian practice of using the whole fish upon catching.

- (1) How many sharks are estimated to be processed annually in Western Australia?
- (2) How many kilograms of shark fins were exported from WA in the past five years?
- (3) What is the estimated economic value of the shark industry to the state?
- (4) How many kilos of fin will be wasted if only the trunk can be processed?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided to me by the Minister for Fisheries. For clarity, the proposal the member refers to has been put forward by the Greens WA, not by the government.

- (1) Approximately 936 tonnes of shark were taken in 2016–17.
- (2) Information regarding the export of fish products sourced from Western Australian fisheries is not maintained by the Department of Primary Industries and Regional Development. This is a matter best addressed to the commonwealth government.
- (3) I am not aware of any study into the economic value of the shark industry to the state.
- (4) I am unable to speculate on the implications of the Greens WA proposal were it to ever be implemented.

EQUAL OPPORTUNITY COMMISSION — JASON TEY

648. Hon CHARLES SMITH to the Leader of the House representing the Attorney General:

I refer to the case of Western Australian photographer Jason Tey, who was subject to a sexual orientation discrimination complaint through the Western Australian Equal Opportunity Commission after he disclosed his Christian beliefs to a same-sex couple who wanted him to photograph their children. I note that the matter was escalated to the State Administrative Tribunal but subsequently abandoned.

- (1) Why was the complaint against Mr Tey escalated and not dismissed by the WA Equal Opportunity Commission?
- (2) Does the state government concede that the Tey case represents an infringement upon religious freedom in Western Australia?
- (3) Will the state government take action to prevent anti-discrimination laws from being further used to harass and coerce Christian service providers?

Hon SUE ELLERY replied:

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

Due to the short time frame and the detail required, the Attorney General requests that this question be put on notice.

PAYROLL TAX — THRESHOLD

649. Hon COLIN TINCKNELL to the Leader of the House representing the Premier:

By his own admission, the Premier believes that reducing payroll tax for small business is desirable. Many business and industry leaders have also stated their desire for this to happen, and that such a move would stimulate and help grow the Western Australian economy.

- (1) In light of this and the government's better than expected fiscal position, will the Premier now seriously consider One Nation's previous proposal to raise the payroll tax threshold to \$1 000 000?
- (2) If not, can the Premier please provide me with the amount of revenue the government stands to lose by increasing the payroll tax threshold by \$150 000, from \$850 000 to \$1 000 000?

Hon SUE ELLERY replied:

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

- (1)–(2) The state government is committed to job creation and recognises that changes to payroll tax is something that is desirable. The government is also committed to repaying the \$40 billion plus debt left to the taxpayers of Western Australia by the previous government, a commitment acknowledged by the recent upgrading of the state's credit rating. We will continue to monitor the issue of increasing the payroll tax threshold while continuing to pay down state debt.

WESTERN AUSTRALIA GOURMET ESCAPE — CONTRACT

650. Hon DIANE EVERS to the minister representing the Minister for Tourism:

I refer to the Margaret River Gourmet Escape program.

- (1) Given that the current contract for this event runs until 2020, are any negotiations underway for the operation beyond 2020?
- (2) If yes to (1), is the minister consulting with or planning to consult with a local organiser rather than the current overseas-based holder of this contract?
- (3) If no to (2), why not?
- (4) If yes to (1), when is the new contract likely to be finalised?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Tourism has provided the following information.

- (1) No. The contract for the Margaret River Gourmet Escape expired after the final event was concluded in 2018. The Western Australia Gourmet Escape contract expires after the conclusion of the 2020 event.
- (2) Not applicable.
- (3) The government has already consulted extensively with stakeholders in the Margaret River and Swan Valley wine regions for the Western Australia Gourmet Escape, and the interstate event holder was selected through a formal tender process.
- (4) Not applicable.

JOBS — RENEWABLE ENERGY

651. Hon TIM CLIFFORD to the Leader of the House representing the Premier:

I refer to the government's promise to create 150 000 new jobs by 2023–24.

- (1) Has the state government conducted any analysis on the potential job generation that the renewable industry could provide to the state?
- (2) If yes, please table it; and, if not, why not?

Hon SUE ELLERY replied:

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

- (1)–(2) Although the state government recognises the potential of the renewable industry to increase job growth, no specific analysis has been undertaken on potential job generation in this industry. The state government anticipates that the creation of 150 000 new jobs will come from a range of different industries and employment sectors, which may include the renewable industry sector.

TRANSPORT — CHARTER VEHICLE LICENCES

652. Hon ROBIN SCOTT to the minister representing the Minister for Transport:

- (1) On form OM 1.1, why does the application checklist state —

All people listed on this form must hold an 'F' or 'T extension' ... or submit a 'National Police Certificate' ...

... you must submit a recent 'Company Extract' ... All those listed as directors ... must ... sign section 1 of the application form.
- (2) Will an application from a company be accepted if a director who will never drive the vehicle is not listed on the form?
- (3) Is a company with a non-driving director banned from owning a bus?
- (4) Will the minister direct that the form be changed to eliminate this excessive and unnecessary burden on non-driving directors?

Hon STEPHEN DAWSON replied:

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

- (1)–(4) From July 2019 all existing charter vehicle licences will be transitioned to passenger transport vehicle authorisations. As part of the preparations for the transition to PTV authorisations, form OM 1.1, "Application for Omnibus-Charter Vehicle licence", is no longer in use and will be removed from the Department of Transport's website. DOT has been communicating with the on-demand transport industry to make industry participants aware that the charter vehicle licence applications are no longer being accepted.

ROYALTIES FOR REGIONS — 2019–20 STATE BUDGET

653. Hon MARTIN ALDRIDGE to the Minister for Regional Development:

I refer to the \$22.9 million of royalties for regions funding contained in the 2019–20 state budget under the line item “Administered Items”.

- (1) Will the minister please identify the projects and individual funding amounts contained within this line item in 2019–20 and across the forward estimates?
- (2) Will the minister please detail any material change to the administered items since the delivery of the 2019–20 budget to the Parliament?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1) The administered items budget line is a provision made mainly for election commitments when further planning is required to deliver the proposals. I am advised that it was the standard practice of the previous government to not disclose those projects under development until they had been considered and approved by government. However, funding provisions for the following projects are included within the administered items budget line: Albany artificial surf reef; Bunbury port planning; Collie Hospital upgrade; Collie TAFE upgrade; the development of serviced industrial land; goldfields emergency telehealth; Kalgoorlie motorsport precinct; Laverton Hospital; the regional telecommunications project; and the two-year electronic monitoring trial.
- (2) There has been no change to the administered items budget line.

SYNERGY — OPERATIONS REVIEW

654. Hon SIMON O’BRIEN to the minister representing the Minister for Energy:

I refer to Synergy’s review of operations, which commenced in February.

- (1) How many staff in total have been or are being made redundant and at what cost?
- (2) Which executive members have been or are being made redundant and at what cost?

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 Energy.

- (1) The total is two.
- (2) The current members of the executive impacted are Karl Matacz and Will Bargmann. As with all Synergy employees, entitlements and contractual terms will be determined in accordance with final departure dates.

PLANNING SCHEME AMENDMENTS — CONFLICT OF INTEREST

655. Hon TJORN SIBMA to the minister representing the Minister for Planning:

I refer to the Minister for Planning’s answers to my questions without notice 605 and 640 on 11 and 12 June about the management of conflicts of interest in the planning portfolio.

- (1) For each of the four scheme amendments, when did the minister realise that she had a perceived or potential conflict of interest?
- (2) To whom did the minister declare these conflicts and when?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) As per the Ministerial Code of Conduct, a minister is required to disclose an interest held by themselves, a spouse, de facto partner or dependent family member. In relation to the local planning scheme amendments and the draft planning scheme, the minister went further than the requirements of the Ministerial Code of Conduct by also making declarations about her electorate office and interests held by non-dependent family members.

Following the minister being presented with the amendments and the draft planning scheme, the minister wrote to: the Premier, Minister Wyatt and the directors general of the Department of the Premier and Cabinet and the Department of Planning on 29 June 2017 about City of Swan local planning scheme 17, amendment 138, and the draft City of Vincent local planning scheme 2; the Premier, Minister Tinley and the directors general of the Department of the Premier and Cabinet and the Department of Planning, Lands and Heritage on 27 February 2018 about Town of Victoria Park town planning scheme 1, amendment 73; and the Premier, Minister Tinley and the directors general of the Department of the Premier and Cabinet and the Department of Planning, Lands and Heritage on 26 November 2018 about City of Armadale town planning scheme 4, amendment 95.

GST DISTRIBUTION — IRON ORE PRICE

656. Hon Dr STEVE THOMAS to the minister representing the Treasurer:

I refer to the answer to question without notice 13, asked on 12 February 2019, in which the minister told the house that “A scenario where the average price of iron ore remains at \$90 a tonne has not been modelled, as this assumption is highly unrealistic.” It is now four months later.

- (1) What is the current international price for iron ore in US dollars per tonne?
- (2) Is the price listed in today’s *The West Australian* of US\$102.76 a tonne an accurate assessment?
- (3) Given that the state budget released last month predicts iron ore prices this financial year of US\$76.50 a tonne, and US\$73.50 next financial year, how much additional revenue will the government receive each month above budget predictions if iron ore prices stay at the price of US\$102 a tonne?

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 Treasurer.

- (1) The price was \$US106.5 a tonne on 12 June 2019. The financial year to date average is \$US78.6 a tonne.
- (2) Yes. The price listed in *The West Australian* is unsourced, but appears to be the forward contract The Steel Index price for the end of June as quoted by CME Group, whereas the price quoted by the Department of Treasury in part (1) is the 12 June spot price, hence the difference.
- (3) The revenue impact of a higher iron ore price cannot be determined without factoring in the impact of other variables, such as the exchange rate and iron ore export volumes. Neither the futures market nor the most recent Consensus Economics survey predict iron ore prices to average their currently elevated levels in 2019–20.

REHABILITATION PROGRAMS — BANDYUP WOMEN’S PRISON

657. Hon ALISON XAMON to the minister representing the Minister for Corrective Services:

- (1) Has any funding been allocated in the 2019–20 budget to increase the provision of rehabilitation programs at Bandyup Women’s Prison?
- (2) If yes to (1) —
 - (a) how much funding has been allocated; and
 - (b) what programs has the funding been allocated to?
- (3) If no to (1), why not?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) Funds for rehabilitation programs are not allocated on a prison-by-prison basis. The Department of Justice will spend an additional \$28.6 million to increase appropriate access to parole by providing tailored rehabilitation programs to prisoners leading up to and following their release on parole. This will include female prisoners at Bandyup Women’s Prison and other prisons.

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY —
TAILINGS STORAGE FACILITIES**658. Hon ROBIN CHAPPLE to the minister representing the Minister for Mines and Petroleum:**

I refer to question without notice 607, asked on Tuesday, 11 June 2019, in relation to tailings storage facilities.

- (1) Of the tailings storage facilities outlined by BHP, Rio Tinto and Glencore, how many are in Western Australia and where are they?
- (2) When did those companies advise the department of the risk posed by those TSFs?
- (3) Has the department visited those TSFs; and, if so, when?
- (4) What engineering is being carried out to ensure the stability of these sites?
- (5) What is the nature of the risks posed by these TSFs and what safety management is in place to ensure no risk to humans or the environment?

Hon ALANNAH MacTIERNAN replied:

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

- (1) BHP has tailings storage facilities in Newman, Leinster, Mt Keith, Kambalda and Beenup. The latter one is closed. Rio has TSFs in Paraburdoo, Tom Price, Yandi and Robe River. Glencore has a TSF at Murrin Murrin.
- (2) The department regularly assesses and monitors the risks posed by all TSFs in Western Australia.
- (3) Yes. The department visited BHP's sites in Newman in March 2018, Leinster in October 2018, Mt Keith in November 2018, and Kambalda in January 2018; Rio's sites in Argyle in May 2019, Paraburdoo in October 2017, Tom Price in March 2018, Yandi in July 2018 and Robe River in September 2017; and Glencore's Murrin Murrin site in 2017.
- (4) The Department of Mines, Industry Regulation and Safety ensures that TSFs are designed by suitably qualified and experienced engineers; experienced engineers supervise the construction of TSFs and certify that construction complies with the approved design; experienced engineers and technicians undertake quality control testing and quality assurance work; and TSFs are audited and their stability reviewed by qualified and experienced engineers on an annual basis.
- (5) If TSFs fail, they might, depending on the particular circumstances of their location, pose safety, health and environmental hazards to land immediately downstream. Mining companies are also concerned about operational risks to plant and equipment should TSFs fail. Mining operations are required to have a management plan for TSFs. These plans include that each TSF is inspected by mine site personnel at least twice a day to ensure that all its components are operating within design limits. In particular, no excess water is stored on TSFs. The water levels on TSFs are maintained at the minimum amount possible. Adequate freeboard is always maintained to safely accommodate water from extreme rainfall events, as recommended in the DMIRS publications "Code of Practice: Tailings Storage Facilities in Western Australia" and "Guidelines on the Safe Design and Operating Standards for Tailings Storage". Audits and stability reviews are carried out by qualified and experienced engineers on an annual basis.

LIQUOR RESTRICTIONS — MAIL-ORDER SALES — KIMBERLEY

659. Hon KEN BASTON to the minister representing the Minister for Racing and Gaming:

I refer to the answer to question without notice 611, asked on 11 June 2019.

- (1) In regard to liquor restrictions in Kununurra and Wyndham, why is a special exemption for takeaway liquor applied to mail-order sales?
- (2) Do any restrictions apply to mail-order sales?
- (3) If yes to (2), what are the restrictions?
- (4) If no to (2), why not?
- (5) Are any regulations or restrictions placed on freight forwarding when alcohol is ordered online, delivered to a Perth address and subsequently freighted to areas in which restrictions are in place?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Racing and Gaming has provided the following answer.

- (1) The exemption allows licensees in Kununurra and Wyndham to sell packaged liquor to a person via mail order, provided the person resides outside the state or in an area of the state that is south of 20 degrees south.
- (2) No, other than in (1).
- (3) Not applicable.
- (4) It is not unlawful for a person to purchase mail order. Conditions must be attached to each individual licence.
- (5) Following amendments to the Liquor Control Act 1988, which were passed by Parliament last year, regulations are currently being developed to combat sly grogging to vulnerable communities, including restricted or dry communities, and for the home delivery of liquor anywhere in Western Australia.

HOSPITALS — WARDS

660. Hon JIM CHOWN to the parliamentary secretary representing the Minister for Health:

- (1) How many wards in the metropolitan public hospital system are currently not in use?
- (2) For each ward, can the minister please give the reason why they are not in use?

Hon ALANNA CLOHESY replied:

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

- (1) At the Child and Adolescent Health Service, nil; at East Metropolitan Health Service, three; at North Metropolitan Health Service, one; and at South Metropolitan Health Service, two.
- (2) For the Child and Adolescent Health Service: not applicable.

For the East Metropolitan Health Service: Royal Perth Hospital wards were closed following transition to Fiona Stanley Hospital, resulting in decreased funding and activity and, therefore, decreased funded bed stock. The Bentley Hospital ward has been closed as it is not required for current funded activity.

For the North Metropolitan Health Service: Selby Lodge in the older adult mental health service has one eight-bed ward that is not in use. The ward was closed more than 10 years ago as the beds are not funded.

For the South Metropolitan Health Service: as part of the reconfiguration of services in the South Metropolitan Health Service and the opening of Fiona Stanley Hospital, Fremantle Hospital transitioned from a tertiary hospital to a specialist hospital. This reduced the requirement for the number of beds at Fremantle Hospital.

ROYALTIES FOR REGIONS — 2019–20 STATE BUDGET

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

I refer to page 192 of budget paper No 3 and the line item “Administration and Administered Items”, which forms part of royalties for regions. Will the minister provide a list of the projects and programs, together with the amount of funding for each project or program, that fall under that line item for each of 2019–20, 2020–21, 2021–22 and 2022–23?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. This is a very similar question to the one asked earlier today by Hon Martin Aldridge.

The administered items budget line is a provision made mainly for election commitments when further planning is required to deliver the proposals. I am advised that it was the standard practice of the previous government to not disclose those projects under development until they had been considered and approved by government. However, funding provisions for the following projects are included within the administered items budget line; we are giving more information than traditionally was provided! The projects are: Albany artificial surf reef; Bunbury port planning; Collie Hospital upgrade; Collie TAFE upgrade; the development of serviced industrial land; goldfields emergency telehealth; Kalgoorlie motorsport precinct; Laverton Hospital; the regional telecommunications project; and the two-year electronic monitoring trial.

BANKSIA ROAD WASTE FACILITY

662. Hon DIANE EVERS to the Minister for Environment:

I refer to Cleanaway’s Banksia Road waste facility and my previous question without notice 587.

- (1) Is the minister aware of any licensing breaches that have occurred at the site in the past five years?
- (2) If yes, how many breaches is the minister aware of?

Hon STEPHEN DAWSON replied:

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

- (1) No.
- (2) Not applicable.

The member asked whether I was aware, but if she would like to know whether my department is aware, I ask her to place the question on notice.

OPTUS STADIUM — OPERATING COSTS

663. Hon COLIN TINCKNELL to the Leader of the House representing the Minister for Sport and Recreation:

- (1) Can the minister please explain why Optus Stadium’s operating costs will amount to a \$54.5 billion debt, requiring the government to step in and fund it, with taxpayers’ money, over the next three years?
- (2) Why is there such a staggering blowout on operating costs when the stadium is seemingly very well patronised?
- (3) What is being done to manage and rectify this problem?
- (4) How much do private companies like Spotless stand to make from contracts to provide hospitality and other services to the stadium?

Hon SUE ELLERY replied:

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

- (1)–(2) There has been no \$54.5 billion blowout in operating costs for the stadium. The increased expenditure in 2019–20 budget papers of \$54.5 million is partially offset by additional revenue in those papers of \$37.7 million over the period 2018–19 to 2020–21.

Revenue and expense estimates were originally established for Optus Stadium in 2015–16. Since that time, estimates have been updated on a number of instances. In the 2018–19 budget process, substantial additional revenue was included, resulting in a reduction in appropriation of \$29.8 million. Collectively, those two sets of adjustments mean that we are currently budgeting for Optus Stadium to cost less over the forward estimates than originally forecast back in 2015–16.

- (3) As I have outlined, the figure represents the series of adjustments as the venue goes through its first year of operations. Optus Stadium has had an amazing first year and we are in the midst of one of the best years of sport and entertainment in Western Australia's history. As the stadium is projected to cost the state less than originally forecast in 2015–16, no rectification is required.
- (4) The profitability of private companies that supply Optus Stadium is not information that the state government has access to.

**CHILDREN IN CARE — BANKSIA HILL DETENTION CENTRE
COLLIE MOTORPLEX**

Questions without Notice 624 and 626 — Answer Advice

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.05 pm]: I would like to provide answers to Hon Nick Goiran's question without notice 624 and Hon Colin Holt's question with notice 626, asked yesterday, which I seek leave to have incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

Question without notice 624 —

Answer

- (1) As at 10 June 2019, of the 27 children in care at Banksia Hill Detention Centre, nine have been sentenced and the remaining are on remand.
- (2) Yes, children in care may be referred to Secure Care when they are assessed to be a serious risk to themselves or the others in the community. This process is independent to the justice system.
- (3) Four as at 10 June 2019

Question without notice 626 —

Answer

- (1) The McGowan Government has allocated the following Royalties for Regions funding to Collie Motorplex: \$314,000 for track improvements to enable the track to be sanctioned by national motor sporting bodies (in 2017); and \$100,000 to Motoring South West, the operator of Collie Motorplex, to undertake a marketing campaign in 2018-19 that will assist with the promotion of the upcoming national event.
- (2) The track has been sanctioned for racing by the Confederation of Australian Motorsport (CAMS) and Motorcycling Australia (MA). I am aware that Motoring South West and the Shire of Collie are undertaking planning regarding upgrades to pit areas and access, including a pedestrian bridge, however that should not prevent the event from occurring.
- (3) No.
- (4) Motoring South West and the Shire of Collie are eligible to apply for funding for capital upgrades through existing State Government funding programs. No funding applications for these works have been received by the Department.

**ENVIRONMENTAL PROTECTION AUTHORITY — GREENHOUSE GAS EMISSIONS —
BRIEFINGS**

Questions without Notice 259, 284 and 307 — Correction of Answer

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [5.06 pm]: Madam President, I wish to provide a correction to an answer I provided to question without notice 307. A further review of documents by my office has revealed the briefing note received on 27 February 2019 from the Department of Water and Environmental Regulation was not included when the answer was incorporated into *Hansard*. In my response to part (4) of question without notice 307, I advised that an email from DWER dated 7 March 2019 would be tabled with the incorporated answer, and that was not included. I now table these documents.

Further to this, I have become aware that due to an administrative error, a briefing note of 21 February 2019 from DWER was not accounted for in my correction to part (3) of question without notice 259 and part (2) of question without notice 284 and was not tabled with tabled paper 2568. I now table this document. I apologise to the house for the error.

[See paper 2783.]

AMBULANCE RAMPING

Question without Notice 596 — Answer Advice

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [5.06 pm]: I would like to provide an answer to Hon Peter Collier's question without notice 596, asked on Tuesday, 11 June. I seek leave to have it incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

Answer

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

- (1) Over the 10 day period Monday 3rd to Monday 10th June within public metropolitan hospitals, 245 elective surgery procedures were cancelled. 191 were for patient related reasons such as patient illness and patient initiated cancellations and 54 were hospital related reasons.

For noting, surgery cancellation data is reported from the Theatre Management System and therefore does not include Joondalup Health Campus, SJOG Midland Public Hospital and Peel Health Campus.

(2)

Health Service Providers	Additional beds
Child and Adolescent Health Service	
Perth Children's Hospital	9
East Metropolitan Health Service	
Armadale Kalamunda Group (includes Armadale Hospital and Kalamunda Hospital)	6
Royal Perth Hospital	8
St John of God Midland Public Hospital	Nil
North Metropolitan Health Service	
Sir Charles Gairdner Osborne Park Health Care Group	Nil
King Edward Memorial Hospital	4
Joondalup Health Campus	Nil
South Metropolitan Health Service	
Fiona Stanley Hospital	15
Rockingham General Hospital	6
Peel Health Campus	Nil
WA Country Health Service	Nil

(3)

Health Service Providers	Spare beds
Child and Adolescent Health Service	
Perth Children's Hospital	18
East Metropolitan Health Service	
Armadale Kalamunda Group (includes Armadale Hospital and Kalamunda Hospital)	5
Bentley Hospital	8
Royal Perth Hospital	20
St John of God Midland Public Hospital	Nil
North Metropolitan Health Service	
Sir Charles Gairdner Hospital	Nil
Osborne Park Hospital	10

King Edward Memorial Hospital	4
Joondalup Health Campus	Nil
South Metropolitan Health Service	
Fiona Stanley Hospital	52
Fremantle Hospital	15
Rockingham Peel Group	16
Peel Health Campus	Nil
WA Country Health Service	
Goldfields	
Esperance Hospital	2
Kalgoorlie Hospital	27
Leonora Multipurpose Services	4
Great Southern	
Denmark Health Service	4
Katanning Health Service	10
Kimberley	
Derby Hospital	8
Fitzroy Crossing Hospital	2
Halls Creek Hospital	4
Midwest	
Geraldton Hospital	5
Carnarvon Hospital	5
Exmouth Health Service	2
Pilbara	
Paraburdoo Hospital	6
Tom Price Hospital	1
South West	
Busselton Hospital	6
Collie Hospital	12
Harvey Hospital	1
Margaret River Hospital	4
Whealbelt	
Kununoppin Health Service	11
Merredin Health Service	9
Narrogin Health Service	5
Southern Cross Health Service	7
Wyalkatchem/Koorda Health Service	2
York Health Service	4

**WA COUNTRY HEALTH SERVICE — NURSES
END-OF-LIFE CHOICES — BRIEFING — DR JAMES DOWNAR**

Questions on Notice 2071, 2109 and 2128 — Answer Advice

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [5.07 pm]: Pursuant to standing order 108(2), I inform the house that the answer to questions on notice 2071 and 2109 asked by Hon Martin Aldridge, on 9 April and 7 May 2019 respectively, to me as the parliamentary secretary representing the Minister for Health will be provided on 25 June 2019.

Also, question on notice 2128 asked by Hon Nick Goiran to me as the parliamentary secretary representing the Minister for Health will be provided on 27 June 2019.

**PUBLIC HEALTH AMENDMENT
(IMMUNISATION REQUIREMENTS FOR ENROLMENT) BILL 2019**

Committee

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Dr Steve Thomas) in the chair; Hon Sue Ellery (Minister for Education and Training) in charge of the bill.

Clause 1: Short title —

Committee was interrupted after the clause had been partly considered.

Hon SUE ELLERY: Before we rose, I gave an undertaking that I would seek permission to table the response provided by the Commissioner for Children and Young People. I am advised that the commissioner himself was not able to be contacted, but the Minister for Health, whose policy officer was the one who received the response, has agreed that I can table the email, so I am comfortable to table that email.

[See paper 2784.]

Hon RICK MAZZA: I want to go over some of the mechanics for an exempt child. If a child fits within the exempt category, who specifically determines whether that child is exempt? Does the kindergarten or childcare service provider the child attends make an assessment or is some other mechanism required to determine whether the child is exempt?

Hon SUE ELLERY: It is the principal at a school; and, at a childcare centre, it is the person in charge. The person in charge has a specific meaning in the legislation that covers childcare centres.

Hon RICK MAZZA: The person in charge of that centre is the one who makes the determination. It has been indicated that there will be a follow-up program for this exempt child for their vaccination. What are some of the actions that would be taken to bring that child's vaccinations up to date?

Hon SUE ELLERY: The Department of Health would follow up with families of those children to provide additional support in accessing local immunisation services. Communication would provide information on how to get their history updated, where to access local immunisation services, how to access translation services if required, and where to find more information on the immunisation requirements online. The strategy is that in the first instance, an email would be sent to the families by the communicable disease control directorate in the Department of Health. After a month, the families of remaining under-vaccinated children would receive an SMS reminder from CDC—that is, the communicable disease control directorate—in the Department of Health. Bear in mind that the relevant people would already have had to provide contact details in the process of seeking to enrol their child. After a further month, the families of under-vaccinated children would then be contacted by phone. In the metropolitan area, parents would be contacted by the metropolitan communicable disease control public health unit. In the regions, the communicable disease control unit has provided additional resources for the WA Country Health Service to provide the follow-up with these families through the public health units. The public health units will provide this follow-up through their preferred choice in their local communities and across their regions.

Hon RICK MAZZA: Once the child is enrolled and we take up these follow-up programs to encourage parents to get their child's vaccinations up to date, if they do not do so, will the child continue to be enrolled or is there some point at which after they fail to bring their vaccinations up to date, they will cease to access their kindergarten?

Hon SUE ELLERY: Is the member talking about children who have been granted an exemption?

Hon Rick Mazza: That is correct.

Hon SUE ELLERY: There is no final penalty for that child, if that is where the question is leading. The Department of Health may, and I would expect that it would, make additional efforts to contact that family to keep following up, but if the member is asking whether there is ultimately an end point, for example, when they are excluded from school, no, that is not considered as part of this legislation.

Hon DONNA FARAGHER: I take it from what the minister said that because they are exempt, they are exempt. I see the minister is nodding in agreement. Regarding a follow-up for a family with a child whose immunisation status is not up to date—they turned up to the school to enrol and were told no, because they were not up to date and they do not fall within any of the exempt categories—I am keen to understand, in that instance, is it intended that information will be provided to those parents when they seek to enrol and it is determined that they cannot, because they do not meet those exemptions? If so, could the minister explain to me what the process will be for those children and whether in that instance the schools will be required to inform the Department of Health that it has been notified that there is a child whose status is not up to date?

Hon SUE ELLERY: We are talking about a circumstance in which the vaccination is not up to date, the child has been refused enrolment, they are not eligible for an exemption and the question is: what information is provided when they seek to enrol and is there an obligation from the principal or the person in charge to provide that information to the Department of Health?

Hon Donna Faragher: Correct.

Hon SUE ELLERY: When families seek to enrol, they will be given an information pack that explains how they go about fixing their enrolment status. But because the child is not enrolled, there is no obligation in the legislation for the school or the childcare centre to notify the Department of Health, because they will not have enrolment details to provide to the Department of Health.

Hon DONNA FARAGHER: This is where my question comes in. I note the responses that the minister made about the grace period in her summing up of the second reading. I want to clarify. The comments that I made were not necessarily about a grace period, if I might put it that way—their child might be enrolled but they might have a time within which they can become up to date—but rather a situation in which they would have a conditional enrolment; that is, they provide all the evidence that they need to enrol in X school. It is clear that they are not up to date, but they can have a conditional enrolment, subject to their providing before the start of the following school term the relevant document outlining the immunisation that brings them up to date. I would have thought in that instance that that would allow the school to make contact, in whatever process, with the Department of Health. I want to be clear about what I was putting forward, because there is a distinction in what I have suggested, particularly because in some cases the kindergarten enrolment process begins well before the start of the following school year. We will get to that at clause 2, but I take the opportunity now to clarify that and whether any advice has been given to the government about an alternative conditional enrolment that requires some proactivity on the part of the parents, if they so choose, to get up to date prior to the following school year.

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

PORT HEDLAND — TRAGEDY

Statement

HON KYLE MCGINN (Mining and Pastoral) [5.20 pm]: I rise today to inform the house of a tragedy that took place up in Port Hedland. It was identified yesterday that a foreign seafarer of Indian nationality went missing from one of the bulk carriers at mooring, so it was not alongside. A frantic search was conducted by police and the port authority. Everyone was involved. Unfortunately, they found the body today. It is a tragedy to hear of a seafarer losing their life out there. We do not know too much about what took place, but it is a stark reminder that it can be a very dangerous industry to work in. It was a foreign worker working here in Australia. My thoughts go out to the family. I hope that they are looked after. We are definitely feeling their loss. It is another tragedy in the seafaring industry. Another flag of convenience ship has taken the life of a foreign worker in Australia.

HORSEPOWER COLLIE — ROBERT CHITTY

Statement

HON COLIN TINCKNELL (South West) [5.22 pm]: I rise today to talk about a fantastic organisation in the south west called HorsePower Collie, formerly known as the Riding for the Disabled Association of Western Australia. I visited HorsePower Collie about four or five weeks ago. It is an incredibly empowering place. HorsePower Australia is a voluntary not-for-profit organisation. Its primary aim is to develop the abilities and enrich the lives of people living with disabilities through the provision of therapeutic and recreational horse activities.

While I was there, I met a gentleman volunteer named Robert Chitty. Robert Chitty is one of the stolen generation. He is 88 years of age. He has no disabilities but he has made an incredible contribution to society. Robert was stolen from his family in Port Hedland at the age of four, at the same time as his brother, who was slightly younger than him. He never got to know his real mum and dad or his real family. It is a fantastic story of survival and endurance. Because Robert was brought up in a mission just north of Bunbury, he was able to secure a fantastic education. When he became an adult, he decided to make a trip back to Port Hedland to try to find his family and parents. Unfortunately for him, they had passed away by that time. He found himself married with a few kids a few years later and he settled in a town called Carnarvon, which we all know well. He put his name down for a job as an orderly at Carnarvon Hospital. Through perseverance, he was able to get a job there for two years working as an orderly. During that time, he had to come back to Perth and, later, he went to Bunbury. When he arrived in Bunbury he could not find work, so he moved to Collie. He then applied for a job at Collie Hospital. When he first turned up and put in his application, it was ignored. He continued to persevere and within about six months, he applied again. This time he was lucky and things fell into his lap. He rolled up at the hospital and asked the matron if he could be given an opportunity. While he was talking to the matron, the doctor who had worked with him years before at Carnarvon Hospital realised who he was and told the matron how good an orderly he had been at Carnarvon Hospital. He was given an opportunity and he ended up working at Collie Hospital for 22 years.

It is a fantastic story about the perseverance of someone who had a bad start to life but really made the most of it. Robert is not a bitter man. He is very pleased with his life. He has a fantastic family life. It was a wonder for me to meet his wife, his granddaughter, his great granddaughter and his great, great grandson. It is amazing what he has been able to create over that period. It is fantastic to see him still volunteering his time at HorsePower Collie. When I saw him he looked as though he was about 68 years old, but he is actually 88 years old. He is very able.

The Collie Hospital invited him to participate in a flag-raising ceremony. As a part of a government policy, police stations are now raising the Aboriginal flag. The Collie Hospital decided to do the same in honour of Robert. It was a very proud moment for him and he invited me to attend. It is a fantastic story of human endurance and of someone who has made the most of the opportunities that have come their way.

JOBS — MIGRANTS

Statement

HON CHARLES SMITH (East Metropolitan) [5.27 pm]: I want to offer a few more comments and words of wisdom about foreign workers and the fake call of a “skills shortage”. I also want to acknowledge that tragedy, and I hope that the investigation brings some comfort to that family.

I want to give an example of what is currently happening in the United Kingdom as proof positive of what I have been saying for many months. I also want to acknowledge an economist called Leith van Onselen whose work I will quote today. Since the start of this year, the decline in European Union immigration into the UK in the wake of the so-called Brexit turmoil has been a boon to local workers, with unemployment in the UK falling to the lowest level since the 1970s and a surge in wages. The online BBC news states —

Wage growth beat market and economist expectations in the three months from February to April.

Pay rose by 3.4% compared with a year ago. After taking inflation into account, wage growth was 1.4% ...

The employment rate for women was 72%, the highest on record.

However, rather than letting workers enjoy the fruits of their labour, the UK’s Migration Advisory Committee has called on the government to open the immigration floodgates to “help businesses access the skills they need”. What that actually means is to help businesses lower their wage costs. We hear the same calls here in Western Australia and across the nation. Jane Gratton, the head of people policy at the British Chambers of Commerce, states —

“Expanding the Shortage Occupation List will help businesses access the skills they need when they can’t recruit locally,” ...

These are all things that we have heard before in Australia. They are using exactly the same fake argument to lower workers’ wages. It is basic economics: if the flow of foreign workers is stemmed, then the bargaining power of workers will increase. This was explained succinctly and comprehensively by the Australia Institute’s economist Richard Denniss when he noted that the very purpose of a foreign worker visa is —

... to suppress wage growth by allowing employers to recruit from a global pool of labour to compete with Australian workers.

Except in very limited circumstances, there is no such thing as a shortage of labour. I have said this before in this house: there is only a “shortage” of labour at the price or wages that firms are generally willing to pay. If we let faster wage growth happen, two things will occur. Firstly, the least productive businesses would lose people, shrink and go bust, transferring workers, land and capital to more productive businesses, raising average productivity across the economy. Secondly, all businesses observing higher wages, would invest more in labour-saving technologies, training and restructuring to raise productivity. This is how the labour market is supposed to work. But allowing the mass importation of foreign workers circumvents the ordinary functioning of the labour market by enabling employers to pluck cheap foreign workers instead of raising wages. It also discourages employers from training locals in favour of hiring ready-made workers from overseas. We have seen that in the mining industry in the north. This is deleterious for both workers and the broader economy.

STATE RECORDS OFFICE — 2019–20 STATE BUDGET

Statement

HON ALISON XAMON (North Metropolitan) [5.31 pm]: I rise tonight because I want to draw the attention of members to the effective disappearance of the State Records Office from the 2019–20 budget. I have already noted on multiple occasions that the establishment of the State Records Commission and the supporting State Records Office was a direct result of recommendations arising from the royal commission into WA Inc. I have spoken before about the importance of record keeping, not only as a transparency and accountability measure, but also as a human rights measure. I remind members of issues such as access to records for people seeking redress for stolen Aboriginal wages, or former wards of the state trying to access their care records.

Outside the State Records Office, we know that government agencies have spent over \$40 million over the past five years simply on storage and archiving. That is because the State Records Office has not been able to take records into its archive since 2001, when it began life as an agency. The starvation of funding for the State Records Office has meant that agencies have spent over \$8 million in the past five years on private consultants to advise how to manage their records. By comparison, that is nearly four times the entire amount allocated to the State Records Office annually. In the 2018–19 state budget, the service of state information management and archival services

was allocated just over \$2 million, but yesterday, when I asked a question in Parliament about this, it was revealed that a similar low level of funding has been allocated for the 2019–20 financial year.

There is clearly a high demand for services that the State Records Office should be supplying. For example, the State Records Commission’s most recent annual reports clearly showed the impact of the lack of resourcing of the State Records Office on its capacity to function. The State Records Office provides records management training, but it was only able to deliver targeted presentations to three out of the 14 agencies that had specifically requested training in 2017–18. I note that these agencies included two local governments. That is significant because I remind members that the recent Auditor General’s report, “Records Management in Local Government” found that although approved record-keeping plans exist and are current, they are not necessarily supported by adequate procedures and policies. The Auditor General was clear that more regular and thorough records training will be needed. It is clearly an area in which the State Records Office could and should be providing further advice and assistance. However, it needs to be resourced to do that.

It is also responsible for monitoring compliance with the State Records Act 2000. The State Records Commission of Western Australia relies on the record-keeping review plan cycle and the investigation of suspected breaches. The commission would prefer to implement a complementary compliance monitoring regime as soon as possible but it simply cannot due to ongoing funding restraints. Given the Auditor General’s findings in local government, I think it would be well worth reviewing the policies and procedures of record-keeping plans in our state agencies. Maybe that can be one for the Auditor General’s consideration. Very importantly, the State Records Office is responsible for managing and conserving the state’s archives. The preservation-needs assessment showed that a substantial portion of our existing catalogue needs preservation work, and a lot of our non-paper records, such as those on magnetic tape, are at risk.

A routine conservation program has not commenced, and it will not commence under the current resourcing. We know that a new storage facility is desperately needed for an ever-growing collection of state archives that, by necessity, are being housed by contractors to individual government agencies. That means that they are increasingly inaccessible to the public. I note that another business case for this facility is underway and I will ask more questions about that. In the meantime, members, approximately another 1.5 linear kilometres of archived state records are being produced every single year. The State Records Office continues, I think, to respond very creatively to its incredible lack of funds. However, the ongoing answer to why the office is not doing these things is very simply resourcing. We can see that money is being spent by government agencies at nearly double the usual budget for records management expertise across the public service. Very clearly, starving the State Records Office of funds and simply employing consultants is a false economy.

The State Records Office has been completely buried in this latest budget. It has disappeared as an independent entity from the 2013–14 state budget. The service provided by the State Records Office has gone from being “government record keeping and archival services” to “state information management and archival services”. In this budget, that service has entirely disappeared and has been subsumed into “corporate and asset and infrastructure support to the culture and arts portfolio and government”. The associated note says that it is due to difficulties calculating these measures, those being key performance and other performance indicators. It seems to me that the State Records Office might be having difficulty calculating these indicators because it has been so incredibly starved of funds for so long now that it is very difficult for it to do its job.

I remind members once again that it is a measure that sprung from the Royal Commission into the Commercial Activities of Government and Other Matters to raise transparency and accountability across the public service. I am deeply disappointed by the lack of funding and now the lack of transparency about funding for this office. It is a false economy. However, it is a great problem for integrity of government and I am calling on the government to properly fund this essential work.

INFRASTRUCTURE WESTERN AUSTRALIA BILL 2019

Assembly’s Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

House adjourned at 5.39 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

POLICE — YOUNG PEOPLE IN LOCK-UPS

2119. Hon Alison Xamon to the minister representing the Minister for Police:

I refer to young people held in police lock-ups, and I ask:

- (a) since 1 September 2018, how many young people aged under 18 years have been held overnight in regional police lock-ups;
- (b) how many of the young people from (a) were held more than one night;
- (c) for how many nights were each of the young people in (b) held in police lock-ups; and
- (d) what reasons were the young people in (a) held overnight in police lock-ups?

Hon Stephen Dawson replied:

The Western Australian Police Force advise:

- (a) 209 (1 September 2018 – 30 April 2019).
- (b) 63.
- (c) Please see below:

Days held overnight	Unique Persons
2	59
3	7
4	2
Total Unique Persons	63

Note: A range of factors contribute to the custody episode duration including but not limited to the availability of appropriate transport; time spent in a medical facility; and difficulties with contacting and/or arranging a guardian/parent/other appropriate person to collect the detainee.

A count of unique persons means that a person will be counted in each category that applies to them but only counted once in the total. Therefore, the sum of the categories will not equal the total unique persons.

- (d) Please see below:

Final Custody Reason	Unique Persons
Suspect Charged	113
Remand	57
Form 6	55
Suspect Uncharged	30
Warrant – Arrest (Bail Act)	29
Warrant – Return to Prison	5
Prisoner Transfer	2
Person in Care	1
Total Unique Persons	209

Note: Data in the above table relates to the reason for the custody episode, rather than necessarily the circumstances that required a person to be held in custody overnight.

“Form 6” is a Bail Undertaking whereby an accused undertakes to appear as directed in court.

A count of unique persons means that a person will be counted in each category that applies to them but only counted once in the total. Therefore, the sum of the categories will not equal the total unique persons.

INDUSTRIAL RELATIONS — CARCINOGEN 2, 4, 5-T

2125. Hon Robin Chapple to the minister representing the Minister for Industrial Relations:

- (1) Does the Minister have a register of those individuals, living or deceased, who claim to have been affected by contact with the known carcinogen 2, 4, 5-T:
 - (a) if no to (1), why not;
 - (b) if yes to (1), does the register list include individuals names;
 - (c) if yes to (1), does the register include those individuals who developed other, non-oncologic conditions as a direct result of exposure to 2, 4, 5-T;
 - (d) if yes to (1), does the register include those individuals who have been affected by secondary exposure to 2, 4, 5-T; for example via washing the clothing of those exposed;
 - (e) if yes to (1), does the register include those individuals born with congenital disorders as a direct result of parental exposure to 2, 4, 5-T, either during or before pregnancy; and
 - (f) if yes to (b)–(f), would the Minister please table all the relevant information?
- (2) How many people who were affected by contact with the known carcinogen 2, 4, 5-T have received full compensation settlement?
- (3) How many people who were affected by contact with the known carcinogen 2, 4, 5-T have received partial compensation settlement?
- (4) What was the total amount outlaid by the Government in compensation for people who were affected by contact with the known carcinogen 2, 4, 5-T and will the Minister please table the evidence?
- (5) Is there a specifically assigned nurse for people who were affected by contact with the known carcinogen 2, 4, 5-T:
 - (a) if no to (5), why not;
 - (b) if no to (5), is there funding available; and
 - (c) if yes to (5), where is this nurse stationed?
- (6) Has there ever been a specifically assigned nurse for people who were affected by contact with the known carcinogen 2, 4, 5-T:
 - (a) if no to (6), why not; and
 - (b) if yes to (6), where was this nurse stationed?

Hon Alannah MacTiernan replied:

- (1) No.
 - (a) There is no requirement for a specific register listing the names of individuals claiming to be affected by exposure to 2,4,5-T, and associated health conditions. The chemical was banned from use in 1991. A register was used in 2004 to identify workers of the Agriculture Protection Board potentially exposed to 2,4,5-T in weed spraying programs in the period 1975–1985. However that was used to facilitate workers' compensation claims at the time following an Expert Medical Panel finding that APB workers may have suffered an increase in the risk of cancer due to their exposure to herbicides containing 2,4,5-T in the spray program.
 - (b)–(f) Not applicable.
- (2) There have been 8 Agriculture Protection Board workers compensated for cancer related claims. The question refers to how many individuals have received 'full compensation settlement'. There is no concept of 'full compensation settlement' in the *Workers Compensation and Injury Management Act 1981*. The amount of compensation paid to workers varies depending on the treatment required to ameliorate the injury or disease, the level of incapacity, whether the worker is working, whether the worker subsequently dies as a result of the injury or disease and whether the claim is settled by agreement between the parties. The compensation paid varies for the reasons stated above.
- (3) See response to question (2).
- (4) The Government has not made any outlays of compensation for persons affected by exposure to herbicide 2,4,5-T. The claims from former workers of the Agriculture Protection Board referred to in response to question (2) were funded via existing reserves in the relevant Insurance Commission of Western Australia fund for workplace injuries of Government employees.

- (5) No.
- (a) The Department of Primary Industries and Regional Development has advised that additional funding for a specialised nurse support service ceased in June 2010 due to the low level of inquiry and follow up work required.
- (b) No.
- (c) Not applicable.
- (6) Yes.
- (a)–(b) In 2004, following the Government’s commitment to expedite claims from former APB workers with cancer, the Government funded a specialist nurse support service for former workers and their families who had health concerns arising from possible exposure to chemicals. The service was based in Derby.

FIREARMS — RIFLE LICENCES

2126. Hon Aaron Stonehouse to the minister representing the Minister for Police; Road Safety:

In light of the recent Western Australia Police review into ownership of “very powerful weapons”, is the Minister able to provide the number of rifles in each of the following calibres currently licensed in Western Australia:

- (a) .338 Edge;
- (b) .33 Nosler .460 Weatherby;
- (c) .375 H&H Magnum;
- (d) .375 Weatherby Magnum;
- (e) .408 Cheyenne Tactical;
- (f) .375 Ruger;
- (g) .375 Remington Ultra Magnum;
- (h) .416 Weatherby Magnum;
- (i) .450 Nitro Express;
- (j) .470 Nitro Express;
- (k) .475 Nitro Express;
- (l) .476 Nitro Express;
- (m) .500 Nitro Express;
- (n) .450 Rigby;
- (o) .50 BMG;
- (p) .55 Boys;
- (q) .30-378 Weatherby Magnum;
- (r) .378 Weatherby Magnum;
- (s) .416 Ruger;
- (t) .416 Remington Magnum;
- (u) .416 Barrett;
- (v) .465 H&H Magnum;
- (w) .460 Weatherby;
- (x) .400 H&H Magnum;
- (y) .416 Rigby; and
- (z) .458 Winchester Magnum?

Hon Stephen Dawson replied:

The Western Australian Police Force advise:

The below response is for parts (a) to (z):

	Type of Firearm*	Number of licensed Firearms
(a)	.338 Edge	2
(b)	.33 Nosler .460 Weatherby	–
(c)	.375 H&H Magnum	116
(d)	375 Weatherby Magnum	–
(e)	.408 Cheyenne Tactical	–
(f)	.375 Ruger	23
(g)	.375 Remington Ultra Magnum	1
(h)	.416 Weatherby Magnum	–
(i)	.450 Nitro Express	1
(j)	.470 Nitro Express	2
(k)	.475 Nitro Express	–
(l)	.476 Nitro Express	–
(m)	.500 Nitro Express	17
(n)	.450 Rigby	1
(o)	.50 BMG	8
(p)	.55 Boys	10
(q)	.30-378 Weatherby Magnum	16
(r)	.378 Weatherby Magnum	5
(s)	.416 Ruger;	7
(t)	.416 Remington Magnum	7
(u)	.416 Barrett	–
(v)	.465 H&H Magnum	1
(w)	.460 Weatherby	2
(x)	.400 H&H Magnum	–
(y)	.416 Rigby	13
(z)	.458 Winchester Magnum	16

HEALTH — POSTHUMOUS COLLECTION OF GAMETES

2129. Hon Nick Goiran to the parliamentary secretary representing the Deputy Premier; Minister for Health; Mental Health:

I refer to question on notice 1981, which the Minister answered on 11 April 2019, and I ask:

- (a) is the Minister aware that pursuant to section 82 of the *Financial Management Act 2006* the Minister is obligated within 14 days to give written notice to the Auditor General of his decision not to provide to Parliament the information sought in the question;
- (b) if yes to (a), on what date did the Minister give such notice; and
- (c) if no to (a), on what date will the Minister give such notice?

Hon Alanna Clohesy replied:

- (a) The Minister does not believe any information sought was not provided.
- (b)–(c) Not applicable.

