

Mr Matt Birney; Speaker; Mr Tony O'Gorman; Acting Speaker; Mr Rob Johnson; Mr Jim McGinty; Mr Jeremy Edwards; Mr Phillip Pandal; Dr Geoff Gallop; Mr Max Trenorden; Ms Margaret Quirk; Mr John Hyde; Mr John Kobelke; Mr Dan Barron-Sullivan

LAW AND ORDER

Matter of Public Interest

THE SPEAKER (Mr F. Riebeling): Today I received a letter from the member for Kalgoorlie seeking to debate as a matter of public interest the following motion -

That this House condemns the Gallop Labor Government for presiding over spiralling crime rates, a decline in police numbers and the introduction of soft sentencing laws.

If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

The SPEAKER: The matter shall proceed on the usual basis.

MR M.J. BIRNEY (Kalgoorlie) [2.56 pm]: I move the motion.

I will paint a picture for members of the House of a Government that has failed to protect its citizens, has created a crisis in law and order in Western Australia, and is obsessed with its left-wing socialist agenda to the detriment of the majority of members of the community.

Several members interjected.

The SPEAKER: I am sure members on my right will have an opportunity to contribute to this debate when their turn comes, and I urge them to keep their very clever interjections for that time, when they may be able to add to the debate.

Mr M.J. BIRNEY: Thank you for your protection from the goon gallery, Mr Speaker.

The Labor Party went to the last election with a wonderful policy headed "more police, better policing in regional WA". Page 4 of that policy reads -

A Gallop Labor Government will:

boost police numbers by 250 officer over four years.

These extra 250 officers will be deployed throughout the State, and will especially be targeted at known crime hot spots.

The reality is somewhat different. The Police Service annual reports tells us very conclusively that, in fact, in Labor's first full financial year in control of this State police numbers went backwards by 38. Far from having an increase of 250 police officers, we have seen a decrease from 4 993 sworn police officers to 4 955. That is a fairly average result indeed, but it does not stop there. One hundred and eighty-four recruits were undergoing training with the Police Service at the end of the 2001 financial year. That figure has now dropped to 111. Not only do we have fewer police on the streets, but fewer officers are undergoing training. It does not stop there. I will refresh the memories of some government members by reading from page 5 of the document "more police, better policing in regional WA":

Labor is determined to ensure that authorised strengths are actually being met. Communities should be able to rely on their local station having its full complement of officers as budgeted for.

Labor will:

ensure that all police stations are staffed to their authorised strengths;

I read that some time ago and put a question on notice to the Minister for Police. Given that the Labor Party has now had two full years, it could be assumed that it would have had the opportunity to carry out that election promise. The reality, once again, is very much different. On 28 June 2002, I received an answer from the Minister for Police to a question I posed about how many police stations in Western Australia were operating below their authorised strength. It stated -

Currently, less than 15% of stations are operating below their authorised strength.

There we have it again. After two years in control of the purse strings, and after the rhetorical election promise that all Western Australian police stations are meeting their authorised strength numbers, we find that nearly 15 per cent of all stations are below their authorised strength. That equates roughly to about 24 police stations across Western Australia operating well below authorised strength.

It goes on. Page 8 of the Labor Party's "more police, better policing in regional WA" document states that the Labor Party would -

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set clear targets for all police response times and ensure proper resources are provided to help the police meet these targets. . .

What a joke! We have all seen reports in the media recently about the unfortunate incident at the Salter Point nursing home when police took 37 minutes to arrive after being called by members of the nursing home staff after an intrusion. Thirty-seven minutes to get to a nursing home!

On 10 November another story appeared in a newspaper. Lisa Fewster is a lunch bar owner in the city of Belmont. The article states that police took 40 minutes to reach the Belmont lunch bar owner who was injured in a violent robbery. What shall we tell Mr Clohessy of Addison Gardens, Merriwa about the Labor Party's pre-election policy on police response times? Mr Clohessy's home was broken into at the beginning of the year and he happened to surprise the intruders. He was told by one of the intruders that if he did not retreat back inside he would be shot. Mr Clohessy rang the Police Service on the 000 telephone number and advised the operator that he was threatened with being shot by one of the intruders. It still took police 39 minutes after the initial phone call to respond and attend Mr Clohessy's property. When I asked the Minister for Police about this through a parliamentary question she answered, in part -

The task to attend Mr Clohessy's address was dispatched to a police vehicle at 9.32 pm and they arrived at the scene at 9.37 pm, 39 minutes after the initial telephone call to the POC.

The phone call was taken at 8.56 pm. The answer also states that the task was prioritised as a priority 3. That, in itself, could be disputed. The answer further states -

Police Service response time targets in relation to priority 3s is 18 minutes.

We now have it on record. The accepted response time to that category of offence is 18 minutes. In fact, it took 39 minutes for the police to get there. We have all read in the local newspapers in Joondalup about the issue of police numbers. Joondalup Police Station has probably fared worse than any other police station in Western Australia concerning a reduction in police numbers. I came across a letter in a community newspaper written by Rebecca Cole of North Beach. She mentioned the member for Joondalup, no less. She states, in part -

I remember that when Mr O'Gorman stood at the last State Election -

For those members who do not know, he is the member for Joondalup.

he and his assistants were driving around in a car towing a trailer with a big sign that said "More police, better health".

That is what he did. He had a car and trailer. The trailer had a sign saying, "More police, better health". In the member for Joondalup's own local paper we have read articles about the massive reduction in police numbers. The Opposition can provide adequate proof that the reduction in police numbers has caused concern to the constituents of the member for Joondalup. What is he doing about it? The member for Joondalup responded by saying that he put a parliamentary question on notice to the minister about the issue. That is his token effort.

Points of Order

Mr A.P. O'GORMAN: The member for Kalgoorlie is misrepresenting things. The police numbers at the Joondalup Police Station are correct according to the Regional and District Allocation of Resources guide, which is governed by the Commissioner of Police. I have asked the Commissioner of Police to look at the RADAR guide and make it appropriate.

Several members interjected.

The ACTING SPEAKER (Mr A.D. McRae): Order, members!

Mr R.F. JOHNSON: The member for Joondalup is an Acting Speaker in this House and I would have assumed that he would have studied the standing orders closely. He has raised a point of order simply to try to get across his own point of view and to try to distract the member for Kalgoorlie. There is no point of order whatsoever in what the member for Joondalup has said.

Mr M.J. BIRNEY: The member for Joondalup seems to have taken some offence to me suggesting that his response to the crisis in police numbers was to put questions on notice to the Minister for Police. He took a point of order immediately after I said those words. It might be a good idea for me to read out one sentence -

The ACTING SPEAKER: Sit down, member for Kalgoorlie.

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The member for Joondalup wished to raise a point of order. In the first part of what he addressed to the Chair he did that. He then went on to raise matters that were extraneous to standing orders and how members raise points of order in this place. There is no point of order.

Debate Resumed

Mr M.J. BIRNEY: Thank you, Mr Acting Speaker. I am surprised that you had to take any advice on that matter.

In response to the letter from Rebecca Cole, the member for Joondalup wrote back to the community newspaper stating -

I put a series of questions on notice in Parliament on September 26.

That is his response to police vacating Joondalup and causing a crisis in that area. He put questions on notice! One would think that he would have better access to the minister than that. That is what we do; we are in opposition. One would think that he would be able to front up to the Minister for Police and say, "What are you doing to me? This is costing me electorally."

I will move on because my time is limited.

Mr A.P. O'Gorman interjected.

Mr M.J. BIRNEY: No speaking from the public gallery!

Page 10 of the Labor Party's "more police, better policing in regional WA" policy states -

In ensuring that resources are being used in the most efficient and effective manner, Labor will:

undertake an immediate review of the administrative areas of the Police Service to get more police out into the front-line.

Far from doing that, what the Labor Party has done can be found at page 758 of the budget papers. The second line item from the bottom is titled "Police Unsworn Redundancies". It shows a saving of \$400 000 this year, \$400 000 next year, \$400 000 the next and \$400 000 the year after that. That is \$1.6 million in savings from unsworn police officer redundancies. That effectively means that a raft of administrative civil servants from the Police Service will be made redundant. Who will undertake their duties? It will be front-line uniformed officers. They will be taken off the street and put into police stations to undertake administrative duties. Far from undertaking a review of administrative areas - maybe the Government did undertake that review - it decided to create a \$1.6 million redundancy package in order to save a little bit of money. That is absolutely ridiculous. It is no wonder that the Police Union, which is a good union, has decided to take industrial action - albeit begrudgingly - over police numbers and front-line policing in Western Australia. What impact has the mismanagement crisis had on Western Australia's crime figures? It is not a case of my glossing over the top of the matter and making a few points which have not yet bitten on the ground. Indeed, compared with last year's figures, the number of criminal offences in Western Australia has increased by 4 453. I will break down that figure into different categories. This year the number of thefts increased by 5.3 per cent. The number of assaults increased by 2.1 per cent, which is a 16 per cent increase since 1997-98. I do not need to remind members that the Liberal coalition was the Government of the day in 1997-98. The incidence of motor vehicle theft has increased by 2.8 per cent, which is the first increase since 1997-98. Property damage has also increased by 5.2 per cent. The list goes on and on. There is a direct correlation between a lack of police numbers and resources and crime in the community. There is no greater evidence of that than in the information to which I have just referred. The situation will only get worse as a result of the Attorney General's new model legislation that deals with the abolition of jail terms of six months or less, which this House will debate this afternoon. The Attorney General has been on the hustings stating that those convicted of minor offences, such as fine defaulters and traffic offenders, should not go to jail. Therefore, the Government will ensure that an offender who would have attracted a jail term of six months or less under the current system will not go to jail. Rather, they will be given a community order or a good behaviour bond. At face value, that does not sound too bad, because we do not want to clog up our jails with fine defaulters and traffic offenders. However, the Attorney General has failed to tell the community that last year 215 people who were jailed for six months or less would have avoided a prison sentence had the Attorney General's and the Labor Party's legislation already been implemented. Of those 215 convictions, four were for sexual assaults; 101 for non-aggravated assaults; 55 for aggravated assaults; 21 for motor vehicle theft; eight for supplying and trafficking drugs; 25 for burglary; and one for aggravated robbery. Every one of those individuals would have avoided a jail term had the mangy lot opposite been given its way a year ago. In the previous year, 580 people went to jail for six months or less, 321 of whom were repeat offenders. The 321 repeat offenders would have avoided a jail term under the Attorney General's legislation.

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In closing I refer to an article that appeared in *The Australian* on 7 February 2001, in which Hon Julian Grill, a former senior member of the Australian Labor Party was quoted. The article states -

In a potentially devastating election blow for the ALP, retiring Labor MP Julian Grill claims the Opposition -

That is, the Labor Party -

agreed to harsh law-and-order policies on the basis they could be wound back if the party win on Saturday.

The article also states -

“This approach differs dramatically from that taken by the party at the last state conference. When the leadership sold the latest version to caucus, it was on the pragmatic basis that it was essential to win back government. And it could be wound back afterwards.”

It is winding and winding. The Labor Party machine with its socialist left-wing leaning is doing exactly what Hon Julian Grill said it would do prior to the last election. The ALP is winding back its so-called tough policy on law and order. The Government will be judged at the next election and I will tell anyone who will listen about the disgraceful Government that is running law and order in Western Australia.

MR J.A. MCGINTY (Fremantle - Attorney General) [3.14 pm]: I will make a brief contribution to the debate. Unfortunately, members opposite often have short memories and, although the public does not share that short memory, it is important to remind ourselves, from time to time, of exactly what has happened.

Members will recall that one of the first measures taken by the Labor Party after it won office was to strengthen the Criminal Code so that people who committed offences against senior citizens were dealt with more harshly than had previously been the case. That was another tough-on-crime measure. The Government then introduced its organised crime Bills - often referred to as the bikie legislation - which are the toughest laws in the country dealing with organised crime. The legislation dealt with the significant drug runners in the community and those who participate in one of the most insidious forms of criminal activity - organised crime. The Government also stated that it was prepared to take on a group that the previous Government was not prepared to touch; that is, the organised criminal outlaw motorcycle gangs. The members who have been in this place for a while will remember when Hon Kevin Prince, as Minister for Police and Emergency Services, apologised to the House because was not prepared to stand up to the criminal gangs and tell them that the Government would not let them break the law. We all remember him standing in this Chamber and saying that his Government was happy to let the bikies on their way to funerals break the law and to assault police officers -

Mr R.F. Johnson: He did not say that at all.

Mr J.A. MCGINTY: That is exactly what he said. He entered into an agreement with the gangs and then defended -

Mr C.J. Barnett: You should quote *Hansard*.

Mr J.A. MCGINTY: Does the Leader of the Opposition not remember the former Minister for Police and Emergency Services? I remember him all too vividly saying that he supported the police entering into an agreement with the bikies that allowed them to break the law and to not wear their helmets, and that he was not prepared to take any action when the bikies were seen on television assaulting police officers. Why was the former minister not prepared to take any action against the bikies who were seen on televisions in every lounge room in the State assaulting police officers? It was because the fellow who committed the assault was emotionally distraught after having just attended his brother's funeral. Do members know what type of brother he was? In bikie gangs all members are referred to as “bro” or “brother”. The perpetrator was not a genetic brother and yet the former Minister for Police and Emergency Services, Hon Kevin Prince, stated that he would not prosecute a bikie who had assaulted a police officer because he had just been to the funeral of his “brother”. It was not his brother at all. The former Government was cowed by organised crime gangs in Western Australia and was not prepared to take on the bikie gangs.

Mr R.F. Johnson interjected.

Withdrawal of Remark

The ACTING SPEAKER (Mr A.D. McRae): Given that he is the opposition Whip, the member for Hillarys is aware that he is not entitled to refer to members by their name. I ask him to withdraw his comment.

Mr R.F. JOHNSON: I withdraw the comment in which I referred to the member by his name.

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Debate Resumed

Mr J.A. McGINTY: The previous Liberal Government was perceived by the public to be weak - that is one of the reasons it was defeated at the election - because it was not prepared to take on one of the worst organised crime gangs in this State. What has the Labor Government done? It has taken on the bikie gangs. This Government has not sanctioned any unlawful activity by bikie gangs. Rather, it has introduced legislation that will allow the tearing down of fortifications around bikie gang headquarters so that they cannot be used to impede entry by the police. The Government has got behind the situation and has been prepared to be up-front about confiscating the assets of the bikie gangs. Yesterday, I announced yet another major confiscation effort. This Government has been prepared to take such measures when the former Government believed that it was all a bit too tough and a bit too hard and did not want to expose itself to organised crime. On this side of the House we have been prepared to do that and we have been prepared to publicly state that we will make the confiscation laws work.

The Government believes that two main measures can be implemented to fight organised crime in this State. The first is the removal of bikie gang assets, which has been carried out demonstrably. We will confiscate items that are close to the hearts of bikie gang members. The Opposition criticised me when I wanted to send a message to every person in the State, including bikie gang members, that the Government would remove their Harleys, property and money. Members on the other side thought it was all a bit too demeaning when the Director of Public Prosecutions and I issued this loud and clear political message to the public. It is the sort of message that would never have come from the Opposition. It would have said, "Oh no, we do not want to offend bikie gangs. They can go ahead and break the law, we do not care. They would never get that from us." Bikie gangs will now have to operate within the law and if they do not, they will have the full force of the law thrown at them.

Mr M.J. Birney: Is it not true that your only tough on crime policy was to take the cappuccino machine away from the prisoners at Bandyup Women's Prison?

Mr J.A. McGINTY: No. What does the member think about the organised crime legislation that this Government has introduced? It is the toughest in Australia. What does the member think about all the confiscations that are taking place? The member for Kalgoorlie has no substance. I will give him a little advice. I too have been in a leadership position and did not handle it particularly well, but I have been there so I know what is required of it. One must have a bit of substance. If a member dishes up a nice catchy one-liner like that, he will get caught out every time unless it is true and has a little bit of substance to it.

What has this Government done to make sure that we have a Police Force with integrity? It has set up a royal commission. Members opposite have criticised, opposed and knocked it. They are quite happy to see the Police Force operating without the scrutiny that is required to enable it to operate with force and integrity. What did the previous Government do about its mates in the finance broking industry? That was one of the most significant factors that led to them sitting on the other side of the House. They were not prepared to take on the matter because significant figures in the Liberal Party were responsible for ripping off tens of thousands of elderly people in Western Australia. The previous Government was soft on crime when it came to its mates in white collar crime areas; people who perpetrated fraud on tens of thousands of elderly Western Australians.

I will tell members another story that offended my sense of decency about the whole matter. Yesterday in the House I spoke about the wilful murderer, Shane Finn. The previous Attorney General formed a relationship with Finn to the extent that he felt, and quite properly, that -

Mr M.J. Birney: What sort of relationship?

Mr J.A. McGINTY: I will not criticise the former Attorney General for this, but his own judgment of the matter was that the relationship was such that he was required to stand to one side to allow another cabinet minister to exercise powers in respect of this prisoner. Any Attorney General who forms that sort of a personal relationship with a prisoner is not doing his job properly.

Mr M.J. Birney interjected.

Mr J.A. McGINTY: Let me finish this story. Not only that, but his chief of staff then became a personal friend of Shane Finn -

Mr M.J. Birney: She was not a personal friend. What a load a rubbish.

Mr J.A. McGINTY: She became his home leave sponsor. She visited him many times in prison. He was then released from prison to go on home leave where Ms Karry Smith was responsible for his supervision by not letting him out of her sight. On the first weekend of leave, Shane Finn returned to the prison and tested positive

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for opiates. Ms Karry Smith was personally responsible for him and undertook to keep him under her non-stop supervision. However, it gets better. The following weekend the same prisoner came back to the prison and tested positive for amphetamines while he was under the supervision of the chief of staff of the Attorney General. That is disgraceful. What does that say about government standards to the public? I would have sacked Karry Smith, and, if any of my staff behave like that, they will be sacked. There is no job for people with those low standards in government. I do not want to hear any more rubbish from members on the opposite side about who is soft on crime. They should look at their own record and the reason they were thrown out of office. The previous Government was disgraceful; it was soft and all over the place. The double standards exhibited by the former Attorney General and Kevin Prince, the former Minister for Police and Emergency Services, show that the previous Government was as weak as water. Members opposite should not come in here with their rhetoric when this Government has been tough and taken matters on board. It has taken up the fight against organised criminals in this State in a way that would not have been done by members opposite.

MR J.P.D. EDWARDS (Greenough) [3.25 pm]: I support this motion and will illustrate a regional crime problem that puts into perspective some of what the Attorney General has just talked about. *The Geraldton Guardian* of 30 October stated that -

Geraldton authorities and businesses have vowed to tackle late night juvenile crime in Geraldton but a long-term solution would require a unified effort.

... representatives from the Geraldton police station, the City of Geraldton, politicians, community workers and local traders agreed the problem needs immediate attention.

It further stated -

The meeting opened with a bashing victim's recollection of an attack he and his friend suffered from the hands of youths.

And later it said that -

A member of the hospitality industry, which was well represented, said she thought the situation was the worst in 10 years.

On one occasion, she had to lock 350 people inside her premises for their own safety.

Her thoughts were supported by Safer WA figures which revealed there had been a 200% increase in major assaults this year, with half of the offences occurring in the last eight weeks alone.

A spokeswoman for the Safer WA committee said these were only reported offences and it was believed that someone could die if the situation was not addressed.

People will not venture into certain areas in the city of Geraldton on Thursday, Friday, or Saturday nights, particularly in the nightclub districts.

Dr G.I. Gallop interjected.

Mr J.P.D. EDWARDS: The Premier needs to listen to this.

Dr G.I. Gallop interjected.

Mr J.P.D. EDWARDS: I am sorry, but I have only seven minutes in which to speak so the Premier will have to bear with me. This is a delicate matter. People have voiced their opinions to me on this issue on so many occasions that it is important that it be raised.

In general the youths are groups of Aboriginal children aged 13 to 20 years. The best expression that I can use to describe them is "criminally motivated". I will qualify that statement so that members understand what I mean. The Attorney General has just talked about organised crime and local bikies. I concur with what he said. A line has been taken against local bikie gangs. However, we still have a local bikie gang in Geraldton. They find it easy pickings to sell amphetamines - speed - to Aboriginal kids. The Aboriginal kids are easily persuaded; they are bored and do not have a lot to do. Taking speed is one way of finding another solution to that boredom. Those same kids need money to pay for those drugs and constantly prey on members of the public who are innocently going about their daily business. The police can only use short-term solutions, which is the crux of the problem. The Aboriginal kids move around in groups. They do not physically take a person's wallet out of his pocket but they make it very difficult for that person to walk down the street at a particular time of night. They hassle people and, finally, things get out of hand and a fracas occurs. As Mr Acting Speaker (Mr A.D. McRae) would know, police do not have the power to detain juveniles who are out at night unless they are offending. That is a problem in itself. To deal with the issue, police swamp the affected areas such as the

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nightclub area of Geraldton. By doing so, they are not covering other areas in the greater Geraldton region where the burglaries and other sorts of things take place. This is a growing problem. I give credit to community leaders including members of the Aboriginal community and relevant agencies, the Yamatji Patrol, the Geraldton street workers and the local council who are all endeavouring to find solutions. However, those solutions must be resourced. The Geraldton region has a population of 5 500 Aboriginals. That is a significant number and significant problems are associated with large groups of Aboriginal communities. The Government must focus more on addressing the issues that lead to kids hassling people and taking action to get money to pay for speed. The longer this problem is left unaddressed, the worse it will get. It is an issue that is particular to Geraldton and the greater Geraldton region.

The gentleman who was a victim of the crime that I mentioned before was hassled by about 15 Aboriginal youths. The man was in a group of four people. He was 40 years of age, not a youth. They were walking down the street from a hotel towards the nightclub area when somebody came up behind him, kicked him in the leg and broke it in two places. As a result he will lose in the region of \$10 000 because of lack of employment. That obviously puts a strain on his family. Albeit, this Government may be strong on crime and law and order - Several members interjected.

Mr J.P.D. EDWARDS: I am sorry, I will rephrase that. This Government may say that it is strong on crime and law and order, but the point I am making is that Geraldton has a drug problem that is not being dealt with. Juvenile Aboriginals are running wild on the streets and are not being dealt with. Operational police numbers are not up to scratch and need to be dealt with.

Dr G.I. Gallop: For how long has that been a problem in Geraldton?

Mr J.P.D. EDWARDS: It has certainly been an ongoing problem. I will not resile from that, but the Premier leads the Government of the day, and the problem is getting worse. A magistrate in Geraldton is trying an alternative sentencing regime. I do not know whether it is working because no financial resources are available to employ someone to evaluate the statistics. The Government could get on the front foot by evaluating the statistics to see whether that alternative sentencing regime, which is run on a recidivist basis, is working. The problem in that area is basically an Aboriginal youth problem.

I very much support the motion. I ask that the Government focus on addressing the three issues I raised of drugs, operational police numbers and Aboriginal juvenile crime.

MR P.G. PENDAL (South Perth) [3.32 pm]: I was astonished to hear, as I did on the monitor a few moments ago, the so-called progressive Attorney General rejoice in the legislation that touches on the confiscation of assets.

Dr G.I. Gallop: Could I correct that? The confiscation of assets pertains to criminal activity.

Mr P.G. PENDAL: I am glad that the Premier has helped me with that, because it gives me the chance to show that the legislation would do a fascist country proud. I regret to say that it was passed by the previous Government, but supported by every single Labor member. I am pleased to say that I was one of the few people in the division who opposed the legislation. I use this occasion to bring to the attention of the House the way in which the legislation is simply hitting the wrong people.

The Attorney General rejoices in the notion that a so-called bikie lost his Harley-Davidson motorcycle. I am well aware of the facts, but the legislation has caught in its embrace people who were never guilty of any offence and who were never aware of any offence at law. Let me refer to a lady whom I will call Judy who lives in South Perth. It was her son's Harley-Davidson that was confiscated, yet the Harley-Davidson formed no part in the crime for which he was properly convicted. The man concerned was convicted of a drug-related offence. I believe that he is in the right spot - he is in jail. However, it can be proven that he purchased the Harley-Davidson not with the profits of crime but by borrowing the money from his mother. More than that, I was able to demonstrate to the Attorney General the paper trail through the banks. The man had come out of a broken marriage and had no transport. He approached his mother for a loan. We were able to demonstrate the way in which the loan was paid from her bank to his bank and the following day to a motorcycle retailer, yet the motorcycle was confiscated at law and the woman has no claim over her \$20 000. If members opposite are proud of that, they need to re-appraise their sense of ethics and who is wrong in all of this.

Mr J.A. McGinty: You think we are being too tough on drug dealers, do you?

Mr P.G. PENDAL: No I do not. That is a silly, juvenile, asinine comment. The Attorney General and Robert Cock should forever hang their heads in shame.

Mr J.A. McGinty: We are very proud of it. The message was loud and clear: drug traffickers will be punished.

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Mr P.G. PENDAL: I agree with that.

Mr J.A. McGinty: You do not want us to -

Mr P.G. PENDAL: The Attorney General should not interrupt, because I do not have a lot of time.

Mr J.A. McGinty: He was one of the biggest drug traffickers in this State.

Mr P.G. PENDAL: Be quiet for a moment! I agree that the man who committed the drug offence is in the right place. However, that has nothing to do with a loan that was transacted with his mother - and has a paper trail to prove the point - to buy a motorbike.

Dr G.I. Gallop: Whose bike was it?

Mr P.G. PENDAL: That is why I say the legislation would make a fascist community proud. The Premier would be part of it. This woman is now \$20 000 worse off because she loaned her son the \$20 000 to buy transport. Robert Cock and the Attorney General sat on the motorbike outside this building and made themselves look very foolish because they were able to confiscate an asset that had nothing to do with someone's criminal activities but had everything to do with a mother's capacity to lend money.

Mr J.C. Kobelke: Are you serious?

Mr P.G. PENDAL: I am serious. That is why I believe that the Government is hitting the wrong target all the time.

DR G.I. GALLOP (Victoria Park - Premier) [3.37 pm]: The Government acknowledges that crime is a major problem in our community, which is why we have accorded such priority to the measures to tackle it. I remind the House that there has been a record increase in this year's police budget. We have allocated \$530 million to our police to enable them to do the job that is needed in our community. Police numbers are going up. We have the targeted increase of 250. On 10 February 2001 there were 4 800 police; on 15 October 2002 there were 4 876 - an increase of 76; by June next year there will be 4 946, so another 56 police officers will be on the beat. That requires money and a prioritisation in the budget, and that is being delivered by this Government.

The Government intends to ensure that our police have the powers to do the job that they need to do. That has largely been as a result of the DNA legislation and, most importantly, as a result of the \$22 million extra that we have given to the Police Service to enable it to use the DNA technology. Police officers must be trained, equipment must be provided and the DNA must be recorded and available to the Police Service. It is a massive task. We have given the police an extra \$22 million to do that.

There is no doubt that the Government has made record dollars available to the police, and it is increasing the number of police officers available to enable the Commissioner of Police to do his job. As for the way those resources are spent and allocated, the Minister for Police - who is not here today because she is at a meeting of police ministers in the eastern States - has made it clear to the Commissioner of Police, just as I have, that we want results from the Police Service. We want improved results in the speed at which police respond, the clearance rates and the targeted areas of high crime. We will keep that pressure on the Police Service to deliver according to those objectives.

Let us move to the second part of the motion concerning crime. The Opposition likes to talk in generalities, not specific figures. I am advised that in the past 12 months from September 2001 to September 2002, total reported offences have increased, but by only one per cent. Looking at it in more detail reveals some interesting variations. For example, total reported offences in the September quarter this year compared to that of last year were down 10.8 per cent in the west metropolitan district; down 2.1 per cent in the southern district; down 23.7 per cent in the great southern district; down 9.9 per cent in the mid west-Gascoyne; and down 1.1 per cent in the Pilbara. These are total reported offences.

Mr D.F. Barron-Sullivan: What about the south west?

Dr G.I. GALLOP: It is patchy - in some areas, it is up; in others, down - but overall, it has increased by one per cent. On the other hand, the total clearance rate has increased to 32 per cent, which is up by one per cent from last year. The Government is not happy to see crime in our community, particularly its impact on some of our citizens, especially those most vulnerable. We will ensure that the police have the resources to apprehend and bring to justice criminals in our community.

I make a general observation on that point: it is time the Opposition got into the nitty-gritty of the figures, looked at the complexity of the issue and made a fair representation of what is happening around the State, rather than the unsubstantiated rhetoric we have had from the police spokesperson, the member for Kalgoorlie. Interestingly, the member did not mention the \$2 million provided for the country incentive scheme in the

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goldfields, which will deliver \$8 million over four years, and will result in an increase of 20 police officers in his district.

Let us look at the priorities we set in the way we administer Western Australia. I point out to the member for South Perth that we make no apology for targeting organised crime.

Mr P.G. Pandal: You are hitting the Mr Littles, not the Mr Bigs.

Dr G.I. GALLOP: The member opposed legislation to give powers to the police to fight organised crime and to break the codes of silence used by criminal gangs. This legislation was passed by Parliament in our time in government. Let us remember what these gangs do. They threaten and terrorise people and undermine the human rights of people.

Mr P.G. Pandal: Hitler and Mussolini used to say this stuff.

Dr G.I. GALLOP: I do not know who used to say it. I say it today because I will protect the right of decent people to a peaceful life in our community. This Government has targeted organised crime, and given support to police officers to deal with the issue.

Secondly, we are targeting our public transport system. Extra resources have been allocated to our train and bus systems to deal with crime. That is very important for many low-income Western Australians who rely on public transport. We are making the trains and buses safer.

I turn to the third issue, about which we will say more before the year is out.

Mr P.G. Pandal: It is intellectual laziness by you.

Dr G.I. GALLOP: The member for South Perth should listen because over the years his views on this subject have been interesting. We have targeted child sexual abuse in the community. This is the first Government to come to grips with child sexual abuse in our Aboriginal communities.

Mr P.G. Pandal: It's long overdue.

Dr G.I. GALLOP: It is long overdue. This Government will deal with that matter and bring to justice those who commit these horrific crimes against our children. That leads into the comments of the member for Greenough. Greenough is part of the greater city of Geraldton. The Government is very concerned that many Aboriginal youth in our community get lost and therefore take up a life of crime and harass other members of the community, and destroy their own lives in the process. It is an important issue. We have developed an excellent relationship with the Aboriginal leadership in this State who are dedicated to solving the problem among young Aboriginal people. We will work with them to find solutions. I was interested in the comments of the member for Greenough as it is true that we are trying alternative sentencing regimes. Indeed, I was proud to see the Attorney General on the *7.30 Report* talk about an initiative in Ngarlooma. Young Aboriginal delinquents are given the opportunity to work to restore the infrastructure of that community. They are still punished for the crimes they commit, but they work in cooperation with their community to learn what it is like to work in a society. I congratulate the Attorney General for his initiatives in work camps throughout the State. It is punishing the individual, yet in an appropriate way. It is taking an individual out of circulation because he or she causes damage, but it puts that individual on the right path.

Mr P.G. Pandal: All PR huff and puff.

Dr G.I. GALLOP: The member for South Perth, in the last couple of years of his political career, has discovered this thing he calls civil liberties. When I see elderly people in our community harassed and subject to crime, what about their civil liberties, member for South Perth? People are harassed by others with criminal intent. The member for South Perth has discovered the commitment late in his political career.

The Government is committed to tackling crime. We are providing resources to our Police Service and legislation that law and order authorities in our community require. We are providing the initiatives to deal with the causes of crime in our community. It is a different approach. I do not say the problem is solved - of course not. There are problems in parts of our State. However, at last we have a Government that is on the right track and is providing the resources and the legislation, and has the commitment to deal with some young people in our community who have completely lost their way.

I reject the motion. It is not based on a factual analysis of what is taking place. I think the people of WA support what the Government is doing to bring about change in this area.

MR M.W. TRENORDEN (Avon - Leader of the National Party) [3.48 pm]: It is interesting to see the Premier jump up and make a ham-fisted attempt to defend his position. It was one of the Premier's worst efforts in years.

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Let us go back through the performance. Sure, more money has been put into resources, but where has it gone? Down the gurgler with CADCOM.

Dr G.I. Gallop: Remind me - who entered into that contract?

Mr M.W. TRENORDEN: We did.

Dr G.I. Gallop: Then do not talk about us!

Mr M.W. TRENORDEN: The Government has been administering it for two years. The hand-held section of that contract went down the gurgler. The police officers doing the contract let the tender to the wrong people, who have vanished. The Government had to go through the whole process again. How many tens of millions of dollars have been lost on the contract? I would love to know how much money is involved.

Dr G.I. Gallop: Take that up with your colleagues in the previous Government.

Mr M.W. TRENORDEN: I get a feeling from the Premier's reaction that I have hit a nerve. The resources thrown into the police bucket have gone on incompetence. Why do we have a dramatic increase in the budget, yet fewer police officers and fewer cars? Why are police told not to drive cars because there is no petrol to put in the tanks? Why are a number of officers removed from duty out there? These are signs of a smaller budgetary cake. Police officers are being whipped out of regional Western Australia.

Mr M.J. Birney: Police numbers have dropped by 38 since Labor came to office.

Mr M.W. TRENORDEN: Exactly. If there are 38 fewer police officers, which is the case, and there are more resources, where has the money gone? I will tell the House where it has gone. It has gone in incompetence. If the Government says that it has done something different in its 20 months in office - that is a more precise figure for the Leader of the House - where is the evidence of it? Where is the improvement? Where are the extra police officers on the street? Where are the police cars out on the roads? Where are the police officers on the beat? Where are they?

Mr A.J. Carpenter: They are everywhere.

Mr M.W. TRENORDEN: They are not. They have gone. One need only look at the public's reaction to realise that the public knows that is a fact.

Mr P.G. Pandal: Two police cars operate south of the river every night - two over an entire district. It's a joke!

Mr M.W. TRENORDEN: In the Northam district, there is one car at night; that is it. If the youths around the town want to break the law - in the Northam context, they are not all Aboriginal youths; many of them are white youths - all they need is a hand-held telephone to find out where the police are, when there is one car. They will not get caught. If people want to break and enter or do whatever else to break the law, they know exactly where the police are. The police are so badly resourced that they cannot make an impact on the criminal activity.

The Premier talks about people and their quality of life. Only last week a person spoke to me about a friend in Northam. A woman who has lived in west Northam for 50 years has now left the town in which she brought up her children. She came from Europe following those terrible years during the Second World War, and made her home and raised her children in Northam. Now her children, who are obviously adults, have taken her from the town against her wishes.

Mr A.J. Carpenter: Against her wishes?

Mr M.W. TRENORDEN: Against her wishes. The reason is that on two occasions she went into her house and found people in there, which terrified the daylights out of her. Her children told her that she could not live in that town any longer, and she has been moved to Perth. She has been taken away from people who have been her established friends for 50 years. That is a serious matter. I am sure members opposite will agree. A good percentage of the Avon community comprises people who came from Europe after the Second World War. They settled there, and many of them stayed. That is where their support base is.

I will deal with sworn police officers. In Northam about six or seven years ago, in the time of the previous Government, the police prosecution statistics were so bad that they were laughable. Because the police prosecutions were not up to scratch, people would go to court and get off.

Dr G.I. Gallop: When was that again?

Mr M.W. TRENORDEN: About seven years ago. The Court-Cowan Government put a prosecutor and unsworn police officers into the court, and the statistics improved out of sight. If the Premier is looking at statistics, he will see that the statistics for the Northam region are good. What has this Government done? It has removed the

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sworn officer and the prosecutor. Since then, the statistics have crashed again, because there is no support for the officers. They do a lot of good work to catch the criminals, only to find that they walk straight out the door and onto the streets again.

I am concerned most about the removal of the Safer WA project. It has been a good project for the communities. The Government is trying to get local government to pick up the fees.

Dr G.I. Gallop: No.

Mr M.W. TRENORDEN: Yes, it is. People are pouring into my office and telling me exactly that. Meetings are occurring all over Western Australia, and the Government's people are saying to community members, "We will make Safer WA a local government activity. The State Government will get out of Safer WA and we will put the costs onto local government." That might be okay in Wanneroo and a few of those places where there is a few bob in local government, but in regional areas there are no resources in local government. We should be moving towards safer and healthier communities. I have been very disappointed with the Attorney General. He said some months ago that he would do some work in this area of safer communities. However, the opposite is happening.

MS M.M. QUIRK (Girrawheen) [3.54 pm]: The member for Kalgoorlie reminds me of a cowardly dog. It is said that it barks the loudest. He has demonstrated his cowardice today. If he was really concerned about this issue, he would have raised it in the past month when the Minister for Police was here. However, no, he chose to discuss this matter today.

Mr M.J. Birney: You are lucky I'm a gentleman, you know.

Ms K. Hodson-Thomas interjected.

Ms M.M. QUIRK: I inform the member for Carine that the Opposition was advised in advance. In fact, it was advised on Tuesday. However, I must press on.

It is a cowardly act to raise this issue today. If the member for Kalgoorlie was really concerned about improving public policy debate and discussion on these issues, he would have raised this matter when the Minister for Police was present. The member is not only cowardly but also wrong. He talked about spiralling crime figures. In this place about a month ago, I was very pleased, in my Address-in-Reply speech, to talk about the significant reduction in crime in the west metropolitan district, which is one of the largest police districts.

Mr M.J. Birney: How long and hard did you have to look until you found an area in which crime went down?

Ms M.M. QUIRK: About a month ago I gave an unsolicited speech. I am able to say that burglary of dwellings has gone down by 21 per cent, commercial burglary by 6.9 per cent, robbery by 25.6 per cent, assaults by 6.2 per cent, motor vehicle theft by 1.9 per cent, which is a bit disappointing, I agree -

Mr B.K. Masters: These are all up, are they?

Ms M.M. QUIRK: All down. There has been a reduction in total offences of 7.2 per cent. The clearance rate has increased from 18.1 to 25 per cent. As we all know, people are really concerned about the clearance rate. As I said on that last occasion, I congratulate the members of the Police Service in the west metropolitan district for their innovative investigative practices and for their commitment. The member for Kalgoorlie does not seem to understand that the approach of the police in the west metropolitan district is the way to deal with crime. It is not just a police issue; it is a whole-of-government issue.

Mr M.J. Birney: These are the warm and fuzzy words.

Ms M.M. QUIRK: No. In fact, these are the words of the west metropolitan police district in its application for the Premier's award for excellence. It says -

It has been recognised by police services around the world, that they cannot stop crime with their resources alone, and it is therefore imperative that they enlist the help and support of the community to assist in the ongoing fight against crime.

It goes on to say -

In conjunction with the Department for Community Development, Department of Housing and Works, Department of Indigenous Affairs, Department of Education and local shires, the West Metropolitan Police District has established a *West Metropolitan Safer WA Annual Business Plan* . . .

It goes on. It recognises that crime fighting requires a whole-of-government approach. This Government has been very successful. It is not just about putting more bums on seats; it is about creating effective strategies.

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These results speak for themselves. It is an extraordinarily good result. I also point out to the member for Kalgoorlie that the rate is continuing to trend down in that area.

Mr A.J. Carpenter: Do we have the results for street drinking in the western suburbs?

Ms M.M. QUIRK: That is right.

I am also gratified that *The West Australian* has picked this up. It has reported on the situation in the west metropolitan district, which includes my electorate and the so-called infamous KGB, which stands for Koondoola, Girrawheen and Balga. *The West Australian* states -

Burdened with a reputation for high crime and social dislocation, a government commitment to urban renewal of the area has produced impressive results.

Further, this editorial on 19 July acknowledged that it was a whole-of-government approach, and that the Government was doing valuable work, not only in policing - I notice the member for Kalgoorlie does not want to stick around; he might learn something - but also in other areas of government activity.

I will reflect on a couple of things reported in *The West Australian*. It states -

There is much to be applauded in the combined efforts of government agencies in suburbs to the north of the city.

The editorial goes on to say -

Some suburbs, including Nollamara, Balga and Mirrabooka, recorded a 21 per cent drop in home burglary offences alone in the past financial year.

According to the police, this was attributable to a return to -

... old-style policing, which included "getting out on the roads and identifying who the offenders were". He said also that the community itself had played a part in developing efficient liaison with the police.

One thing the police are doing particularly well is developing good intelligence and liaison with a number of ethnic communities in those areas. These are all vital to the fight against crime. The figures speak for themselves. It strikes me that the contention that crime is spiralling is not only wrong, but also incredibly stupid.

Mr M.J. Birney: There have been 4 453 more crimes this year than last year.

Ms M.M. QUIRK: All I can say is that the member for Kalgoorlie has demonstrated that he has the brain of a four-year-old.

MR J.N. HYDE (Perth) [4.00 pm]: Clearly one of the premises for this matter of public importance is that there has been a decline in police numbers. That idea has been shown to be worthless. The figures have been quoted; police numbers are up. This Government has made a four-year commitment, which will be met and bettered. More importantly, under this Government we are getting not only more police but also better use of police officers. The postcode 6003 - Northbridge - is in my electorate. That postcode has the highest crime rate in the State. I can talk about crime. One of the big problems has been to get police on the streets after 1.00 am. Under this Government, the Police Service has negotiated a different deal with the union, so that all officers who were being sent home at 1.00 am and were having to take Mondays and Tuesdays off in lieu can now be used after 1.00 am, when a lot of crime, particularly antisocial crime, is committed. The Police Service is better resourced.

The member for Avon erroneously raised the issue of Safer WA. People in the bush have told us that they want Safer WA to be rebadged. The name and concept mean nothing to them. We are empowering local communities. Whether a local community group is called Safer WA, the Northam precinct group, or the Northam crime prevention group, that community group will be funded not only equally but also to a greater extent by this Government. Local government will not take over control of the community groups that work so well. These groups will be empowered. In local government areas in which no local community group is involved in crime prevention, the Government will, in partnership with local governments, try to get community involvement in crime prevention. This is not a cost-shift. This Government will not only match what it has spent in previous budgets on community crime prevention but also increase and better target that funding.

The member for Avon came to us with a particular problem with youth. It was not a problem with Aboriginal youth. The Government met the request of that community to provide a skate park to deal with antisocial activities, particularly among non-Aboriginal youth. That was done. Despite Avon being a country seat, that work was not done in the eight years of the former coalition Government. Our Government funded and built that skate park.

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Mention has been made of the Yamatji Patrol. The Nyoongar Patrol is involved in my area. These self-empowered groups are having big wins in crime prevention. The member knows that. It is a slow process, but it is working.

I give credit to the former member for Merredin. As a councillor I became involved in the important issue of early intervention. Previous ministers were involved, including the member for Darling Range. The previous Government talked about the power of early intervention and that it was needed to make a massive dent in crime figures. Under the Department of Justice, this Government is funding the building communities program. Intensive early intervention in families with young kids has begun in Albany and Midland. This is having massive results for families. There will not be a sudden blip on crime, but the downward trend, which has already been demonstrated, will continue.

I refer to proposals such as putting railway guards on trains. As a result of this program it is no longer necessary for calls to be made to police asking them to go to Maylands or Cannington to sort out problems mid-route. Two people in blue uniforms are on the trains. They are not police; they are guards. They deal with antisocial behaviour. They are freeing up police to do more police activities. Police numbers are up; police officers are being used more, they are on the streets more and they are being better used. Under the previous Government, Northbridge had the highest rate of crime in the State. The former Government closed down the local police station, which operated out of Curtin House. This week, under the Gallop Government, that local police station is being reopened. Police will be on the beat in Northbridge.

The ACTING SPEAKER (Mr A.D. McRae): The question is that the motion be agreed to. Those of that opinion say aye.

Opposition members: Aye.

The ACTING SPEAKER: To the contrary, no.

Government members: No.

The ACTING SPEAKER: I think the noes have it. The noes have it.

An opposition member: Divide!

The ACTING SPEAKER: It is a bit late.

Points of Order

Mr R.F. JOHNSON: We called for the division before any other business was called. We are still on the business before the House, which is the matter of public importance. The call to divide was made before we moved on to any other business and within just a few seconds of the vote being taken and declared.

Mr M.J. BIRNEY: We have not yet moved on to any other business, because I do not know what we are about to deal with. Nobody sought or received the call. We are still dealing with the matter of public importance. The call for the division has now been made twice.

Mr J.C. KOBELKE: I think the matter has been determined. However, we wish to progress matters in a spirit of cooperation. It is possible, from time to time, for the Speaker or Acting Speaker to ensure that the question is repeated. The Opposition did not seem to be paying attention; obviously there was too much noise. If there was a lack of clarity in terms of the call you made, Mr Acting Speaker, it may be appropriate, if you so judge, to put the question again, so that the Opposition can have a second chance to try to get it right.

Mr D.F. BARRON-SULLIVAN: I seek your guidance, Mr Acting Speaker. Under standing orders, a division can be called at any time until the Speaker or Acting Speaker has confirmed the vote. I heard you say, "I think the noes have it". I did not here the confirmation.

The ACTING SPEAKER: There is no point of order. I called the question. I then said, "I think the noes have it". I paused, as I normally do, and when no division was called, I confirmed that the House had decided against the question before the House. However, a point has been expressed by the Leader of the House. I take note of the concerns of opposition members and the level of importance they have placed on this matter. I do not wish to bar them from participating in the procedures of this House in any way that they see fit. I am happy to put the question again. I make the point that it is not necessary. I believe that I followed procedure absolutely properly, and I do not think that there is any point of order. However, in the interests of participatory democracy, I am prepared to put the question again.

Debate Resumed

Extract from *Hansard*
[ASSEMBLY - Thursday, 28 November 2002]
p3679c-3691a

Mr Matt Birney; Speaker; Mr Tony O'Gorman; Acting Speaker; Mr Rob Johnson; Mr Jim McGinty; Mr Jeremy Edwards; Mr Phillip Pandal; Dr Geoff Gallop; Mr Max Trenorden; Ms Margaret Quirk; Mr John Hyde; Mr John Kobelke; Mr Dan Barron-Sullivan

Question put and a division taken with the following result -

Ayes (17)

Mr C.J. Barnett	Mr J.P.D. Edwards	Mr B.K. Masters	Dr J.M. Woollard
Mr D.F. Barron-Sullivan	Mr B.J. Grylls	Mr P.D. Omodei	Mr J.L. Bradshaw (<i>Teller</i>)
Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.G. Pandal	
Mr M.F. Board	Mr M.G. House	Mr T.K. Waldron	
Mrs C.L. Edwardes	Mr R.F. Johnson	Ms S.E. Walker	

Noes (24)

Mr P.W. Andrews	Dr J.M. Edwards	Ms A.J. MacTiernan	Mr M.P. Murray
Mr J.J.M. Bowler	Dr G.I. Gallop	Mr J.A. McGinty	Mr A.P. O'Gorman
Mr C.M. Brown	Mrs D.J. Guise	Mr M. McGowan	Mr J.R. Quigley
Mr A.J. Carpenter	Mr S.R. Hill	Ms S.M. McHale	Mr P.B. Watson
Mr A.J. Dean	Mr J.N. Hyde	Mr N.R. Marlborough	Mr M.P. Whitely
Mr J.B. D'Orazio	Mr J.C. Kobelke	Mrs C.A. Martin	Ms M.M. Quirk (<i>Teller</i>)

Pairs

Mr A.D. Marshall	Mr E.S. Ripper
Mr R.N. Sweetman	Mrs M.H. Roberts
Mr W.J. McNee	Mr R.C. Kucera
Mr R.A. Ainsworth	Mr D.A. Templeman

Question thus negatived.