

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS — HIGH COURT CHALLENGE

**870. Mrs R.M.J. CLARKE to the Premier:**

I refer to the state government's success in the High Court on Friday in defeating Clive Palmer's challenge to Western Australia's hard border. Can the Premier outline to the house what this win means for Western Australia and this government's ability to continue to respond to COVID-19 and keep WA safe and strong?

**Mr M. McGOWAN replied:**

I thank the member for the question. Friday was a significant victory for Western Australia and our ability to do everything we can to protect the health and welfare of the people of this state. The hard fight was about the protection of all Western Australians, and, I might add, the protection of all Australians across the country. Over the last eight months, the hard border has kept Western Australia safe and strong. While community transmission occurred on the east coast, Western Australia remained COVID free and we have been COVID free now for nearly seven months. Mr Palmer's efforts would have undermined our efforts to protect the people of Western Australia. He wanted to bring down our strong border controls because he could not fill out a form. He filled it out in the name of his pilot's wife, and therefore he took us to the High Court. I am pleased he took us to the High Court because it confirmed that our arrangements were legally correct and correct in protecting the health of the people of Western Australia.

Mr Palmer has suffered a comprehensive thumping. The High Court judgement was clear. There are no constitutional issues, the High Court said on Friday. That means the legal advice we received, before the hard border was put in place, by Mr Joshua Thomson, Mr Nick Egan and the Attorney General was correct, as we were confident it was. I note that people out there were supporting Mr Palmer and people across the country were supporting Mr Palmer.

A government member: Who?

**Mr M. McGOWAN:** I will get to them in a moment.

Our legal advisers did us proud in the High Court over the course of that case. I think it will be a seminal case and a very important case for the future of the country, because as pandemics come—there may well be more—our states will know that they can take action to protect their citizens. It is an important assertion of state rights that I thought some people in politics supported but apparently they do not. I will get to them in a moment as well.

Several members interjected.

**Mr M. McGOWAN:** It is a build-up. I would like to thank those states that supported us. I am very pleased to say that all states and territories supported Western Australia, with the exception of New South Wales.

Several members interjected.

**Mr M. McGOWAN:** I would have thought that in light of the mistakes made by the New South Wales government, particularly in relation to the *Ruby Princess*, New South Wales, of all states, might have wanted to be a little bit supportive of other states over this period, but it turns out it did not.

I was very disappointed by the actions of the Liberal Party in supporting Clive Palmer. I was very disappointed and I had a lot of pressure by the Liberal Party to take down the border and come up with alternative arrangements to the one we had, but we stood firm against that. All the Liberal Party's efforts to support Mr Palmer came to nothing. It was a shameful episode. We saw the Liberal Party and Mr Palmer advertising. We saw Mr Palmer spend countless millions of dollars in supporting the Liberal Party in advertisements before various elections—the recent Queensland election and the last federal election. However, that does not mean the Liberal Party should support Mr Palmer when he wants to damage the health of the people of this country. I thought it was pretty disgraceful that the Liberal Party, state and federal, backed Mr Palmer in this matter. We know that the Liberal Party, state and federal, backed Mr Palmer because we saw the High Court case and who joined it. We also saw the —

Several members interjected.

**The SPEAKER:** Order!

**Mr M. McGOWAN:** We also saw the comments of the Leader of the Opposition in support of Mr Palmer, and I quote from 9News of 16 June 2020, "I think the Premier is blocking Clive Palmer and it is political. Why is he blocking Clive Palmer?" She said other things similar to that. Although the shadow Treasurer does not like it, it is an important issue that should be on the record and the people of Western Australia should understand exactly what has gone on here in what has been the biggest issue of my political lifetime in this state, which spans now 25 years. The Liberal Party was on the wrong side of this issue and the wrong side of history.

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman, I call you to order for the first time.

**Mr M. McGOWAN:** I would like to thank those Western Australians who stood beside us in this fight—the vast majority of Western Australians who understood the commonsense approach that this government took to protect the health and welfare of the people of this state. For the last eight months we have fought tooth and nail to protect the health and welfare of the people of Western Australia to ensure that our state’s health and economy is protected and we will not stop.