

**CORONAVIRUS — QUARANTINE ARRANGEMENTS — IMMIGRATION DETENTION CENTRES**

*Standing Orders Suspension — Motion*

**MR Z.R.F. KIRKUP (Dawesville)** [12.12 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That this house opposes the Premier's proposal to place fellow Western Australian citizens, returning home from overseas, in detention on Christmas Island behind razor wire and with criminals being —

**The SPEAKER:** Members, please. This is a very important suspension of standing orders. I will hear it in silence.

**Mr Z.R.F. KIRKUP:** I will say it again because a number of members may have missed it —

That this house opposes the Premier's proposal to place fellow Western Australian citizens, returning home from overseas, in detention on Christmas Island behind razor wire and with criminals being deported for appalling crimes.

**Dr A.D. Buti** interjected.

**The SPEAKER:** Member for Armadale, I heard you the first and second time, but hear this: I call you to order for the first time.

Several members interjected.

**The SPEAKER:** I know you think you run the place, but you are not sitting here.

*Standing Orders Suspension — Amendment to Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [12.14 pm]: I wish to add to the motion. I move —

To insert after "forthwith" the following —

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

**The SPEAKER:** Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

*Motion*

**MR Z.R.F. KIRKUP (Dawesville)** [12.15 pm]: I move the motion.

Yesterday, as part of some sort of outlandish statement from the Premier, he announced the Western Australian government's position to start considering opening commonwealth immigration detention centres as part of a strategy to house stranded Australians trying to return home. Yesterday the Premier is reported to have said —

"There is Christmas Island, there is Yongah Hill [immigration detention centre]. There are defence bases with numerous accommodation facilities both in Western Australia and all over the country," ...

"They could literally take thousands of people into those if they wanted to, and I think that would be a good back-up to what the state is doing."

Not only was this a suggestion from the Premier that was not remotely thought out, but also it revealed to the people of Western Australia what low regard he has for their welfare and for those citizens who are simply trying to return home. He is now emboldened with the front-page news of being "Mr 91 Per Cent" —

Several members interjected.

**The SPEAKER:** Members, I will hear this in silence.

**Mr Z.R.F. KIRKUP:** The Premier is full of arrogance and hubris and suggested that somehow people should suck it up upon returning to Western Australia when they find themselves in immigration detention centres. Somehow they should say that it is okay to bear two weeks in facilities that are completely incompatible with the hotel quarantine arrangements that have already been put in place in the state as part of a national cabinet-led solution to what we know is increasing pressure on governments to accept returning travellers. We have considerably better options at our disposal at the moment that are far more suited to the welfare of returning travellers than immigration

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detention centres, particularly the ones at Christmas Island and Yongah Hill. The Premier's suggestion is completely absurd and again shows his lack of concern for the welfare of those returned travellers. The idea was ridiculous in the extreme. I do not understand how government members, particularly those in marginal seats, are willing to defend their communities, those who have family members who might be trying to return to our state, and endorse the Premier's comments that they should find their family —

Several members interjected.

**The SPEAKER:** Member for Girrawheen and Minister for Water, I call you both to order for the first time. This is a suspension of standing orders and I will hear it with quiet from both sides of the chamber.

**Mr Z.R.F. KIRKUP:** It is absurd to suggest that members of the government are somehow willing to defend the option that has been slated by the Premier that their constituents who are trying to return home and reunite with their families—after having gone to funerals overseas or after losing their jobs overseas or had any manner of things happen to them whilst they have been out of this country—should somehow be placed in immigration detention centres on their return to Western Australia. That is a completely unacceptable and outrageous plan. It displays to the people of Western Australia the kind of person we know this Premier is. The Premier does not care about the welfare of Australians trying to return home; he is more concerned about preserving his own political stock than he is about the welfare of Australians trying to return home to their country.

Several members interjected.

**The SPEAKER:** Members from both sides, I want to hear this in silence. I know it is a difficult subject, but I will call anyone who interjects from now, and more than once. Continue, member for Dawesville.

**Mr Z.R.F. KIRKUP:** The Premier should be under no illusion that his idea and suggestion, as proposed by the Western Australian government yesterday, not only was ridiculous in the extreme, but has now revealed to the Western Australian people exactly who he is. He wants to banish to immigration detention centres families who are trying to return home instead of utilising the hotel quarantine regime that we have in place in Western Australia and around the country, which has worked fine to deal with the increasing flow of those 25 000 Australians who are trying to return home.

Aside from this Premier's lack of compassion on display yesterday, we know that there is not the capacity in immigration detention centres in Western Australia for the thousands of people who could go into them. There is not the capacity for thousands of people to go into Christmas Island and Yongah Hill. That is absolutely not the case. Although Christmas Island, for example, may have the capacity in normal times, in normal congruent living, for some 800 detainees, under COVID-safe arrangements it has the capacity for 250. What is worse in the flawed spin of the Premier yesterday is that of the 250 capacity at the moment at Christmas Island —

**Ms A. Sanderson** interjected.

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

**Mr Z.R.F. KIRKUP:** —some 135 detainees are awaiting deportation and have had their visas cancelled because of criminal conviction. These are the people the Premier of Western Australia is suggesting should be residing alongside Western Australians trying to get home. The Premier is suggesting that somehow returning Western Australians should be residing in the Christmas Island immigration detention centre alongside criminals who have been convicted of crimes, including assault, sexual offences, drug offences and other violent offences. They are high-risk individuals who have been convicted of criminal acts and are waiting to be deported home but who, unfortunately because of a lack of flights, cannot yet leave our country. This is who the Premier suggests Western Australians should be residing alongside upon trying to get back into our state.

**Mr V.A. Catania** interjected.

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

**Mr Z.R.F. KIRKUP:** The Premier's suggestion, which I have heard articulated more recently, is that there was previously an opportunity for Christmas Island to be used as a facility for returning travellers, and that is absolutely unacceptable. That may have been the case prior to the hotel quarantining arrangements. That was the case for those on the initial flight out of China, because the government of the day had no other ideas or solutions in place. We now have the capacity for a hotel quarantining arrangement in Western Australia. There are some 10 000 hotel rooms in our state. We are not yet at the capacity at which that is overloaded. We are not yet beyond that capacity. It is important that we look to ensure that the hotel regime we have put in place for our quarantine arrangements continues to be utilised, and other ideas should be looked at. I understand the Premier has already flagged Rottneest Island, perhaps realising what we know to be the case; that is, his mooted proposal that Christmas Island and Yongah Hill detention centres should be used for Western Australians trying to get home was absolutely flawed. We know that with this poorly thought out idea, the Premier was somehow trying to shift the cost and risk to the commonwealth

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government while getting the benefit of ensuring that more people are coming to our state, which would undoubtedly be an important thing to facilitate. There are some 25 000 Australians stranded overseas. The federal Labor leader has asked for them to be brought back, the Prime Minister has said that he wants to ensure that more and more Australians can get back home and this Premier's suggestion —

**Dr A.D. Buti** interjected.

**Mr Z.R.F. KIRKUP:** We are doing much more, member for Armadale, than ensuring that they are going to immigration detention centres. It was not our proposal.

**Dr A.D. Buti** interjected.

**The SPEAKER:** Member for Armadale!

**Mr Z.R.F. KIRKUP:** We reject that entirely when there is a hotel quarantining arrangement in place. They should be utilised before —

**Dr A.D. Buti** interjected.

**The SPEAKER:** Member for Armadale, I call you for the second and third times. You could not hear me call the second because you were screaming. I do not know what is on in Armadale today, but it must be good!

**Mr Z.R.F. KIRKUP:** I will finish with this: the Premier's plan to deal with the now 4 000 Australians coming home each week was to keep them confined to an immigration detention centre room behind razor wire alongside violent criminals awaiting deportation. That is a summary of how much the Premier cares. The people of Western Australia will not forget that. They will not forget the way that the Premier wants to treat families and grandparents trying to get home. That is no way to treat Western Australians, and the Premier stands condemned for this shameful proposal —

Several members interjected.

**The SPEAKER:** Members!

**Mr Z.R.F. KIRKUP:** — that he has already articulated to the people of Western Australia, who will reject it in its entirety.

**MRS L.M. HARVEY (Scarborough — Leader of the Opposition)** [12.23 pm]: I also rise to speak to this motion. The opposition has worked very collaboratively with the government in relation to the COVID-19 crisis.

Several members interjected.

**The SPEAKER:** Members!

**Mrs L.M. HARVEY:** We have always put the safety of Western Australians first. We have acted constructively with the government. For example, the government's own Attorney General admitted that we were the first people to call for the hard border. He has unequivocally acknowledged that in this house. We called on the Premier to ask the Prime Minister for Australian Defence Force personnel to assist with hotel quarantining, which the Premier subsequently did. However, the Premier's proposal that we should be locking up Western Australians on Christmas Island in a detention centre behind razor wire has crossed a line. These are Western Australians. These are our own people, Premier.

By way of background, the maximum capacity of the Christmas Island immigration detention centre at this time is 250 people. Currently, there are 119 detainees in the Christmas Island detention centre. That detention centre is now being utilised to detain unlawful non-citizens who have been convicted of crimes, including assault, sexual offences, drug offences and other violent offences. These are people the Australian authorities have deemed are too unsafe and dangerous to be allowed to stay in Australia.

Several members interjected.

**The SPEAKER:** Members!

**Mrs L.M. HARVEY:** I cannot believe that this Parliament is discussing this option to put Western Australians who have been stranded overseas in a detention centre behind razor wire.

**Ms M.M. Quirk** interjected.

**The SPEAKER:** Member for Girrawheen!

**Mrs L.M. HARVEY:** The Liberals believe in the fundamental freedoms of Western Australians, and we will oppose this move. That is what this motion to suspend standing orders is about. These Western Australians who have been trapped overseas deserve our compassion. They have been separated from loved ones and have left Western Australia for very important things. Many of them have left Western Australia to go and look after relatives with terminal illnesses. Others have left to attend funerals. They are our constituents who are in the most difficult circumstances in their lives, and they are stranded overseas through no fault of their own. They have been stranded overseas because the circumstances of the pandemic have found them trapped and isolated away from their homes because they dared to leave Western Australia to look after sick relatives or to go to funerals. Now, in their time of need our Premier

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says, “You can go to a detention centre behind razor wire beside criminals who have been convicted of violent offences and are unfit to even be in Australia.” That is what this Premier is saying to members’ constituents.

This Parliament needs to lead in times of emergency, and, indeed, we have done so. How would we even contemplate turning our back on these people? The Premier is not only talking about locking these people up in detention facilities, but they will be locked up with criminals. I cannot contemplate how this government has even considered this as an option. Why would we lock up law-abiding Western Australian citizens with dangerous sex offenders and violent criminals? I think members opposite need to reflect on what their government is promoting —

**Ms S.F. McGurk** interjected.

**The SPEAKER:** Minister!

**Mrs L.M. HARVEY:** — and call on the Premier to stop this attack on innocent Western Australians.

**Ms S.F. McGurk** interjected.

**The SPEAKER:** Minister for Women’s Interests, I call you to order for the first time.

**Mrs L.M. HARVEY:** I always know when those opposite understand that there has been a bad policy announcement, because that is when they get very heated in this place, that is when they interject and that is when they try to shut the Liberals down.

Several members interjected.

**The SPEAKER:** Members, please, on both sides!

**Mrs L.M. HARVEY:** We know this is a bad decision and so do all government members.

There is another policy I am really appalled about as shadow minister for local jobs. I am really, really surprised about this policy being promoted by WA Labor, because it will cost local jobs. A week ago, the Premier called on Western Australians to stay in hotels in the CBD—the staycation. Do members remember that on 9 September, just seven days ago, in response to the Australian Hotels Association’s call on behalf of desperate hotels in the city suffering occupancy rates of less than 10 per cent? This government said it would spend \$500 000 on a marketing campaign to get Western Australians to have a staycation and to try to rescue those hotels because their occupancy rates were so low. Why do we not use hotels that are struggling at this time? Why do we not ask the Prime Minister for Australian Defence Force personnel to provide support and security? We have an unemployment rate of 8.3 per cent. Many of the hospitality workers in those hotels have not been eligible for JobSeeker or JobKeeper payments. They need to work and the hotels need the occupancy. Why on earth would we consider sending returning Western Australians to Christmas Island to sit with criminals behind razor wire? I just cannot understand where this idea has come from. We are focused on local jobs and we recommend Labor does the same and abandons locking up Western Australians behind razor wire on Christmas Island with the world’s worst criminals. Let us remind ourselves who these people are. Just yesterday in this place, I talked about a family —

Several members interjected.

**The SPEAKER:** Members, I want to hear it, whether it is good or bad.

**Mrs L.M. HARVEY:** I talked about a family who had flown back to the United Kingdom because their grandmother had died. The woman involved in this case suffers from depression and anxiety; she could not travel on her own because she was deemed unfit to travel by herself, so she travelled with her husband and two children to attend her mother’s funeral. That is why they left. They did the right thing. They ensured they had a G2G PASS for their return to Australia, so they knew that they could be away for two weeks and come back. They knew they had to self-isolate. In the interim period, hotel quarantine became part of the picture, so they set aside \$5 500 to ensure that they could afford hotel quarantine. Then, through no fault of their own, the airline cancelled their flight and pushed them out. They are stranded in the UK. The woman has anxiety and depression. They have two kids who were in primary school in Western Australia before they went over to grieve their grandmother’s death. They are stuck over there through no fault of their own. The family has spent thousands of dollars dealing with airlines trying to get a trip back to Western Australia so that they can come home. That is the human face of these people, and that is why what the Premier is proposing is appalling. It breaks the basic fundamental fabric of our community. It lacks humanity and decency, but most of all, it is so lacking in compassion that I, as the Leader of the Liberal Party, and as a party, we cannot support him. He must abandon this appalling plan.

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA)** [12.31 pm]: I rise to support the motion that has been put today. I want to start by recapping what the Premier said, which is on record. I refer specifically to his comments about numerous accommodation facilities at Christmas Island, Yongah Hill Immigration Detention Centre and defence bases both in WA and all over the country. The new campaign from the Premier is “Wander out Yongah” to send people to Yongah Hill. This is the Premier’s solution and his compassionate and considered opinion about how we can repatriate stranded Western Australians back home. Which of the thousands of people who want

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to come home will strike it lucky and be sent to Yongah Hill or Christmas Island? That is utterly ridiculous and comes hot on the heels of the government's campaign that it launched with the deal it made with the overseas-based booking giant Wotif.com to encourage West Aussies to "staycay" in the Perth CBD to obviously fill capacity that is going wanting in our hotels in Perth. It does not make any sense.

I want to talk a little about Yongah Hill. The motion refers to Christmas Island, but Yongah Hill is not five kilometres from where I live, so I have some experience with it. I have actually been inside Yongah Hill Immigration Detention Centre, albeit a number of years ago. That was when it was used to house between 500 and 600 low to medium-risk refugees who were genuine asylum seekers who were about to be released into the community. That is far from what it is these days. In 2017, the department made significant changes to the profile and intake of the facility. It includes a supermax facility for some of the worst of the worst. It houses high and extreme-risk foreign nationals linked to organised crime and outlawed motorcycle gangs. It is a detention centre. It has double razor wire around the sides, it has cell block security inside and it is definitely not a place to send ordinary everyday west Aussies trying to get home. Where is the compassion and the acknowledgement behind that single line that we hear so often from the Premier, "We will not walk away from the hard border"? Real people and real families are experiencing real trauma, and we need compassion, not a flippant remark or an overreach—I cannot decide which one it is from the Premier—to send people to detention centres or military institutions. Yongah Hill is no place for Western Australian families returning home who have done nothing other than find themselves on the wrong side of the border.

I want to read in an ABC article from 9 January 2017, written by Nicholas Perpitch. It states —

The men are locked in their compounds from midnight to about 6:30am, but the different groups can then largely mix across the grounds and other buildings the rest of the time.

One asylum seeker, who did not want his name used, said he felt scared.

This is someone who is already inside mixing with the criminals who are also held within Yongah Hill. The article continues —

"It's the same as jail," he told the ABC. "It's dangerous, every day people are fighting. Someone here got stabbed.

...

One man who had his visa cancelled for non-violent criminal offences said the Serco guards were not correctional officers and were not trained to deal with people of a violent nature or who were in prison.

He said the high risk detainees in Falcon compound —

That is the supermax compound —

often brought the "politics" of their prison experience with them.

...

The centre has barbed perimeter fencing, internal fencing and security cameras throughout.

That is hardly a place where we would send someone, as I said, who has found themselves on the wrong side of the border and simply wants to come home. No, Premier, he has got it wrong with this one. If our hard border is here to stay—that is something, undoubtedly, that we all support; we see the health benefits—we must do more to manage the people seeking to come home. We have talked relentlessly about the G2G PASS process and the people who are falling through the cracks. We need additional resources and support for the WA Police Force, and we need a sensible and human solution. These people have not broken the law and their immigration status is not uncertain; they are Western Australians. Correct the record today and work harder to get this right for everyone. Did the Premier genuinely mean it? Was he in the moment when he overreached and does he want to walk back from his comments about Christmas Island, Yongah Hill and detention centres, which are simply not a place for people from Western Australia? He talked about Rottne Island, which was deemed not suitable by the Minister for Health and the Premier, yet it is suitable to send people to Christmas Island and Yongah Hill. I cannot make the connection on that front. Surely there is a better solution for this. Surely we can be more compassionate as a government and as a state and look after those people who are seeking to be repatriated and make a contribution to the state's economy.

**MR M. McGOWAN (Rockingham — Premier)** [12.35 pm]: Clearly, the government will not be supporting this motion. I just want to say a few things about it.

Several members interjected.

**The SPEAKER:** I will not have any interjections, please.

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**Mr M. McGOWAN:** Firstly, the Western Australian government's number one responsibility is to protect the lives and health of Western Australians.

**Mr A. Krsticevic** interjected.

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

**Mr M. McGOWAN:** That is our number one responsibility. Our second responsibility is to make sure, as much as possible, that we put life, vitality and health back into the Western Australian economy, and that is exactly what we are doing. I do not accept all the arguments that somehow allowing coronavirus outbreaks to take place and then putting a clamp on them is a better model. I have heard that from the commonwealth government and from commentators over east. Somehow there is a gold standard in New South Wales that allows outbreaks and that is better than the Western Australian model, in which we have not had a single case in about 160 days. That is point one. Point two is about Australians overseas. I want to talk about Australians overseas.

**Mr D.T. Redman:** Western Australians overseas.

**Mr M. McGOWAN:** Australians overseas. I did not interject, all right? I did not say a single word, so let me speak.

When people come back into Australia, they come back into whichever state. New South Wales people do not necessarily go back to New South Wales. They might, but not necessarily. At any given point in time, we have in hotel quarantine in Perth around 2 000 people from all over Australia who have returned from various parts of the world. We have a new case today of someone who came back via the airport in Doha. On any given day, people from all over Australia arrive in Perth and get quarantined in our hotels. Obviously, once they leave quarantine, they get a flight back to their home state. That is the way the measures have worked. The measure to put a cap in place was because of what happened in Victoria. Victoria had outbreaks, because managing the security and quarantine in hotels was difficult. It obviously did not work particularly well and there were outbreaks. All the health advice we have had is that we can have only a certain number of people that we can control with safety at any point in time, otherwise we could have outbreaks. That is the health advice provided to us by the State Health Incident Coordination Centre—SHICC. It has provided us with that advice and that is what we are implementing with the hotels.

As of tomorrow, eight hotels in the heart of Perth will have people quarantining. At those eight hotels we have security, health people, police officers, a little defence support and the like, with hundreds of people employed managing the hotels in the heart of Perth. Obviously, it has come into focus that there are Australians overseas who want to come back to Western Australia. Western Australia is currently taking the second largest number of people coming home. New South Wales takes the most. Sydney is the gateway city of Australia, I suppose we could call it. Western Australia takes the second largest number through Perth. Melbourne does not take any. WA takes more than Brisbane, Adelaide or Darwin. WA, through Perth, is currently taking the second largest number of people into Australia. That has put pressure on our hotels and, obviously, we need to maintain the system that ensures that what happened in Victoria does not happen here. That is the nub of this issue. We are trying to protect the health and welfare of the people of the state. How does it help anyone returning home if our system does not work—if our system breaks down—as happened in Victoria? How does that help anyone? It does not help anyone, so, obviously, we need to maintain a secure system that works effectively.

Obviously also, at the last national cabinet meeting, 10 or so days ago, I agreed to work with the commonwealth. The conversation went: "We will work together on what can be done in the future to expand capacity." I said, "I'm happy to participate in that process." That was agreed in direct conversation: "We are happy to work as part of a process around these issues to expand capacity."

Yesterday, the issue was amped up again. I think Simon Birmingham blamed the states. The commonwealth seems to love blaming the states. I do not know why. It is determined to break down the national cooperation in the way it is by attacking the states. Simon Birmingham said, "Blame the states for the caps." The caps were nationally agreed by the states and the commonwealth—Liberal states, Labor states and the federal Liberal government all agreed on the caps. That is what was agreed. The issue came into public focus yesterday. When I was asked about these issues, I pointed out some simple facts. There are defence facilities all over Australia. I lived in them, as did the member for Willagee and the member for Warnbro. I lived in them for years, actually. People have a bedroom and a bathroom and they are in a secure facility. Personally, I loved it; it was a great time in my life. These places are there at HMAS *Stirling* and Karrakatta and there are facilities up and down the east coast, which are often unoccupied. They are there for when needed. I said—I think this is stating the bleeding obvious—"If the commonwealth wants to stand up those facilities, have defence security in place, they are available to be used." I would have thought in times of crisis—in times of a pandemic—the Defence Force would be offering those facilities for the people of Australia to use. The people of Australia pay for them. The commonwealth should be offering them for the people of Australia to use in times of crisis and in times of need. As I said, there are facilities that are not full and they are not being used. They are used on an occasional basis. We can go to any one of these facilities and find that there

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is spare capacity. All it requires is a bit of imagination and a bit of moving around for these facilities to be occupied and the member knows that.

In terms of the other facilities available, I have seen today that the Northern Territory Chief Minister has said that the Howard Springs facility, which I think is a sort of traditional quarantine facility for these sorts of purposes, is available. There are 3 000 beds available at Howard Springs in the Northern Territory. It should be used. The commonwealth could use it. There is the Yongah Hill Immigration Detention Centre and the Christmas Island Detention Centre. This appears to be the argument of the state Liberal Party. Why did I suggest Christmas Island? Because in February, the commonwealth used it to bring home people from overseas, from China, who had left because of coronavirus. The commonwealth used it in February this year to place people there.

**Mrs L.M. Harvey** interjected.

**The SPEAKER:** Leader of the Opposition!

**Mr M. McGOWAN:** I have an article, which is online, from that point in time about the people who went to stay there. For an ABC article dated 17 February, the people who had left Christmas Island were interviewed. The Australian citizens who left Christmas Island said this about it. I quote one person who stayed there —

“It was much better than what I expected, and the people there were just amazing—they make us feel really comfortable,” ...

Another person who stayed there said —

“It was actually really good—[I] made some new friends and actually enjoyed the place,” ...

The list goes on. Another Australian said this —

“We were very upset from the beginning, but later on when we were there we were really well looked after,” ...

Another person said —

“What I feel is that the people treated us very nice, very, very nice.

“When we first arrived on the island they said, ‘Welcome home’ ... make[s] your heart very warm.

...

“We were checked every day, our temperature, cough ... or sore throat,” ...

The list goes on. When they interviewed these people as they exited, the press no doubt were looking for negativity, but these were the comments they made. When members ask me why I suggested Christmas Island, it is because the federal Liberal government used Christmas Island and it worked out well. It is up to the commonwealth. If it wants to—and it could, if people need to be deported—it should deport them.

A member: There’s no flights.

**Mr M. McGOWAN:** No flights out of Christmas Island? The commonwealth has an Air Force. There are things called charter flights that can be used!

Several members interjected.

**Mr M. McGOWAN:** As I said, I did not interject.

**The SPEAKER:** Members! No-one interjected on you. I called them all to order.

**Mr Z.R.F. Kirkup** interjected.

**The SPEAKER:** No, but you were under fire. I did call about eight members of the government, but the Premier I will hear in silence.

**Mr M. McGOWAN:** That is the reason I said Christmas Island.

I want to come to the real issue today, and it is about the commonwealth, in particular Michael McCormack. I was at a press conference this morning outside the ABC at around nine o’clock. I was asked by a journalist about the commonwealth releasing a letter and doing a press conference in which it put forward the idea that Western Australia should take another 500 people. This was news to me; I was not advised. The letter arrived in a generic email account this morning in the Department of the Premier and Cabinet. I was not advised before the press conference—no phone call, no contact, no nothing. The commonwealth put forward a letter in which it says that 500 additional people a week will go into Perth by no later than 28 September this year. That is no way for the commonwealth to conduct itself. We agreed at the last national cabinet meeting to have consultation and a conversation about what can be done. To ambush the state of Western Australia like this, when I find out in the middle of a press conference, is not the way to conduct these issues. It is not, and no fair-minded person can say that this is the way to conduct these issues. Michael McCormack has my number and he could have called me. The letter is specific to Western Australia.

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He could have done that and we could have had some knowledge. In fact, what should happen is on Friday we should have a discussion about the issue, how to manage it and what facilities can be made available. That is no way to do these things.

*Tabling of Paper*

**Mr A. KRSTICEVIC:** I ask the Premier to table the letter.

**Mr M. McGOWAN:** Mr McCormack tabled it at the press conference this morning, so I am more than happy to, but let me finish with it first.

*Debate Resumed*

**Mr M. McGOWAN:** What is more, further in the letter, it indicates that South Australia and New South Wales appear to have been contacted and their agreement has been received on these matters. All I will say is that this is not in the spirit of the national cabinet whereby some states are brought into the tent and other states are not. This is not the spirit of the national cabinet or the way to conduct these matters.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** I am more than happy to table the letter for members.

[See paper 3651.]

**Mr M. McGOWAN:** The other point I want to make plain is this: the Australian Constitution is very clear and section 51 provides that the commonwealth has responsibility for quarantine, immigration and external affairs, which these days is known as foreign affairs. That is the responsibility of the commonwealth government of Australia. Under the Constitution, since 1901 it has been the commonwealth's responsibility. It is very, very clear who has responsibility for these matters.

My advice to the commonwealth now in light of what has occurred today is that under the Constitution and the law as it stands in Australia, it needs to work on these issues in a cooperative way with the states, in particular, the state of Western Australia. The commonwealth needs to ensure that if hotels need to be provided, it will provide those hotels. If facilities need to be provided, the federal government should provide them. We will support and assist it in that. It is now the federal government's responsibility. The commonwealth Constitution is very clear about whose responsibility it is; it is the federal government's responsibility. If it wants to do it, we are more than happy to help it with its responsibility under the law. Whenever issues of foreign affairs have been raised—it occurred a couple of weeks ago—legislation is brought before the federal Parliament to stop the states entering into various agreements with overseas jurisdictions. I said, "Foreign affairs is the responsibility of the commonwealth government. If that's what they want to do, I agree, and support what they want to do." That was my response. The commonwealth Constitution is very clear that it is its responsibility. It is up to the federal government what it wants to do. But the Australian Constitution is also very clear that quarantine is a commonwealth responsibility—just like foreign affairs is its responsibility. If the federal government wants to set up hotels or if it wants to establish facilities, I am more than happy to work with it. When the federal government ambushes us, like it did this morning, I am very disappointed that it would do that. That does not fit with the way a pandemic should be managed.

Up until now, this government has supplied eight hotels to ensure that quarantine is managed. We opened up Rottnest Island to take people from cruise ships and the like. We have done the vast majority of the heavy lifting. It is now time for the commonwealth to do some heavy lifting in an area that is its responsibility. I would urge Australians who want to get home to get on to the commonwealth government and make sure that the commonwealth resolves these matters, as is required under the Australian Constitution.

That is all I have to say really. I close on this: these are difficult times. We are in a pandemic. There are no perfect solutions to anything. The states and the commonwealth should work together. Ambushes such as occurred this morning should not be part of this, and it makes me very, very angry that it would do that. I urge everyone to accept that in a pandemic there are no perfect solutions. People need to be a bit understanding. If there is some unhappiness when people have to do 14 days' quarantine when returning from overseas, and where it might be, they should be prepared to be understanding and roll with the punches on that one. That would be my advice to people across the community.

*Amendment to Motion*

**Mr M. McGOWAN:** I move —

That the words after "house" be deleted and the following words be substituted —



Mr Zak Kirkup; Mr David Templeman; Mrs Liza Harvey; Ms Mia Davies; Mr Mark McGowan; Mr Tony Krsticevic; Mr Roger Cook

---

notes that the commonwealth government under the Constitution has responsibility for foreign affairs, quarantine and immigration, and calls on the commonwealth government to establish additional quarantine facilities and cooperate with the states and territories to ensure the nation has an orderly, safe and well-resourced system of quarantine for citizens returning to Australia.

**MR R.H. COOK (Kwinana — Minister for Health)** [12.52 pm]: I get up to make a few remarks in support of the amendment moved by the Premier. Today, the Premier has called out the commonwealth. From day one, the commonwealth has been missing in action.

**Mr Z.R.F. Kirkup** interjected.

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

**Mr R.H. COOK:** The COVID-19 pandemic —

Several members interjected.

**The SPEAKER:** Order, member for Dawesville and member for Morley. I think it is the member for Morley's second call, and the member for Dawesville's first and second call. The member for Dawesville could not hear the first one because the member for Morley was shouting.

**Mr R.H. COOK:** Under the COVID-19 pandemic, there are more twists and turns to challenge even the most adept epidemiologist, but the one thing we can all count on is the WA Liberal opposition getting it wrong. Time and again, the Leader of the Opposition and the Liberal Party have lined up against the interests of the people of Western Australia. In March, the Leader of the Opposition repudiated a "misspoken" comment in the chamber to say that she did not support hard borders. Today, she says that she supports hard borders. Yesterday she had a different position; tomorrow there will be another position altogether. The Premier is standing up for the people of Western Australia. Today he has called out the commonwealth. Whether it was the *Artania* or Peter Dutton saying that foreign borders were actually the responsibility of the states, or the situation in respect of our hotels or the situation in respect of Clive Palmer, the commonwealth has always been missing in action.

The commonwealth government simply refuses to accept its responsibility to police our international borders, in the same way that it refuses to be held to account for its failures and the deaths in residential aged-care facilities in Victoria. As of 7 September, 532 people have died in residential aged-care facilities in Victoria. That was a direct result of the commonwealth government's inability to either fund or properly regulate the residential aged-care facilities in that state. Today, another iteration of the commonwealth government is simply twisting and turning, trying to make sure that it is not held to account. Josh Frydenberg is attacking the Victorian government, Peter Dutton is attacking the Queensland government, and now McCormack is trying to attack all the states, in clear contradiction to the rhetoric from the Prime Minister. Last week, the Prime Minister said that he wanted to work with the states around increasing the caps. The Premier of Western Australia committed to working with the commonwealth around extending the caps. Once again, we see the commonwealth changing its tune, playing politics, and once again we see the Western Australian Liberal opposition simply lining up. The real motives of those opposite is to line up with Scott Morrison and the Liberals in Canberra, united in their opposition to the people of Western Australia. Whether it was the border situation or lining up in lockstep in support of Clive Palmer, it is now up to it again!

Several members interjected.

**Mr R.H. COOK:** Here they go again—lining up behind the federal Liberal government. We know the federal Liberal government is against the wishes of the people of Western Australia. It is time the Western Australian Liberal Party supported the government to protect the people of Western Australia, protect our economy and protect our jobs. Stop being the lapdogs of the Liberals in Canberra and stand up for the people of Western Australia!

#### *Division*

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

Ayes (33)

|                   |                  |                   |                                   |
|-------------------|------------------|-------------------|-----------------------------------|
| Ms L.L. Baker     | Mr M. Hughes     | Mrs L.M. O'Malley | Mrs J.M.C. Stojkovski             |
| Dr A.D. Buti      | Mr W.J. Johnston | Mr S.J. Price     | Mr D.A. Templeman                 |
| Mr J.N. Carey     | Mr D.J. Kelly    | Mr D.T. Punch     | Mr P.C. Tinley                    |
| Mrs R.M.J. Clarke | Mr M. McGowan    | Mr J.R. Quigley   | Mr R.R. Whitby                    |
| Mr R.H. Cook      | Ms S.F. McGurk   | Ms M.M. Quirk     | Ms S.E. Winton                    |
| Mr M.J. Folkard   | Mr K.J.J. Michel | Ms C.M. Rowe      | Mr D.R. Michael ( <i>Teller</i> ) |
| Ms J.M. Freeman   | Mr S.A. Millman  | Ms R. Saffioti    |                                   |
| Ms E.L. Hamilton  | Mr Y. Mubarakai  | Ms A. Sanderson   |                                   |
| Mr T.J. Healy     | Mr M.P. Murray   | Ms J.J. Shaw      |                                   |

**Extract from *Hansard***  
[ASSEMBLY — Wednesday, 16 September 2020]  
p5996c-6005a

Mr Zak Kirkup; Mr David Templeman; Mrs Liza Harvey; Ms Mia Davies; Mr Mark McGowan; Mr Tony Krsticevic; Mr Roger Cook

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Noes (16)

|                 |                     |                |                                    |
|-----------------|---------------------|----------------|------------------------------------|
| Mr I.C. Blayney | Dr D.J. Honey       | Mr R.S. Love   | Mr K.M. O'Donnell                  |
| Mr V.A. Catania | Mr P.A. Katsambanis | Ms L. Mettam   | Mr D.T. Redman                     |
| Ms M.J. Davies  | Mr Z.R.F. Kirkup    | Dr M.D. Nahan  | Mr P.J. Rundle                     |
| Mrs L.M. Harvey | Mr S.K. L'Estrange  | Mr D.C. Nalder | Mr A. Krsticevic ( <i>Teller</i> ) |

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Pairs

|               |                 |
|---------------|-----------------|
| Mr P. Papalia | Mrs A.K. Hayden |
| Mr B.S. Wyatt | Mr W.R. Marmion |
| Mr F.M. Logan | Mr J.E. McGrath |

Amendment thus passed.

*Division*

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

Ayes (33)

|                   |                  |                   |                                   |
|-------------------|------------------|-------------------|-----------------------------------|
| Ms L.L. Baker     | Mr M. Hughes     | Mrs L.M. O'Malley | Mrs J.M.C. Stojkovski             |
| Dr A.D. Buti      | Mr W.J. Johnston | Mr S.J. Price     | Mr D.A. Templeman                 |
| Mr J.N. Carey     | Mr D.J. Kelly    | Mr D.T. Punch     | Mr P.C. Tinley                    |
| Mrs R.M.J. Clarke | Mr M. McGowan    | Mr J.R. Quigley   | Mr R.R. Whitby                    |
| Mr R.H. Cook      | Ms S.F. McGurk   | Ms M.M. Quirk     | Ms S.E. Winton                    |
| Mr M.J. Folkard   | Mr K.J.J. Michel | Ms C.M. Rowe      | Mr D.R. Michael ( <i>Teller</i> ) |
| Ms J.M. Freeman   | Mr S.A. Millman  | Ms R. Saffioti    |                                   |
| Ms E.L. Hamilton  | Mr Y. Mubarakai  | Ms A. Sanderson   |                                   |
| Mr T.J. Healy     | Mr M.P. Murray   | Ms J.J. Shaw      |                                   |

Noes (16)

|                 |                     |                |                                    |
|-----------------|---------------------|----------------|------------------------------------|
| Mr I.C. Blayney | Dr D.J. Honey       | Mr R.S. Love   | Mr K.M. O'Donnell                  |
| Mr V.A. Catania | Mr P.A. Katsambanis | Ms L. Mettam   | Mr D.T. Redman                     |
| Ms M.J. Davies  | Mr Z.R.F. Kirkup    | Dr M.D. Nahan  | Mr P.J. Rundle                     |
| Mrs L.M. Harvey | Mr S.K. L'Estrange  | Mr D.C. Nalder | Mr A. Krsticevic ( <i>Teller</i> ) |

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Pairs

|               |                 |
|---------------|-----------------|
| Mr P. Papalia | Mrs A.K. Hayden |
| Mr B.S. Wyatt | Mr W.R. Marmion |
| Mr F.M. Logan | Mr J.E. McGrath |

Amendment thus passed.

*Motion, as Amended*

Question put and passed.