

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 67

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

THURSDAY, 7 APRIL 2022

1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Speaker's Statement – Chamber Lighting

The Speaker advised that a fault in the circuits powering lighting in the Chamber ceiling would prevent some lights functioning for today's sitting.

3. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Clerk –

Corruption and Crime Commission – A final review of recommendations made following reports on dangerous drugs in Western Australian hospitals (1079).

Corruption and Crime Commission – Misconduct within the Department of Communities relating to country building projects (1080).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Forestry in relation to Legislative Council Question without Notice No. 202 (1081).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Forestry in relation to Legislative Council Question without Notice No. 84 (1082).

Western Australian Institute of Sport – Annual Report 2021 (1083).

4. Correction to Tabled Paper

The Speaker announced that she had authorised corrections to the following Tabled Paper tabled on 12 May 2021 –

Department of Local Government, Sport and Cultural Industries – Report of the Inquiry into the City of Subiaco (219).

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Speaker –

Department of Local Government, Sport and Cultural Industries – Report of the Inquiry into the City of Subiaco – Version 2 (1084).

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Commerce on new mandatory safety and information standards for button batteries.

The Minister for Tourism on the return of the Australian Surf Life Saving Championships to Perth in 2023.

The Minister for Child Protection on the 2021 Progress Report on the Western Australian Government's implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Child Protection –

Child Protection, Minister for – Creating a Safer WA for Children and Young People – Progress report on Western Australia's implementation of the Royal Commission into Institutional Responses to Child Sexual Abuse 2021 (1085).

The Minister for Fisheries on the consultation process aimed at protecting the sustainability of demersal scalefish in the west coast region between Kalbarri and Augusta.

The Minister for Disability Services on Autism Awareness Week 2022 which ran between 28 March and 4 April 2022.

6. Grievances

The Acting Speaker called for grievances which were then made.

7. Referral to Education and Health Standing Committee

The Minister for Child Protection, pursuant to notice, moved,

That this House requests the Education and Health Standing Committee inquire into and report by 1 December 2022 on:

1. Complaints and allegations concerning the Esther Foundation including from former residents, staff and volunteers;
2. Adequacy of actions taken by the organisation to address the above concerns;
3. Current regulatory and legislative provisions, and those proposed provisions currently before the Parliament, to address the above concerns, including;
 - a. Options for regulating facilities not covered by the definition of 'Health Service' or 'Hospital' in the *Private Hospitals and Health Services Act 1927*.

Debate ensued.

Question put and passed.

8. Charitable Trusts Bill 2022

The Leader of the House, on behalf of the Attorney General, pursuant to notice, moved, That a bill for “An Act –

- to affect the law relating to charitable trusts; and
- to repeal the *Charitable Trusts Act 1962*; and
- to make a consequential amendment to the *Freedom of Information Act 1992*.” be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Attorney General, presented an explanatory memorandum and bill read a first time.

The Leader of the House, on behalf of the Attorney General, moved, That the bill be now read a second time.

Mr P.J. Rundle moved, That the debate be adjourned.

Question put and passed.

9. Health and Disability Services (Complaints) Amendment Bill 2021

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Debate interrupted by the Chair (Minister for Health speaking in reply) and adjourned until a later stage of the sitting.

10. Members’ Statements

The Acting Speaker called for members’ statements which were then made.

11. Questions

Questions without Notice were taken.

Questions on Notice Nos 509 to 527 were asked.

12. Joint Standing Committee on the Commissioner for Children and Young People – Terms of Reference

The Speaker advised members that the Joint Standing Committee on the Commissioner for Children and Young People had resolved to inquire into the most effective ways for Western Australia to address food insecurity for children and young people affected by poverty. The Committee will report to the House by 30 April 2023.

13. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

14. Health and Disability Services (Complaints) Amendment Bill 2021

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

The Minister for Health moved,

Page 2, line 10 — To delete “Act” and insert:

Act, other than section 43,

Amendment put and passed.

Clause 3, as amended, agreed to.

Clause 4.

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Health –

Health, Minister for – Health and Disability Services (Complaints) Amendment Bill 2021 – List of unregistered health practitioners that will be captured under the National Code (1086).

Clauses 4 to 42 agreed to.

New Clause 43.

The Minister for Health moved,

Page 33, after line 17 — To insert:

43. Consequential amendment to *Freedom of Information Act 1992*

(1) This section amends the *Freedom of Information Act 1992*.

(2) Delete Schedule 1 clause 14(3)(a) and insert:

(a) Part 3A; or

New Clause 43 agreed to.

Long Title.

The Minister for Health moved,

Page 1 — To delete “**1995**.” and insert:

1995 and to consequentially amend the Freedom of Information Act 1992.

Amendment put and passed.

Long Title, as amended, agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

15. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 10 May 2022 at 2.00 pm.

Question put and passed.

16. Adjournment

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 4.46 pm until Tuesday, 10 May 2022 at 2.00 pm.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mrs R.M.J. Clarke, Ms D.G. D'Anna, Mr M.J. Folkard, Ms K.E. Giddens, Mr Y. Mubarakai, Mr J.R. Quigley and Mr R.R. Whitby.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly