

**POLICE AMENDMENT (COMPENSATION SCHEME) BILL 2021**

*Second Reading*

Resumed from 21 October.

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [1.14 pm]: I rise in support of the Police Amendment (Compensation Scheme) Bill 2021. I represent the shadow Minister for Police, Hon Peter Collier, in the Legislative Council. We support the bill that has been put forward. I appreciate the work and the fight that the WA Police Union has undertaken over several years to see such a bill implemented, which will compensate police officers who are medically retired due to work-related injury or illness. Importantly, the bill will also ensure that the existing areas of compensation and entitlements post-service are also maintained.

From the outset, I put on the record what an outstanding job our Western Australia Police Force has undertaken and continues to undertake, in particular over the last 21 months in response to COVID. WA police have certainly gone beyond what is normally required of our police officers, and the community has much to thank them for in the role that they undertake not only in the response to COVID, but also out there in our community. Police officers go towards dangers and threats that many of us rightfully flee from.

The moment we heard the news that Cleo Smith was rescued will forever be ingrained in our memories. At the time, I was at a mine site with a couple of colleagues from this place. What an extraordinary moment in WA's history. It was a moment that we shared not only across the nation, but also globally. I put on record our appreciation for the tenacity, hard work and all the efforts that went into that rescue. Obviously, not all investigations into missing children have such an outcome, and we understand that by the very nature of the work of the WA police, it often involves some very difficult scenes to have to deal with.

As a regional member, I am acutely aware of the role that WA police play in attending traffic crashes. When I last checked, there have been some 147 fatalities on our roads, 60 per cent of which happened in regional WA in this year alone. With those events, WA police are often very quickly on the scene not only responding to the urgent danger and the tragic circumstances, but also providing much comfort to the families and the persons surrounding such traumatic events.

We note that the bill relates to not only WA Police Force and our officers, but also Aboriginal police liaison officers. We appreciate the work that they do and the fact that they are exposed to violence and horrific scenes, sometimes seeing fellow citizens at their very worst. They are exposed to some of this violence and are put in harm's way in the line of duty to protect our community. Western Australia Police Force has a role in enforcement, but, as I have witnessed firsthand, along with many others, in being first responders they provide enormous comfort and support for individuals in times of extraordinary stress and tragedy. At a local level, I have seen the great encouragement and support they provide our youth and the vulnerable, some of whom do not have homes to go to. These young children deserve that level of support. We have also witnessed in the local community the extraordinary work that WA police do in being role models and providing guidance. Importantly, they also ensure that law and order is upheld and that individuals can be directed to the support they need.

I note that there is a lot of support for the Police Amendment (Compensation Scheme) Bill 2021. A number of police officers have been very outspoken in giving this bill the support it deserves after finally coming before this house. I refer to a *Mandurah Mail* article of 23 May 2019 about former police officer James Yates. It states —

James Yates, who spent four of his 10 years working as an officer in Mandurah, saw no other option but to retire after developing post-traumatic stress disorder (PTSD) from years of violence, including being stabbed with a syringe, being bitten and bashed on multiple occasions.

The Dudley Park resident welcomed new legislation introduced to state parliament on May 8, allowing officers to retire with dignity, who can no longer serve due to injury or illness.

Mr Yates is quoted as saying how he was —

“Tossed out of a job with no benefits, no aftercare, no disability. It needs to change.”

I certainly commend the Minister for Police and the government for ensuring that this change has happened.

I quote another article from ABC South West from 6 January 2020 —

The night before Christmas Eve almost 20 years ago, after four years in the West Australian Police Force, MarkGlenn Harmony was told he was no longer a police officer.

...

Mr Harmony remembered one day vividly:

“The first four callouts, three were sudden deaths—suicides—so before lunchtime I'd already had to attend three suicides,” he said.

“Basically you’re taught from day one not to show any weakness, not to show these incidents have impacted you or have an effect on you.”

I think I join others in this place in saying that there is certainly no weakness in what these officers have had to face, and we certainly commend our officers for the amazing and extraordinary job they do. At a local level, I have also spoken to many who, in the absence of this legislation, have been able to receive *ex gratia* payments. They have had to go through challenging processes to ensure they receive the compensation they deserve. One officer in particular has been exposed to injury and PTSD and has gone through a great deal of suffering. This bill will provide a great deal of assurance for local police, as I have discussed in my local electorate as well. It allows police officers to retire with the dignity they deserve in acknowledgement of this service and the personal toll of their commitment to the community.

The bill provides for a new police compensation scheme that provides compensation to police officers and Aboriginal police liaison officers who are medically retired due to work-related injury. It is understood that police officers are not currently included in the state compensation scheme, given they are not seen as employees in the eyes of the state and are generally not covered by the Workers’ Compensation and Injury Management Act. The bill will make changes to the Police Act and the Industrial Relations Act. There are a number of aspects to that that the minister has outlined. There are a number of questions I would like to ask in consideration in detail. I hope we can go through that when time permits after others have spoken.

A dedicated compensation scheme is something that the Western Australian Police Union of Workers has been fighting for for some time. The bill acknowledges the contributions of our officers and the extraordinary job they do. It allows for a dignified departure for our dedicated men and women who have served us, ensuring that the cost they have borne as a result of their service, whether physical or psychological, is acknowledged and compensated for by the state. Importantly, as I have stated, it does so without removing existing entitlements, and it acknowledges loss of income and the importance of vocational rehabilitation. I will go through that in consideration in detail. I will leave my comments there. I commend the bill to the house.

**MS K.E. GIDDENS (Bateman)** [1.26 pm]: I am also very pleased to rise to make a very brief contribution to debate on this important Police Amendment (Compensation Scheme) Bill 2021. I have a large number of colleagues who are very keen to make their contributions, and I pre-emptively acknowledge them. I would particularly like to pre-emptively acknowledge the contribution that will shortly follow from the member for Burns Beach. As a former police officer, he is a fierce advocate in this house for the needs of WA police as well as in his work, particularly on providing support for people with post-traumatic stress disorder. I would like to acknowledge that.

I will not go into the technical details of this bill as it will be covered in consideration in detail. I want to cover this bill from a slightly different perspective—that of my own experience as a partner of a serving police officer and what this bill will mean for not only serving officers and former officers, but also their dependants and family members. It is almost exactly 10 years ago that my husband graduated from the WA Police Academy in Joondalup. That represented a lifelong ambition for him to serve his community and it was one he was very proud to achieve. He absolutely loved the job. He served as a general duties officer in Gosnells, Wyndham and the Kimberley. He went on to be a youth crime intervention officer in Kalgoorlie, and, later, when we briefly relocated to Tasmania to support my sister through some health issues, he joined Tasmania Police and served there. I remember very clearly the stories he would tell coming home when he started at Gosnells. I would ask him the usual question, “How was your shift, honey?”, and there were all sorts of interesting answers. One day he came home and showed me a photo of a smashed fence. I asked him how it happened and he said he had run through it. I said, “No, you didn’t”, and he said he did run through it. I asked him why he would do that and he said he realised it was easier for him to go through it than over it.

**Mr M.J. Folkard:** I can understand that!

**Ms K.E. GIDDENS:** He would tell stories about running over rooftops, tasing offenders, having different types of weapons pulled on him and having cars driven at him from the wrong side of the road. Yet, strangely, despite the risk that was evident in the stories he would tell me, when people asked him whether I was worried about my husband, I would truthfully answer no. The reason for that answer was that I had—as I realise now—a false belief that his training, his instinct and his judgement could protect him from physical harm. I put my faith in him and I also strongly believed in the important job that he was doing. I was aware of the psychological harm. I was alert to that because it would manifest in our house in different ways. He would come home and perhaps be short-tempered and grumpy, and speak in a tone of voice that indicated to me that it was time to suggest that he go for a surf! He was very responsive to that support at home and personally managed that kind of pressure very well. But the physical risk was something that I had diminished. One day while I was at work, I received a text message from my husband—it just contained a photo. It was a photo of my husband in the back of an ambulance sucking on the magic green whistle. My first reaction to that photo was not to wonder what had happened; it was anger. It was not anger at what I will shortly share is the story, but it was anger at him. I was angry because my belief in his ability to stay safe

had been shattered in that moment. I realise now that that was my coping mechanism as a family member. It was the story I told myself to protect myself from the risks that he engaged in on a daily basis.

My husband was operating undercover on a special secondment, and had turned up to a job. Unrelated to that job, he saw a prolific family and domestic violence offender who had been wanted for a long time; he was a pretty nasty character. When this character spotted persons whom he instantly recognised as police—despite the fact they were undercover—he put the car he was driving in reverse in an attempt to escape. There were two young children in the back of the vehicle and a woman was standing in the passenger doorway with the door open. When this vehicle was put in reverse, the woman was dragged under the door of the vehicle. The police officers, including my husband, jumped out and tried to stop this happening. When the offender stopped the vehicle momentarily, my husband made a decision to jump into the open passenger door in an attempt to stop this offender from continuing with these two young children in the back of the vehicle. The offender continued to drive. As the car accelerated at speed and my husband was half in and half out, he had to make the split-second decision whether to try to remain in the vehicle or eject himself from it. He made the decision to eject himself from the vehicle and, in doing so, obviously hit the kerb and bounced a couple of times. In that process, he smashed his wrist and broke his leg. He obviously had concussion and bruising but was very lucky, given the circumstances, not to sustain a serious head injury.

They were the circumstances of my husband's incident. As it turned out, that was his very last day on the job. He did not know at the time he was taken away by ambulance that he would never put on a uniform again. The nature of the injury itself did not stop him from continuing in the police force, but it was certainly devastating for our family, and me as a partner, to have our confidence shattered.

We returned to WA. My husband's injury was part of the conversation about the risk that police officers face when they are in the job. His accident occurred while he was serving Tasmania Police. Had it occurred when he was a serving WA police officer, he would not have been eligible for workers' compensation. I am really proud that this bill will address inequity; that is, that some police officers in this country receive workers' compensation but Western Australian police officers do not. While I have this moment, I would like to acknowledge my husband's service because he did not have the opportunity, leaving as he did in the back of the ambulance, to have a standard farewell. I would like to acknowledge his service and say on record how proud I am of the work he did and his contribution to the community both in Western Australia and Tasmania.

In the same vein, I would like to acknowledge the contribution of all serving and former police officers. We know that their work is tough and that they face risks every day. I would like to thank them for the very, very important task that they do and the risks that they take on behalf of our community. I would also like to acknowledge the Minister for Police for bringing this bill to house and the former Minister for Police for her contribution to this bill as well. I want to put on the record how important this legislation will be for not only police officers, but also their family and dependants and the people who rely on them. I commend the bill to the house.

**MS M.M. QUIRK (Landsdale)** [1.35 pm]: I am delighted to speak on the Police Amendment (Compensation Scheme) Bill 2021; its gestation has been long and tortuous. The introduction of this bill has been described as “landmark” and “historic”, and for that reason I am loath to delay its passage for much longer than necessary.

I will rephrase the oft cited quote that a society can be judged by how it treats its most vulnerable to: a society can be judged by how it treats its police officers maimed and traumatised in the course of their duty. If that is the measure, until recently we have found ourselves sorely wanting. Officers injured in the course of duty have, according to one of their number, been thrown on the scrapheap. It is only through the suite of measures introduced since 2017 by the McGowan government that we can now say the hazards and suffering directly attributed to Western Australian police officers' public service are more appropriately acknowledged and addressed.

As we heard in the second reading speech, there have been a suite of legislative measures since 2017 that have significantly ameliorated the injustice meted out to our police officers injured in the course of their duty. The police redress scheme provided funding for police officers who in the past were medically retired due to work-related injury. The second and related measure concerned the unedifying situation whereby those officers who were forced to retire due to injury or illness were removed under section 8 of the Police Act 1892. This section deals with a loss of confidence and was also used when the Commissioner of Police believed an officer's integrity was in question. It was unfair that injured officers were treated in the same class as those found guilty of misconduct or corruption. Now, medically retired officers are treated as a separate class, without stigma, and are given a significant honourable discharge.

For these first two reforms, I congratulate not only the WA Police Union for its persistent and tireless advocacy on behalf its members, but also members of the Medically Retired Western Australian Police Officers Association, in particular Dave Nelson, David Bentley and David Matthews, who were extremely effective at making us, as legislators, and the general public aware of the huge and unacceptable burden they and their families had to bear for years following their medical retirement. More about them later in the context of post-traumatic stress disorder.

**Extract from Hansard**

[ASSEMBLY — Wednesday, 24 November 2021]

p5849b-5856a

Ms Libby Mettam; Ms Kim Giddens; Ms Margaret Quirk; Mr Mark Folkard

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The bill we are dealing with today puts police on the same footing as workers covered under the Workers' Compensation and Injury Management Act when a work-related injury or illness occurs. They will now be entitled to receive a lump sum on retirement.

I also recognise the hard work of the Minister for Police, Hon Paul Papalia, and the former minister Michelle Roberts and their teams who have laboured assiduously with the full support of the Premier to make these laws a reality.

Two past well-publicised cases readily come to mind of officers who had to fight tooth and nail for ex gratia payments that demonstrate how flawed and unfair the current system is. The first is the case of Senior Constable Matt Butcher. In February 2008, he was felled by a flying headbutt while trying to break up a drunken brawl at a tavern in Joondalup, ironically called the Old Bailey Tavern. As a result, Senior Constable Butcher had permanent brain damage and partial paralysis. In March 2009, the participants in the brawl were found not guilty after a six-week trial.

In July 2009, Senior Constable Butcher returned to work as an analyst at Warwick Police Station, no longer able to perform the duties of a frontline officer. In September 2010, the WA Police Union lodged a claim on behalf of Senior Constable Butcher for an ex gratia payment of almost \$5 million. Fast-forward to January 2011 and the state government awarded Senior Constable Butcher an ex gratia payment of \$3.3 million. In February 2011, the participants in the brawl, who were acquitted, commenced a civil action against Senior Constable Butcher for wrongful battery. In February 2015, the action was finally dismissed by consent. Although this was a relief to Senior Constable Butcher, he still has the legacy of the injuries from that fateful night: he still walks with a stick, his left arm does not work, he has a loss of vision and peripheral vision, and he cannot drive a car. Finally, in 2017, Senior Constable Butcher received a medal for bravery. Constable Butcher is quoted as saying that he does not dwell on his injuries but concedes that there are things he will never do, including kicking a football with his children. Not only was Senior Constable Butcher's health taken from him, but also he had to deal with the aftermath, which took almost a decade of his life. I am happy to say that he now works in a non-police role at police communications.

The second case that I want to refer to started in August 2007, when Constable Ryan Marron graduated from the WA Police Academy. In April 2011, he contracted Murray Valley encephalitis while relieving at the Balgo multifunction police facility. The disease left him paralysed and unable to talk, and from that point he required 24/7 care. A year later, Ryan travelled to the world-renowned Rehabilitation Institute of Chicago, where he had access to the latest rehabilitation techniques and state-of-the-art technology in brain injury expert care. He received six months of intense treatment, which contributed significantly to improving his wellbeing. From recollection, the police paid for part of that journey and there was also some crowdfunding. In July 2014, three years later, lawyers acting on behalf of Ryan lodged a claim for an ex gratia payment, requesting \$12 million for his future needs, including 24/7 care. In September of the same year, the state government requested additional information to support the application, and in August 2015, almost a year later, Ryan's lawyers provided additional information.

In November 2015, during the WA Police Union annual conference, the then president of the police union put the state government on notice about Ryan's ex gratia payment. He told the conference that the state government was dragging its heels and that the case needed resolving as a priority. In December 2015, the state government offered Ryan Marron an ex gratia payment of \$5.5 million, but that included the \$1.3 million cost of trustee fees, which of course had to be deducted from the offer. In February 2016, Ryan's lawyers invited the state government to meet the cost of the trustee fees so that the entire \$5.5 million could be invested in his future care needs. In March 2016, the state government advised that there would be no further negotiation and declined the offer to pay the trustee fees. In March 2016, Ryan's father and the then president of the WA Police Union conducted a media conference and described the government's offer as mean-spirited. Finally, in November 2016, the state government agreed to top up the compensation to \$6 million in light of Ryan's severe disabilities and agreed not to include the trustee fees within the compensation. In May 2017, a decade after Ryan first joined Western Australia Police Force, Constable Marron was officially retired from the force. *The West Australian* describes that occasion —

With his family again proudly watching on as the latest batch of young graduates was paraded, Mr Marron was given his own ceremonial march-off followed by a standing ovation from the crowd that included several senior-ranking police.

...

He was ... presented with the first Police Star, a newly minted medal to recognise officers who are injured in the line of duty and cannot continue.

...

Police Commissioner Karl O'Callaghan said he was sad to farewell an active and well-respected officer but that it was not practical for him to continue.

He also reiterated his previously-stated desire to see an injury compensation scheme set-up.

Then Commissioner of Police Karl O'Callaghan is quoted as saying —

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“I’ve always been an advocate of workers’ compensation and I am now working with the current government —

Which, at that stage, was the McGowan government —

on what that might look like,” he said.

There are other cases in which the quantum of ex gratia amounts have not been as large and in which the claimants believed that they had received inadequate payment and asserted that the calculation of an appropriate amount lacked transparency. I highlight these two cases because they illustrate the struggle and imposition of this added burden on the sick and injured while fighting to recover of having to go cap in hand to government for fair compensation and to wait literally years for the request to be acceded to.

In the remaining time that I have left, I want to quickly canvass issues around post-traumatic stress disorder and the toll it takes on many police officers, many of them still serving officers. One of the most exceptional features of the recent recovery of Cleo Smith by WA police detectives is that it is rare that police get to experience a happy outcome such as that. Their hard work and persistence was rewarded. Cleo, outwardly, looked unfazed and her parents were over the moon. The community was at one in its praise of police officers. It was a great few days at the office. However, what confronts police in their day-to-day work is usually grim, confronting and soul destroying and their faith in human nature is eroded to the core, yet police must soldier on in what can be the most horrifying and upsetting of circumstances.

In September 2012, the Community Development and Justice Standing Committee tabled a report entitled *The toll of trauma on Western Australian emergency staff and volunteers*. I am very proud to have participated in that inquiry and I consider, even after the passing of time, the report to still be of great relevance. In that inquiry, we sought evidence of first responders, police, ambulance officers and firefighters. As well, we spoke to psychologists both here and overseas and examined the aftermath of 9/11, hurricane Katrina and the Christchurch earthquake, and the impact that involvement in such critical incidents has on first responders.

In that inquiry we heard from David Matthews, David Bentley and David Nelson, all medically retired police officers. Mr Matthews told the committee that in 1989 —

I shot and killed a man in the line of duty. It took some six years for that nervous breakdown to happen, but I received absolutely not one shred of counselling from the police department.

He went on —

I had no idea that killing someone would have the effect it has had on me. I lasted another six years doing operational police work. I wore a firearm every day and I had to draw my firearm after that numerous times. I do not think it is in human nature to actually have to kill someone. I had no choice; he was holding a female hostage. He actually had two female hostages, one escaped and called the police. It was only when he went to plunge the knife into his victim that I fired one shot and killed him. It is just I feel like I was a judge, jury and executioner and all. That has worn on my shoulders and that resulted in my nervous breakdown.

He continued —

I just soldiered on. I could not let that incident get in the way of my police work because I would not have been able to wear a gun if that was the case.

He also said —

That happened in ’89, but in 1994 I was involved in the police central siege where a gunman took some police hostages and I was one of the first responders to that. It was 11 months after that incident; and that person was shot and killed by members of TRG. I think it got too close to home again and 11 months later I had my nervous breakdown and had to be retired. It was a couple of instances that I saw people killed at the hands of police officers, by myself, and it is not a good thing.

Mr Bentley told the committee —

Police officers are not quite like other people. They are quite a unique brand of people. What we do, and what we do on a daily basis, is actually go into situations where normal people would turn away and run. We are compelled because of duty, because of our desire to actually help and to prevent injury or death to others ... We go to traumatic incidents. In my case it was an accumulation of attending fatalities and other types of crashes. I joined the job in 1973 as a police cadet. Within four weeks of joining I was attending my first post-mortem involving a lady who died of cancer. Within a week of that, I then went on to carry a deceased child from the mother’s arms while a police officer drove to the mortuary for a post-mortem to be conducted, because the child had died of sudden infant death syndrome ... That was the first one but it certainly was not the last time I did that. It then became a number of suicides—bodies that had been left in the open ... I signed up when I went through fully expecting to be involved in brawls, fisticuffs and injuries in cars. I did not have any problems with that. What I did not sign up for, and what I was not told,

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was the cumulative effect psychologically on a person attending these incidents. I did not expect it to affect my family. I did not expect it to affect people that I knew, but it does.

David Nelson also gave evidence at the inquiry, but in December 2016 he was interviewed for PerthNow by Regina Titelius. The article, titled “Mental toll of police legacy: medically-retired cops left out”, states —

Dragging a lifeless boy’s body from a water-filled mine shaft. Saving a baby held at knife-point, only to suffer broken ribs in a brutal attack by the child’s family.

These are just two of the moments that haunt David Nelson from his 17-year career as a police officer in WA. But there’s also the times the Bull Creek father can’t remember, particularly the horrific road deaths. Doctors believe his mind has blocked them out.

Medically retired since 1993, the 56-year-old says his children—a 15-year-old daughter and 22-year-old son—have “never seen me a day in their life where I’ve been well”.

Mr Nelson this week shared his battle with post-traumatic stress disorder as the WA Police Union continued its fight for medically retired officers to receive retrospective compensation.

A workers’ compensation scheme announced by Police Minister Liza Harvey last month does not provide ... for the estimated 500 medically retired officers in WA.

Ms Harvey has indicated this would be a separate body of work.

“How many more years do you think people can hold on for? There’s people committing suicide, there’s families breaking up, there’s children growing up without both parents, people losing their homes,” Mr Nelson said.

He said the years of abuse and neglect of police officers dealing with mental trauma needed to be addressed through an independent inquiry ...

Mr Nelson’s PTSD went undiagnosed for years despite dozens of trips to the police doctor, time at the former Heathcote Mental Hospital and repeated stints of sick leave.

Despite his psychological struggles, Mr Nelson said he was told by his superiors to “get over it” and was pushed back on to the frontline.

After an ex-gratia application was rejected in 2009, Mr Nelson helped establish the Medically Retired WA Police Officers Association.

Despite the heartache, Mr Nelson counts himself as “fortunate” his wife Stephanie remained by his side.

“Every day for two decades I have worried I would come home to find my husband had killed himself to relieve his own sufferings,” Mrs Nelson said.

On that sober note, I commend the bill to the house.

**MR M.J. FOLKARD (Burns Beach)** [1.54 pm]: I rise to speak to the Police Amendment (Compensation Scheme) Bill 2021. Before I begin, I would like to publicly state that the Western Australia Police Force is one of the finest police forces in Australia. I have not come to this conclusion recently. Most concluded that after the fantastic investigation involving young Cleo Smith, who was abducted from the Blowholes near Carnarvon. Nor have I come to this conclusion after the diligent investigation that occurred in the apprehension of the soldier of fortune, cum-sniper, cum-contract killer who murdered Nick Martin and the apprehension of the person who ordered that assassination.

I have known for many years that WAPOL is the finest operational police force in Australia, if not the world. I witnessed this when I was deployed to East Timor during its troubles. I worked with numerous sworn police officers from all over the world and from all over Australia. I saw the finest attributes of WAPOL. They are the best police officers in the world. There is a uniqueness about Western Australian police officers. They understand isolation and selflessness, they appreciate what hard work is and what it takes and go the extra yards without fear or favour when it comes to apprehending and protecting our community.

The police compensation bill is part of a series of commitments that the McGowan government gave prior to the 2017 election. The three commitments were: a police redress scheme; reform of section 8 for medically retired officers; and, finally, a police compensation scheme for medically retired officers. No government in the last 100 years has given such a commitment to our police force as the McGowan government has achieved. Make no mistake, this is an outstanding piece of legislation.

For those members who do not understand what a section 8 process is, it was a process whereby corrupt officers were removed from the police force. It was also used to remove medically injured officers from the workforce. If a police officer were removed as a result of a section 8 process, it did not matter whether they were injured, ill or corrupt, the same process was used. The result was a public perception and belief that if they were broken, they were

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a menace to the community. The process led to numerous suicides of ex-officers. I know this for a fact as I attended several funerals and presented the police Bible on behalf of Western Australian Police Legacy to the families and representatives, as I was an office-bearer for police legacy.

In 2019, the government changed that. It gave officers who were injured in the workplace the ability to retire with some dignity. As a result, 265 officers who had been retired using the section 8 process and had missed out on any formal workers' compensation from work-related illness or injury received payments between \$20 000 and \$150 000. They also received honourable discharge certificates. Some were presented with the WA Police Force Star medal for their service.

It concerns me that it has taken over 100 years to achieve a compensation scheme for our police officers. Winston Churchill said, "We sleep soundly in our beds because rough men stand ready in the night to visit violence on those who would do us harm." We have an obligation to look after those who have looked after us. Why has it taken so long for a compensation scheme to be introduced into this place? It is a question that I struggle to come to terms with. Policing is unlike any other occupation that I know. There is a reason they call it "the job". It is because it is unlike any other work or occupation that we can encounter in the workplace. You can experience the most perverse actions that one human can do to another and, in the next heartbeat, experience the most wonderful things one person can do for another human being.

Although this legislation is a vast improvement from existing legislation, I am concerned about three critical points that have been missed in this bill that could be further strengthened by incorporating them in the near future. This legislation does not address the fact that police officers are still not employees, as set out in the Workers' Compensation and Injury Management Act. In every other state in Australia, police officers have the same rights as normal employees but Western Australian police do not. I was a police officer for nearly 30 years and, in that time, I have spoken to more police union directors than I care to number. All of them in unison dreamt of a police officer being recognised as an employee. Why has this been allowed? I do not know why but I believe there has been a disconnect between government and police, which has been in place for generations. I do not think the hostility has been generated from our elected members, but I think it has come from the administration.

That statement sounds bold but I can never forget payroll negotiations at which industrial lawyers would attack the police medical benefit or their sick leave entitlements in an attempt to be traded for salary increases or changes to their award. I remember Mike Dean, a past legendary president of the WA Police Union, describing to me the negotiations that used to take place. He used to say how frustrating it was that people sitting opposite him in wage negotiations were never police officers who would understand the dangers and extreme stresses that police officers went through during a regular shift. They never understood that a police officer was on duty 24 hours a day; whether at work or at play they were always accountable whether they were on duty or off duty, and their pay never reflected that.

Debate interrupted, pursuant to standing orders.

[Continued on page 5865.]