



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2020

LEGISLATIVE COUNCIL

Thursday, 22 October 2020

Legislative Council

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THE PRESIDENT (Hon Kate Doust) took the chair at 10.00 am, read prayers and acknowledged country.

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

CORONAVIRUS — RESTRICTIONS — DOCUMENTATION

Notice of Motion

Hon Peter Collier gave notice that at the next sitting of the house he would move —

That Hon Sue Ellery, Leader of the Government in the Legislative Council, be ordered, and is hereby so ordered, to lay on the table of the house not later than seven days from the day on which this order is made, on behalf of the government of Western Australia, the information and documents described below, and that such documents be tabled without excision, alteration or defacement —

Copies of all communications between 13 October 2020 and 20 October 2020 inclusive, including but not limited to letters, emails, telephone notes, text messages and file notes between any of the following relating to advice or information on COVID-19 pandemic restrictions —

- (1) the Premier, Hon Mark McGowan, MLA;
- (2) any staff member of the Office of the Premier or Department of the Premier and Cabinet, including contract, temporary or seconded staff;
- (3) the Minister for Health, Hon Roger Cook, MLA;
- (4) any staff member of the Office of the Minister for Health or Department of Health, including contract, temporary or seconded staff;
- (5) the Chief Health Officer, Dr Andrew Robertson; and
- (6) any staff member of the Office of the Chief Health Officer, including contract, temporary or seconded staff.

GOVERNMENT AGENCIES — POLITICISATION

Motion

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.03 am] — without notice: I move —

That this house expresses its grave concern at the McGowan Labor government's permitting, facilitating and engineering of the politicisation of government agencies and institutions, including Lotterywest.

One of my greatest concerns about the current government is that it has this almost obsession with social engineering. We saw it in the debate on the Voluntary Assisted Dying Bill. Any member who did not agree with the government was a philistine. They were insignificant. Somehow, their attitude or values were not worthy of consideration. Those of us who did not vote for that bill were demeaned constantly by the Premier of the state. Unfortunately, that sort of attitude has now transferred into government agencies, not least Lotterywest, and it is disgraceful. An institution that is sacrosanct and has delivered over \$6 billion to Western Australians over the last 30 years has now been infected with the social engineering mantra that has permeated through from the top levels of government. It is absolutely disgraceful.

A perfect example of this is an issue I have been following for the last few weeks; that is, the Margaret Court Community Outreach organisation, which is affiliated with the Victory Life Centre church. It is a magnificent organisation. Right at the outset, I point out that I am not a member of that organisation, although Margaret and Barry Court are very good friends of mine. Having said that, that is irrelevant to the issue. The Margaret Court Community Outreach centre delivers over 75 tonnes of food and supplies each week to people who are struggling due to the pandemic. Prior to that, it had delivered literally tens of thousands of tonnes of food to people throughout the community who are really struggling. It has delivered food hampers and clothing. The organisation assists over 800 students a week and delivers food to 22 agencies. I repeat: Margaret Court Community Outreach delivers 75 tonnes of food a week throughout our community. It is a magnificent institution. Anyone can go to Osborne Park and look at the factory there, the dozens of volunteers, and the tonnes and tonnes of food that gets wrapped up and delivered to people in need in our community. That organisation does that almost exclusively through in-kind donations and volunteers. That is exactly the sort of institution or agency that deserves the support of Lotterywest.

I will give members a few statistical examples of how much this organisation is doing. In October 2019, before COVID, it was dealing with 2 010 clients a week. In September 2020, it was dealing with 5 390 clients. That is an almost threefold increase. In addition, we can look at its in-kind donations. In October 2019, the organisation received \$985 823 in in-kind donations. In September 2020, the figure was \$1 713 092. We can imagine the extraordinary challenges faced by that community outreach centre to get those supplies out into the community. It desperately needs support to try to get that food out. Everyone knows that people are struggling out there, particularly those who are underprivileged or have lost their jobs and cannot feed their families. The Margaret Court Community Outreach centre assists those people enormously.

Two years ago, the centre applied to Lotterywest for funds to buy a freezer van. That was not an unreasonable request. The centre needs the van to assist with the literally tens of tonnes of food that are going out to the community every single day.

Hon Simon O'Brien: A good investment.

Hon PETER COLLIER: Absolutely—every single day. Almost two years later, that application was rejected. The centre received a letter from Lotterywest and was told very generically that its application had not been successful. Barry and Margaret Court wrote to the Premier. In that letter, they wrote —

To be advised that our application has not progressed is very disappointing. Prior to the COVID-19 pandemic MCCO distributed 32-42 tonnes of food per week. Today we are distributing over 62 tonnes of food per week.

That figure has increased since this letter was written. The Premier sent them a nice response. He crossed out “Mr and Mrs Court” and wrote —

Dear Barry and Margaret

...

Unfortunately, I have no capacity to override a decision by Lotterywest not to support an application. However, I am advised that Lotterywest is presently receiving applications under the Emergency and Crisis Relief program which is a key program of the new Lotterywest COVID-19 Crisis Relief Fund. I believe that your organisation has recently been in contact with Lotterywest about a new application.

Remember that, guys? That is the one that we approved in this chamber. Were we in this chamber told at the time that that money would go only to organisations that agreed with same-sex marriage? No, we were not. Just remember that. We approved that bill.

Barry and Margaret applied for this new COVID relief fund grant on the recommendation of the Premier. Then they got this very generic letter from Susan Hunt, the CEO of Lotterywest, which says in part —

Under our legislation, Lotterywest has discretion as to which eligible organisations receive Lotterywest funding. I confirm that the Lotterywest Board unanimously agreed not to support your application.

That in itself is not an issue. Okay; it missed out, but the disgusting devil is in the detail. Barry Court and another representative from the Victory Life church and Margaret Court Community Outreach were called in to meet Ms Hunt and another representative from Lotterywest. I will read an explanation from Barry Court of that conversation between Ms Hunt and the other representative. This is part of what happened —

After many years of operating without Government assistance, MCCO operations supply food to the needy in Perth, Kwinana & Forrestfield, our resources are fully utilised to the extent we contacted Lotterywest for assistance.

After many communications, we were advised to meet Jenna Leslie and Susan Hunt from Lotterywest. This meeting we presumed was to convey some positive news.

This was not the case and we were advised that no funding would be given to Margaret Court Community Outreach (MCCO) or any other organisation that Margaret Court was associated with. This was specifically because of Margaret Court's stand on her opposition to same sex marriage.

Susan Hunt advised of the diversity of Lotterywest including the sponsorship of WA's Pride Festival.

It goes on.

The other person at that meeting with Barry and Ms Hunt, Bryam Robayo, who is also from the church, gave this interpretation —

Then Susan proceeded to reveal the outcome of the grant application, by stating that the Board of directors of Lotterywest has unanimously agreed not to approve the grant due to Ms Margaret's views on same-sex marriage and what she has said in the past.

...

Susan underscored the importance of MCCO in the community but stated that Lotterywest does not want to have any association with Ps Margaret. I requested if that outcome could be emailed to MCCO with a clear statement as to why the application was unsuccessful. In addition, if this is a position that Lottery West is going to hold in view of all other applications that MCCO would make in the future.

Susan says as long as Ps Margaret is still the chairperson, Lotterywest will have no association with MCCO but if a new chairperson takes over and apologies and change the viewpoints toward same sex marriage then the outcome might be different. Also she say that Lotterywest was the major sponsor of WA's Pride Festival and it would not be well seen that they help us I expressed that this is discrimination against Margaret Court Community Outreach as the work we have been doing for the last 20 years is not being seen, especially during Covid.

That is the interpretation of two people from the Victory Life church who were at that meeting. We could say that perhaps they got it wrong, but I seriously doubt that. I have known Barry Court all my adult life and I assure members that he is an honourable man. I do not know Bryam, but his views exactly replicate those of Barry. Honourable members do not need to take the word of these two men about it; they can take the word of Susan Hunt from Lotterywest. These are comments that she made on ABC radio during an interview with Nadia Mitsopoulos on 8 October 2020. It goes on for a while. Nadia said —

Victory Life Community Services applied for funding to purchase a new freezer van to transport food donations, why did Lotterywest reject that application?

Susan Hunt replied —

So just to give some context for this decision and how Lotterywest works, we're, as a government Grant maker and the biggest grant maker in WA certainly and potentially within Australia, we're really committed to equality and inclusion, and that is in line with government policy and also anti-discrimination legislation. Everyone knows we do have anti-discrimination legislation.

Yes, Ms Hunt, we do know that. She went on to say —

But there are of course some that can't be supported. And in this case, Lotterywest's Board's decision was really because as an organisation, our purpose as an organisation which is clearly stated everywhere, is about building a better Western Australia together. And our approach which is led by the Board itself—the Board is the discretionary decision maker here—is to build that sense of belonging for everyone in the community, and indeed one of the pillars of our ground-making is literally to build an inclusive and thriving community.

So that's really why in this case the Lotterywest Board in their decision-making around which grants they would support felt that the grants from the Margaret Court Community Outreach Group didn't fit with that approach because of the public statements of the founder not aligning to our strong commitment to inclusion and diversity.

Nadia Mitsopoulos said —

And specifically that was in reference to Margaret Court's views on same-sex marriage?

Susan Hunt said —

Yes. And the LGBTQI community more broadly, where she has been very outspoken, and from the feedback that we get and many of your listeners might also hear, people have been quite damaged and quite hurt and offended by that, and that really doesn't align what Lotterywest is about and I think what the majority of the community values about being West Australian.

Nadia went on to ask —

Is this a recent change that you do take into account these social issues when you look at an organisation and what they stand for?

Susan Hunt replied —

Look. Lotterywest has always had a very strong community focus. I think our direction comes clearly from our Board. They have the discretion on what organisations will be supported and they take a lot of things into account. I think Lotterywest has always had that commitment and I think that this is the first time this group has ever applied for something and so it's been highlighted.

Rubbish! Nadia then said —

So while they share those views, would it be the case that this group and any group affiliated with Victory Life Church would not be successful in getting any funding unless they recounted ... Margaret Court came out and said "I don't believe that anymore", which I doubt will happen, it's the case that, as it stands, and given what they stand for, they will be unlikely in the future to get any money from Lotterywest?

Susan Hunt said —

Well, as I mentioned, it's around our commitment to diversity and inclusion. So that stands. It's in our Grants Framework. Our Grants Framework has been more explicit around these issues. About the last three years we've had a very clear Lotterywest Grants Framework with five pillars.

Susan Hunt has clearly identified the fact that Margaret Court Community Outreach did not get a grant because of Margaret Court's views on same-sex marriage. So that is what we have come to in our society, guys!

I will just add to that. The reason that Margaret Court Community Outreach did not get the grant was not that it was not worthy or did not have merit or did not need a van because the thousands of people who were getting food did not want it anymore; it did not get funding for the van because Margaret Court had a view on same-sex marriage that differed from that of the board.

A government member interjected.

Hon PETER COLLIER: That is exactly why it did not get it. That is absolutely disgraceful!

Several members interjected.

The PRESIDENT: Order!

Hon PETER COLLIER: If the member agrees with that, he should hang his head in shame!

Several members interjected.

The PRESIDENT: Order!

Hon PETER COLLIER: When did this come about? Let us look at this social engineering that has now permeated Lotterywest after trickling down from the government. Susan Hunt said in that interview, and I mentioned this before —

Well, as I mentioned, it's around our commitment to diversity and inclusion. So that stands. It's in our Grants Framework. Our Grants Framework has been more explicit around these issues. About the last three years we've had a very clear Lotterywest Grants Framework with five pillars.

Do members know why it has been the last three years? It is because that is when there was a change of government. What did the government do? One of the first things it did was to napalm the existing board of Lotterywest and put in its own hand-picked board—and here it is. This is exactly it. This is a media release from the Premier and the Minister for Health. Their hand-picked Lotterywest board will adhere to their whim. This is an absolute disgrace. I will get back to the pillars in a moment.

Having said that, I want to know whether the Premier agreed with this. I have asked a plethora of questions over the last week, but I get the typical response: "Look at the hand." I do not know what happened to open and transparent government that the Premier offered at the start. Every time we have a difficult issue in this place, the Premier puts up the hand: "Look at the hand." So much for transparency!

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order!

Hon PETER COLLIER: As I have said, this is not a Glad wrap government; this is an alfoil government. We cannot get through anything. We have more chance of getting into the Kremlin or the Vatican than we have of getting information from this mob. It is an absolute disgrace.

In one of the answers to the questions I asked, I was told to go to the Community Investment Framework, which I did. The government tabled these documents. Have a look at these, guys. These were tabled. These are the criteria for getting a grant from Lotterywest. It is a quick guide to the Lotterywest COVID-19 relief fund 2020–21 grants and information on grant making under the Community Investment Framework. This is on the website for all to see. Members can see this. I challenge anyone in this chamber to find anything in here that says that people must adhere to the government's values to get a grant. There is not one word about that. It refers to inclusive, thriving communities; connected cultural experiences; protected sustainable ecosystems and all the rest of it—all these motherhood statements. What about the 4 000 people who are getting food from Margaret Court Community Outreach every week? Do they not fall into this category? Are they not part of a smart, innovative society?

A government member interjected.

Hon PETER COLLIER: Will you be quiet!

Do they not want to be healthy and active? Do they not want that? Are they less significant because they happen to get their food from Margaret Court's foundation? Is it less significant? Honestly, Madam President, this beggars belief! What should the Victory Life Centre do? Should it say, "We'll give you food only if you don't agree with same-sex marriage. We'll give you food only if you don't agree with voluntary assisted dying. These are our values and you get your food only if you adhere to our values"? Of course it does not do that. It is a community organisation that assists some of the most marginalised and vulnerable people in our community, particularly over the last six months when people have become unemployed and have got enormous mental health issues. That foundation is assisting thousands of those people day after day and this government wants to prevent that from occurring.

Let us see whether there is some consistency with regard to this. I looked at the grant proposals approved by Lotterywest over the last three years. They are all here; they are on the website, so members can easily access them. There are literally dozens and dozens of organisations and churches that hold the same views as Victory Life Centre on same-sex marriage and other issues—exactly the same!

Hon Darren West interjected.

Hon PETER COLLIER: Does the member mind? If he wants to talk, he can open his mouth in a minute. I am not taking interjections.

Why did dozens and dozens of other organisations get grants, yet, somehow, the Margaret Court Community Outreach program has been rejected? That is discrimination because Margaret Court has views on same-sex marriage. This is going straight back to McCarthyism in the 1950s. Do members remember Joe McCarthy from Wisconsin? He said, “We’re not going to have communists. We’re going to outlaw communists.” In Australia, we even had a referendum on whether we could have a Communist Party. This is exactly the same. This government is saying, “These are our values. You adhere to our values or you’re not going to get any grants.” That is exactly what is happening. Susan Hunt brought this up as well. She said —

... I would point out that we have anti-discrimination legislation in ... Australia more broadly, and that also aligns with government policy ... the importance of diversity and inclusion. It’s core to our efforts of being West Australian in my mind. Our Board has the decision-making around this and this is the decision they’ve come to.

She actually states it: we have an anti-discrimination policy. How on earth is not providing a grant or saying an organisation cannot have a grant because of its views on same-sex marriage not discrimination?

Let us look at the Equal Opportunity Act. Section 62 states —

Goods, services and facilities

It is unlawful for a person who, whether for payment or not, provides goods or services, or makes facilities available, to discriminate against another person on the ground of the other person’s religious or political conviction —

- (a) by refusing to provide the other person with those goods or services or to make those facilities available to the other person ...

It goes on. Let us look at what “services” includes. The act states —

services includes —

- (a) services relating to banking, insurance, superannuation and the provision of grants, loans, credit or finance ...

Quite specifically, Lotterywest has discriminated. The board of Lotterywest has pandered to the government ethos and said, “Okay, Margaret Court, you can’t have a grant.” That decision has been based upon her religious views. According to the Equal Opportunity Act, we are not allowed to discriminate on religious views, and that includes the provision of grants. It is black and white. If Susan Hunt wants to hang out the Equal Opportunity Act as a bastion of why Lotterywest did not approve the grant, she should get her facts right.

This is social engineering at its absolute worse. It is an absolute disgrace: “You adhere to our view or you don’t get any money. You can apply to assist those in need, but we are not going to give it to you if you don’t agree with our values.” Is this what society has become? Does this reflect what we are as a society? I hope that Lotterywest, quite frankly, rediscovers a status as being completely devoid of political interference. I hope that every organisation that applies for a grant is judged on its merit, not on the values of the Lotterywest board.

HON TJORN SIBMA (North Metropolitan) [10.24 am]: Thank you very much, Madam President, for this opportunity to support the motion put forward by Hon Peter Collier, which I have taken with some enthusiasm. I want to focus specifically on Lotterywest as an institution and particularly on the word “politicisation”. I want to address this issue from its genesis.

Within the first few weeks after the McGowan government’s election victory, it was determined by the Premier that Mr Paul Andrew, the previous chief executive officer of Lotterywest, would effectively be targeted for removal and that the Premier had in mind a suitable replacement. This is validated by way of file notes between the Premier and the then Public Sector Commissioner Mr Wauchope, which were obtained by yours truly through a Freedom of Information Act process in the first few months of 2017. The terms of Mr Andrew’s departure were revealed by way of a small article, I believe, in the business section of *The Weekend West* sometime in June or July 2017; I do not have the time line immediately to hand. Lotterywest will claim, when it is convenient, to be independent of government. Nevertheless, we are all sensible enough to know that it has a reporting obligation and that Premiers do take responsibility for the agency and customarily review board recommendations for grants. There is a political intercession in the process of awarding grants.

Governments, as has been the case, have within their gift the capacity to reshape the composition of a board through the natural attrition of members and the appointment of other individuals. I make no reflection on the individual, but I note that changes have been made to the board of Lotterywest over the last three years to the degree that Mr Jim McGinty, a Minister for Health and Attorney General in a previous Labor administration, now has a reasonably senior role. I am not completely sure of his capacity, but he is certainly on the board. Of course, boards have oversight of an organisation to direct its structure and strategy, but they do not interfere in the operational decision-making, one would hope. But it was clear from the outset that the previous CEO, for whatever reason, had fallen out of favour. A variety of reasons were put by others in the press that I will not go into because I do not necessarily know what the Premier's motivation was in the removal of the previous CEO, but that individual was removed. We sought justification for that decision and an explanation for his departure. He was otherwise a reasonably high-performing CEO, probably not without some controversy. We have CEOs to make difficult executive decisions and we understand that some people will get the rough end of the pineapple as a consequence. But no claim was ever made about Mr Andrew's lack of professionalism or his lack of competence, so the question was asked: why has he gone? The responses to that question were, frankly, evasive and muddying, but then a line was settled on that he departed by mutual agreement. When we sought to test the accuracy of that claim, a claim that was put through the Parliament in official answers to questions, the truth revealed something a little different. That gentleman was called to a meeting with the Public Sector Commissioner and a member of the board of Lotterywest and effectively advised that he would be going. More to the point, a media statement announcing that same fact was being drafted a week prior to that meeting. I am not sure whether Nostradamus-like figures inhibit—not inhibit, but exist —

Hon Alannah MacTiernan: Inhabit.

Hon TJORN SIBMA: Inhabit—I thank the minister so much for the assistance; I actually needed that! The difference one vowel will make!

I am not sure whether Nostradamus-like figures inhabit the government media office; nevertheless, there seemed to be some capacity for extraordinary forecasting of events on behalf of a media officer in the Premier's office who knew before the CEO of Lotterywest did that he would be soon to be departing from that organisation under the cover of a mutual agreement. That is an interesting approach, but it was very clear from the outset that change was wanted at Lotterywest, change was wanted at its executive apogee and change was enacted. When members of the opposition had the temerity, the curiosity, to wonder why that might be, we were effectively fobbed off. It is part of the problem we encounter across government. The only recourse we have ever had as an opposition to get to the truth of any matter is to go through the freedom of information process, because we cannot rely on the quality of responses we receive from this government through the ordinary questions without notice process in this chamber, and it is even more desultory in the other chamber, as we have witnessed. I think it is very clear that Lotterywest has been politicised and it was politicised within the first few weeks of the formation of the McGowan government, so this comes as no surprise, as sad as that is. Charitable organisations, although they might not meet with the ideological favour of many in our community, nevertheless do good service, but if their conduct or the members who drive those organisations are somehow held in ill repute by an organisation such as Lotterywest, if they do not abide by its ideological niceties and predispositions, they will get rough treatment, because this organisation has been politicised. It quite clearly has an agenda.

Might I also recount a personal tale. It is often the role of a member of Parliament who is connected to their community, and wants to see their community organisations flourish, to support that organisation in its application for grants via Lotterywest. I had occasion to do this, I think, 12 to 18 months ago. The organisation was a community childcare centre in the northern suburbs; I will not name it. Both the sitting Labor member and I wrote letters of support to facilitate that grant application. When some months later I went back to that organisation and asked how the application was going, it said it was going well, but was advised that letters from MPs—this is the flip side of the politicisation coin—were not considered to be helpful.

When institutions like this are politicised, they start to take on a life of their own. No-one voted for any member of Lotterywest's executive or its staff, and that is correct. A board was appointed, but I am sorry to say that it is clear that the culture of the organisation has deteriorated under the term of this government, and it is too treasured an institution to be debased in this manner. The absolute example of this debasement is the inappropriate—I would suggest prejudicial—treatment of Margaret Court's organisation. It must stop. This rot must end.

HON RICK MAZZA (Agricultural) [10.34 am]: I rise to make a few comments on this motion that has been moved by the Leader of the Opposition. I have never met Margaret Court, but I have obviously read quite a bit in the newspaper about some of her views. She has had quite a profile and had a stellar sporting career over the years. Obviously, her church, Victory Life Centre, is doing some significant charitable work in the community, helping tens of thousands of families, so for Lotterywest now to deny this grant funding because of her views is reprehensible.

Margaret Court has been quite vocal about the fact that she did not support same-sex marriage, but we have had the public debate. It has been and gone. We should not be punishing people for a view they took in a public debate. The result of that public debate was that we had a quasi-referendum that was basically part of a survey. It was not compulsory for people to vote. As it fell at the end of the day, I think 60 per cent of people supported same-sex marriage and

40 per cent of people did not. Forty per cent is still a significant part of the population. Many people did not vote; they were just ambivalent about the whole thing. People should not now be punished for the views they held as part of that cancel culture that seems to be going around by which if people hold a particular view, they are punished for it. It makes me wonder what would have happened if the vote had been the other way and same-sex marriage had not been supported. Would that mean that everyone who supported same-sex marriage should then be punished?

Lotterywest has completely politicised this issue. For Lotterywest not to support Margaret Court, who is doing much good in the community helping tens of thousands of families, is absolutely wrong. Lotterywest should be non-political. I read a media article stating that Lotterywest supports the gay pride march, and that is fine. That does not mean that it cannot then support Margaret Court's Victory Life Centre, which is providing support to vulnerable people in our community. With those few words, I support the motion moved by Hon Peter Collier. Lotterywest really needs to be taken to task on this issue. Not to support a charitable organisation because one member holds a particular view is absolutely wrong, and I do not think it reflects the majority of the community.

The PRESIDENT: I give the call to the Minister for Regional Development. I assume that you are replying on behalf of the government.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.37 am]: I am replying on behalf of the government.

We have listened intently to the debate, and I think there has been a very significant omission from this discussion—that is, what precisely caused Lotterywest to be concerned. The mover of the motion and all of the speakers so far have talked about this being a question of one's position on marriage equality. It is more than that. Susan Hunt, the CEO of Lotterywest, made that very, very clear in her interview, to which the mover of the motion referred. She made it very clear that it was not simply a question of the views on marriage equality. It was the views that have been expressed on many, many occasions by Margaret Court, the person who leads this organisation that applied for the grant and who has very, very vocally taken a particular stand on homosexuality and LGBT issues in general. She is entitled to do that. It is also incredibly important that organisations such as Lotterywest are cognisant of what is being promoted under the banner of this organisation. I would have thought that the Leader of the Opposition would have understood that it can be very, very destructive to people in the LGBTIQ community to repeatedly hear that homosexuality is ungodly, that it emanates from a lust for the flesh, and that LGBTIQ tendencies in young people is the work of the devil.

In the quite proper view of the board of Lotterywest, these views are antithetical to the very aspirations of Lotterywest. I thought the Lotterywest CEO, Susan Hunt, put that very, very well in her ABC interview. She talked about the fact that she and the board saw the fundamental work of Lotterywest, taken in a holistic way, was to build a sense of belonging amongst the community of Western Australia. No-one is disputing that that organisation does some good work, but Lotterywest nonetheless has a view that the percentage of our population who identify as LGBTIQ are deserving of respect. I think that percentage is acknowledged to be five per cent; some people say that it is 10 per cent, but I think we can probably accept the figure of around five per cent. For Lotterywest to fund an organisation whose very strong views on the LGBTIQ community undermines the self-esteem, self-confidence and sense of self-worth of that percentage of the population would be fundamentally wrong.

I commend the board for its decision. It was a hard decision, but I will say that it had nothing to do with the state government; it came from the board. As I understand it, at a board meeting on 20 August the CEO sought guidance for a grant request. She was aware that this organisation, and particularly its principal, had on many occasions and very prominently expressed a view—a view it is entitled to—that says to a considerable percentage of the population, “Your fundamental orientation and the relationships that you enter into are antithetical to goodness”. That is amazing. There are certainly members in this chamber who are of LGBTIQ orientation; how demeaning is that to them, for that organisation to actually have those views? Should an organisation like Lotterywest that, in its essence, is about building a strong, inclusive community support an organisation that has been very prominent in its critique of those people and their lifestyle?

I read some fantastic news today —

Hon Simon O'Brien interjected.

Hon ALANNAH MacTIERNAN: Sorry, member? What was that comment?

Hon Simon O'Brien: You don't get it, do you?

Hon ALANNAH MacTIERNAN: I absolutely get it. I get why —

Several members interjected.

Hon ALANNAH MacTIERNAN: Under the banner —

The PRESIDENT: Minister, stop. It is really, really difficult for Hansard to do their job. They are no longer on the floor; they are above us, and if there are additional voices, it is hard for them to hear what the person with the call has to say. I ask members to listen quietly and let the minister finish what she has to say. If you have something to add to the debate, I will give you the call in due course.

Hon ALANNAH MacTIERNAN: There were 800 applications received during the COVID period. Obviously, Lotterywest could not provide money to all the worthy organisations that applied, so decisions had to be made about where to best place those funds. The board's view—I think, a quite reasonable proposition—was that it was appropriate for it to apply a filter to an organisation that fundamentally promotes itself as an organisation that says to around five per cent of the population, “Your lifestyle is not acceptable to us”. It is quite wrong to suggest that this was just about the organisation's position on marriage equality; it was not. The member has been deliberately filtering the board's resolution and the CEO's statements. I can understand why he might want to filter them out, but I have listened to the broadcast and heard the CEO very clearly correct the journalist, Nadia Mitsopoulos, when she proposed that it was because of marriage equality and LGBTIQ issues generally.

From concerns expressed by the board in the minutes of the meeting, it is clear that its concerns were about public statements made by the founder of the organisation, Margaret Court, on gay and lesbian issues and marriage equality. It was not just the organisation's position on marriage equality; it was the very prominent position taken by Margaret Court and her church on this issue.

There was some fantastic news today that Pope Francis has moved into the twenty-first century—hopefully, taking the Catholic Church with him. He has expressed support for same-sex civil unions, in some of the clearest language he has used in respect of the rights of LGBTIQ people. I think he has actually been inspired by Christian principles, and by the lessons of Jesus Christ. He is quoted in an article published today in *The Guardian* —

“Homosexual people have a right to be in a family. They are children of God and have a right to a family. Nobody should be thrown out or be made miserable over it. What we have to create is a civil union law. That way they are legally covered.

It is really important to understand that this is much broader than just an opinion on civil union. It is a much broader debate and concern about a whole history of declarations that homosexuality is wrong, ungodly and the work of the devil. That is of deep concern to an organisation whose very essence is to build strength.

Of course, board members are always appointed by government, but the current board has had an evolution of board members. Two of those members, still there after three and a half years, were appointed under the previous government. It is important to remember, as the Leader of the Opposition pointed out, that this was a unanimous decision of the board that includes board members who were appointed under the previous government.

Lotterywest is a fantastic organisation that is out there working hard with the community. I think listening to that contribution by Susan Hunt, the CEO, would give everyone great confidence that this organisation truly wants to work with and develop the community and provide a sense of belonging and inclusiveness, those fundamental Western Australian values. We always have to make some difficult decisions about what we are going to support. If an organisation suggested that certain ethnicities were ungodly, in this equation it would be inappropriate to give funding to such an organisation. It is not a decision of government; it is a decision of the board. Absolutely no reference was made to the government over this decision. There was no involvement of any minister in any way shape or form. It is important to understand the rationale of the board and not apply a filter or try to screen out the fact that this was a concern not even necessarily principally about the position on marriage equality legislation, but rather on the whole issue of LGBTIQ issues generally. That was the fundamental focus of the concern and I am surprised that we have not heard the Leader of the Opposition or any other member get up and acknowledge the real focus of this debate.

HON AARON STONEHOUSE (South Metropolitan) [10.53 am]: I am glad to rise to speak in support of the motion that is about the politicisation of government agencies and institutions, with specific reference to Lotterywest. Of course, I am referring to the news we have been debating today, which is that an outreach program run by Mrs Margaret Court was refused a grant from Lotterywest on the basis of her biblical views on same-sex marriage. That is deeply concerning for a few reasons. Firstly, I would like to point out an issue that has been ignored so far, which is the precedent that this sets, that Lotterywest will conduct a purity test. It will examine the personal views held by people applying for grants, and that will be a criterion on which grants are applied or refused. That is quite incredible. I wonder whether the government, which is so eager to endorse Lotterywest's decision to refuse a grant on Mrs Court's biblical views on same-sex marriage, is aware of the mainstream Muslim view on same-sex marriage, the mainstream Jewish view on same-sex marriage or the mainstream views of any other number of religions when it comes to same-sex marriage. I think it will find that quite a large portion of the religious community, whether they are Christian, Muslim, Jewish or any other non-Abrahamic religion, will be that of a so-called traditional view of marriage. Are we saying to the religious Western Australian community that they need not apply for grants, or that if they want a grant they will have to change their views and go back on perhaps thousands of years of religious doctrine if they want to apply for a grant? That is the implication.

Several members interjected.

The PRESIDENT: Order! One person is on their feet.

Hon AARON STONEHOUSE: I know backbenchers are eager to engage, and I am sure they will have an opportunity to get up and express their views after I am done, but a concerning precedent is being set; it really is. I know that the so-called progressive, tolerant left—not so tolerant in this case, of course—likes to convince itself

that all the various groups that make up its little intersectional alliances are somehow aligned on its progressive views on gender and sexuality. That is not the case, of course. Members will be reminded, I am sure they have not forgotten, that in 2015, Indigenous elders Pepai Carroll and Yumina Ken presented a bark petition on behalf of 46 Indigenous communities urging the federal Parliament to oppose same-sex marriage. They are entitled to hold that view, of course. But will these Aboriginal groups, which have a traditional view of marriage, be refused grants? It is very easy for us to point to Margaret Court, who said some things that I would think, while not necessarily out of step with the mainstream Christian doctrine, were certainly expressed in a way that was offensive. It is easy to single her out and say that her views are incompatible with modern progressive ideals, but what about Aboriginal communities and Aboriginal groups? Will we single them out too and refuse them grants based on their views on same-sex marriage? What about Muslims? I mentioned them, too. They are of course entitled to their views.

I point members to an ABC article from 2017, titled, “Same-sex marriage: Why have Muslims been so quiet in the debate?” A gentleman by the name of Ali Kadri, a spokesman for the Islamic Council of Queensland said —

“Unfortunately, in the current climate, the right and conservative side has attacked Muslims as terrorists and extremists, and naturally the left side has been allies in defending us for a long period of time,” he said.

“We are afraid if we come out with our opinion —

He is referring to their opinion on same-sex marriage —

then the left may abandon us for going against their view and we can’t be friendly with the conservatives because they have been bashing us for 15, 20 years every chance they get ... and that includes some Christian sects as well.”

It is not just Pentecostal Christians and Margaret Court who hold these views on same-sex marriage; it is a large portion of the religious community—Christians, Jews, Muslims and other religions. The precedent being set is deeply concerning. It is a rather terrifying idea that a community grant program will now be gate-kept by progressive puritans conducting their own witch-hunt, their own inquisition, with all the dogmatic zealotry of years gone by applied to a progressive mindset, and that they will filter out grant applications, apply purity tests, and sweat people and grill them about their views on modern gender theory, same-sex marriage and the gender pay gap. Based on their answers to those questions, they may approve or reject a grant. That is a disgusting view, and it is not a tolerant or inclusive policy to implement. I find it rather funny that apparently the reason that Lotterywest has refused this grant is that it likes to think of itself as an organisation with a commitment to equality and inclusion. How does it remain committed to equality and inclusion when its actions are to exclude a large portion of the community—that is, religious people with a view on same-sex marriage?

I found it rather funny when the Minister for Regional Development gave us the government’s view, which was a glowing endorsement of the board’s decision. That was not really much of a surprise, considering the Labor Party stacked the board with its own political hacks, including people like Jim McGinty. Talk about nepotism and jobs for the boys: “Don’t worry, former MPs, we’ll put you on the board —

Point of Order

Hon PIERRE YANG: I have been listening to the honourable member’s contribution. I note that standing order 43, “Reference to Other Members”, states —

A Member shall only refer to other Members by their title of office or their name.

I understand that Hon Jim McGinty has retired from Parliament; however, I take exception to this member referring to Hon Jim McGinty as a political hack. I ask for your guidance, Madam President.

The PRESIDENT: There is no point of order. The member will find, when he has been here for a while, that those terms, sadly, get used frequently across the chamber. Although Hon Jim McGinty is regarded as, and has deserved the title of “honourable” as a result of being a minister in the other place, I do not think that is a title he would expect to use on a daily basis. There is no point of order on this occasion.

Debate Resumed

Hon AARON STONEHOUSE: I will of course try to use his correct title and honorific, although I have many more prerogatives if the government Whip would like to hear them!

Back to the point, I find it interesting that the Minister for Regional Development said that the various statements Mrs Court made in public were deeply hurtful. Actually, I am not so sure that they were public. I think giving a sermon to a church is not necessarily intended for broadcast out to the wider LGBT community. Nevertheless, these comments made their way into the public arena and the minister said that they were deeply hurtful. It is absurd and insane to say that to engage in a particular act is sinful or ungodly or hurtful and harmful to a group of people. A long list of things are considered sins and ungodly, which I am sure many of us engage in on a daily basis, but people do not take offence at. I will give an example. I am not a practising Muslim. I do not know for certain, but I assume the Muslim view is that I would probably be bound for hell as somebody who does not practise that way of life and prescribe to that faith. I am not offended by that view, of course. Why would I be? I do not believe in

that particular religion or that religious doctrine or beliefs. How could I possibly be offended by something like that? It is almost insulting to think that people of the LGBT community are so fragile that the comments of one lady at her church are somehow a threat to their wellbeing. I would suggest that perhaps LGBT people have better things to do than run around looking at what Margaret Court's views are on their lifestyle choices. I think that is rather ridiculous. If the test we are going to apply is, "Has a grant applicant said something that may hurt somebody else's feelings or may make them upset?", that is an insane and completely subjective test to apply. It is not an inclusive test. Is the concern here that Lotterywest needs to be internally consistent with its grants applications: it supports Pride; that is okay; that is fine; no problem with that; therefore, it cannot support Margaret Court's organisation, with its views on traditional marriage? If so, how on earth does it give grants to the archbishop of the Roman Catholic Church and also give grants to various Muslim organisations or various non-religious organisations, Jewish organisations and various other Christian denominations—Protestants, Orthodox?

There is obviously no problem with giving out grants to various groups that have competing, differing or contrary views. This is quite clearly, firstly, a political hit job. Margaret Court is out of favour with the progressive elite. The progressive elite controls the Lotterywest board, so it will punish her for her wrongthink and for her controversial views—views, I might remind members, that were rather mainstream two or three decades ago. Secondly, it is more than politicisation; it is the weaponisation of a non-partisan institution to carry out the political will of the Labor Party of Western Australia. That is disgusting.

We passed a bill here months ago to protect Lotterywest from encroachment from competition from Lottoland. We did that to secure that institution, Lotterywest, to keep it preserved so it could continue doing its work in the community. I opposed that bill, and I am glad that I did. It is interesting that after the Parliament moved to protect that institution, it is now politicised.

HON PIERRE YANG (South Metropolitan) [11.04 am]: I want to make a very short contribution. If anyone was playing politics with government organisations, it was the former Barnett government. There were countless examples of the Barnett government trying to politicise government funding and grants to its advantage. I am not going to address the ridiculous argument that the Leader of the Opposition has put forward, targeting an independent government organisation, which has an independent board and conducts its own assessments. I want to stand up for the LGBTI community. The arguments we have heard from the right today are dinosaur views from the nineteenth century. They are ridiculous and they have no place in a twenty-first century Australia. I am proud to be a Catholic. I am proud to hear that the Pope has given his views on these issues. I am sick and tired of hearing people bashing the LGBTI community. It is totally disgusting. These views do not belong in this day and age. It is not right for people who put forward these views about the LGBTI community to say that people will not be offended by them. It is just not right. Words can be hurtful and harmful. People are demonising a community and they should be very careful with what they say. People have views, and they are entitled to their views. That is fine; we live in a democracy. However, it is not right to portray a community in such a way. People in leadership positions who have a congregation, if I heard correctly, 4 000 members —

Hon Peter Collier: No; they assist 4 000 members a week.

Hon PIERRE YANG: Could the Leader of the Opposition help me—how many people are in her congregation?

Hon Peter Collier: I have no idea; I do not go to the church. That is not the point.

Hon PIERRE YANG: It is exactly the point I am talking about. I am talking about the narrative that people are portraying about a community. People listen to their leaders. People can be influenced by their leaders. If the views being portrayed about a community are "ungodly" and all this rubbish put forward by certain people against the LGBTI community, I must say that I do not agree. I think the views I heard put by the right today are totally obscene and unbecoming.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [11.07 am]: I wholeheartedly support the motion. Frankly, the position we have heard from the Minister for Regional Development and from Hon Pierre Yang, and the little thought bubbles from Hon Darren West across the chamber, highlight the problem. Apparently, people are entitled to any view they like in this free community under this Labor government, as long as it agrees with the Labor Party's view. If people do not share the same view, if they want to get money out of an independent organisation, a statutory authority, using public funds, supposedly for good works within the bounds of its legislation, it is okay for the board to assume a role of support for government policy, support for government objectives and support for the political fashion of the time, but if you do not like that, change your views! Then, public money can be given to those members of the public who have contributed to that fund. As long as views accord with what the government and its stacked board thinks is all right, that is fine. We also have the pretence of the board being independent with maximum deniability. The Premier can say, "I've got nothing to do with that. Don't ask me. Go and ask someone else." Let us look at who is on the board—that is, Hon Jim McGinty. We know his position on things. Recently, there was a debate about the Corruption and Crime Commission and about the independence of the Joint Standing Committee on the Corruption and Crime Commission in making nominations to the government about who ought to be the next Corruption and Crime Commissioner. What did he say about it? He said that that parliamentary committee ought to take direction from the leader of the government

and the Leader of the Opposition. He said that it was a travesty that it should come to its own independent position and that it should be taking direction. The travesty is that under his legislation he set up a parliamentary committee that is, apparently, just going to follow the directions of its leaders. That is the travesty, and that is the same sort of thing that is happening under this government. We have seen it before. We saw it during the Burke years. There was the pretence of independence, but not the fact. It is all a question of who is put on these boards and who is appointed. That process is now being overridden for the CCC by the very idea that the Labor Party and the Attorney General have preselected the previous commissioner, Hon John McKechnie, as being the Labor candidate after the next election. They have preselected him for the seat of Corruption and Crime Commissioner.

Hon Darren West: You appointed him!

Hon MICHAEL MISCHIN: We did! We followed a process and we respected that process. We did not nominate someone and try to change the law to have that person appointed. Do not try that one on, Hon Darren West! There was a process and we respected it.

That is not the first time that we have seen the politicisation of institutions here. It happened right from the very beginning. Amber-Jade Sanderson was appointed as the Parliamentary Secretary of the Cabinet.

Hon Pierre Yang: The honourable!

Hon MICHAEL MISCHIN: She is not “the honourable”. Keep up!

She was appointed as cabinet secretary. After the Burke years, the Commission on Government recommended against that. It recommended that not a politician, but a public servant be appointed to that position. Even former Premier Geoff Gallop supported that recommendation.

Hon Darren West: The Court government had a cabinet secretary.

Hon MICHAEL MISCHIN: That is right. That was the last time. Even Geoff Gallop supported that recommendation. What is the first thing that Premier McGowan did? He appointed someone, gave them a pay rise, put them in that position and threw away that recommendation. That was politicisation of that position.

I refer to the appointment of the Governor. I have no criticism of His Excellency the Governor Hon Kim Beazley as a person or for the way he has conducted himself, but the fact remains that 70 years of convention was just kicked out the door and ignored. However members opposite dress it up, he is a Labor Party member—or he was up until his appointment—he was the friend and mentor of the Premier, and his daughter is politically active. So much for independence! The Premier absolutely destroyed the very concept and disregarded those conventions simply to give a job to someone he believes he owes a favour to.

Let us look at the way one of the industrial relations commissioners was appointed. I appointed some commissioners during my time as Minister for Commerce. What I did was unique and I thought that it would set a standard—that is, I advertised. I set out the job description, the job requirements and the key performance indicators for that position. I left it open for anyone to apply. I had applicants writing in from the unions and others. People were assessed independently and appointed. What did this minister do when he got into office? He appointed Toni Walkington, the head of a union. She was very quiet at the time about what the government had been doing to the public sector and she got a reward. When I asked questions about what process had been followed, the minister said that he had followed the process under the act; namely, he nominated someone and appointed them. He did not advertise, or set out any job description or expectations. When I asked questions, his explanation was that he thought it needed a union member. So much for a lack of politicisation! There is another institution gone.

I refer to the Lotterywest issue. I entirely endorse the comments that have been made by Hon Aaron Stonehouse about the precedent that it sets. I entirely support the motion before us. This sets a dangerous precedent. It now appears that Lotterywest is an arm of government. It now appears, worse than that, that under the pretence of being independent, Lotterywest will decide what is acceptable and not acceptable to the public. I would like to know how many organisations have expressed views contrary to the views that Hon Darren West, the minister and the government find acceptable but, nevertheless, received grants from Lotterywest. The principle at the moment seems to be that organisations can hold whatever views they like, but they have to be quiet about them because if the government notices, that organisation can forget about getting any money out of this independent organisation that should be looking at the merits of the case. No doubt I, Hon Aaron Stonehouse and others have said something today that will put us in the bad books. We can forget about trying to support an organisation for a grant from Lotterywest because it will look at it to see whether it has taken offence at it. I now have absolutely no confidence that it will operate in accordance with its charter and responsibility. It is all the fault of this government because this government likes maximum deniability. It sets up boards to run these organisations and then says, “Don’t look at us. Ask them!” How do we ask them? The government says that is not its problem. This is not the only institution that this government has facilitated in its politicisation. It appointed that board.

Instead of the government coming out and saying that it does not agree that that is a legitimate criterion for denying an organisation funds to do good work, and although it does not endorse that organisation’s views, Lotterywest ought to work towards its charter and maximise the use of the funds that the public has contributed to its coffers in a way that will benefit members of the community, it jumps up and defends its idea of how Lotterywest ought to have regard

to an irrelevant consideration in accordance with its legislation and its charter—namely, the views that some or one member of that organisation has expressed. That is the precedent. It appears that in the future, Lotterywest will be entitled to check out who speaks on behalf of any community organisation and if it does not like what they say, the organisation can forget about the worthy cause that it supports. Quite frankly, for Hon Darren West to support that is a disgrace. He said it should change its views! That is the message that this government is sending out. Mind you, he is, after all, a parliamentary secretary, although he had his phone taken away from him once because he expressed views that the government could not abide. That is a disgrace!

HON SIMON O'BRIEN (South Metropolitan) [11.17 am]: The honourable Leader of the Opposition is well motivated in bringing this motion to the chamber. He made his case very well. I want to respond to some of the government's response to this motion and to call it out for some of its gross failures.

Firstly, it was suggested that the honourable Leader of the Opposition was quoting selectively. That is absolutely false. He was, in fact, quoting fully and in context from documents relating to transcripts of live radio interviews. I listened very closely to what the member had to say. The record will show that he did not engage in a process of disingenuousness in any way shape or form. In contrast, and with due respect to the member, I would say that the government has failed in a number of ways on this occasion. The government had the opportunity today to say, "No, we do not stand for politicisation of institutions. No, we do not stand for people being victimised because someone did not like something they said, or because someone in a position of power or a position to withhold funds decides to victimise someone. We do not stand for that." It did not do that. The minister got up today and, in effect, doubled down on the government's position, defending it as an appropriate use of power and influence.

Several members interjected.

The PRESIDENT: Order!

Hon SIMON O'BRIEN: Indeed, if that remark was picked up by Hansard, the Leader of the Opposition quite clearly did not rely on any such argument.

The honourable minister even quoted the Pope. I would suggest that she misquoted her presentation of Pope Francis's edict that was apparently issued the other day. He was not talking about endorsing same-sex marriage; he was in fact saying that we need to accommodate people in all sorts of family circumstances through civil arrangements, but that is not the point. The point is whether people should be victimised and whether whole charities should be victimised in the most specific case of Lotterywest grant applications, and apparently it is the government's view that yes, indeed, they should be. We now have that on the record. As I say, the government actually doubled down on this view today. That is to its very significant discredit. It is not about what someone might have said in temperate or intemperate terms from the pulpit or when doorstopped by interviewers trying to ambush her. No; it is about an application from an organisation seeking funds I think on this occasion to obtain a refrigerated vehicle to help in the distribution of foodstuff to the needy. That is, without any sense of a pun, bread and butter for a worthy charity that deserves Lotterywest support.

I do not know where this is going to end. The other day, I conveyed privately to you, Madam President, that I had a number of Lotto numbers come up on Saturday. I have been investing in Lotto products, as they are called, every Saturday for a very long time. In fact, one of my numbers is 31. That was my age when I first started buying tickets. A few numbers came up the other night, and, as far as I can see, even though I am a registered player, I have not seen any dividend, massive or otherwise, credited to my account. Is there now a cloud hanging over me because of the views that I express, and I am not a worthy recipient of Lotterywest funds? A dividend of \$24.60 may not seem big to a lot of people, but it is the principle.

Jokes aside, the principle here is very clear. It is well articulated by the Leader of the Opposition, and it is very much to the discredit of the government that it has chosen to deliberately deny the truth of the assertions of the Leader of the Opposition in moving this motion. I think it stands to its very grave discredit.

HON DARREN WEST (Agricultural — Parliamentary Secretary) [11.23 am]: In the dying seconds, I rise to show my absolute support for Lotterywest and the great work it does in the community. We are the only state that retains its lottery, and so we should. We should never outsource or privatise Lotterywest. Everywhere I go across the Agricultural Region, I see that it delivers much-needed funding to worthy community groups. I support Lotterywest and its board and I support its stance on this. I do not agree with the motion or the premise put.

Motion lapsed, pursuant to standing orders.

PAY-ROLL TAX RELIEF (COVID-19 RESPONSE) AMENDMENT BILL 2020

Time Limits — Statement by Minister for Environment

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [11.24 am]: I advise the house that the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020 is a COVID-19-related bill. Accordingly, the Leader of the House has consulted with the party leaders. Pursuant to the temporary order made on 31 March 2020, I advise that the maximum time limits for each stage of the bill are: second reading, 60 minutes; Committee of the Whole, zero minutes; and third reading, zero minutes. By way of further explanation, no party has sought a committee or third reading stage of the bill.

Second Reading

Resumed from 15 October.

HON DR STEVE THOMAS (South West) [11.25 am]: I rise to make some brief comments on the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020. I struggle to see that we will make the full 60 minutes of debate, but we will see how we go. My contribution will be relatively short.

This is a bill of four clauses. If we take out the short title, the commencement and the definition of which act is to be amended, it is effectively one clause, and it is a very simple clause that shifts the time in which the government can make changes under the Pay-roll Tax Relief (COVID-19 Response) Act 2020 that was enacted earlier this year from April 2021 to April 2022.

If I was a cynic, I might say that it is interesting that the date is being moved from just after the state election to a full year after that, but I fail to see how the government will get any particular benefit out of the shifting of that date. I think it is a fairly sensible amendment. Effectively, under the original bill, we put in a four-month waiver of payroll tax for businesses with wages under \$7.5 million. The minister may not be able to provide the information in his second reading response, but one thing I would ask is: do we have a measure of precisely how much that waiver has cost the government in revenue and what level we are up to? That would be an interesting piece of information to have, if the minister can provide that. If the minister is unable to provide that during the second reading reply, perhaps he can provide it at some future time. I would be very interested to hear that. Given that this bill provides a lessening of the burden of payroll tax, and it certainly is a burden on businesses, I would like to know how much we invested in that as part of the COVID response.

I also ask the minister in his second reading response to reassure the house that the extension of the powers of the bill for another year do not give the government a particular ability to make significant changes to the payroll tax regime. I ask the minister to give us a quick run-through—hopefully he was planning to do this anyway—of changes that were made under this particular part of the original bill. In passing that bill, we gave the government the capacity to make changes without the need to pass new legislation. I ask the minister to inform the house what use has been made of that. There is an example of that in the explanatory memorandum, whereby those powers were used to extend the exemption for wages for the JobKeeper scheme until 28 March 2021 in line with the extension of JobKeeper by the federal government. I do not know whether the minister has any inside information about how far JobKeeper might be extended beyond 28 March 2021 and whether it might actually be around for a bit longer than we thought. I suspect there is some risk of that. If the borders do not keep the COVID virus out of the eastern states in particular, we might find that JobKeeper is actually around for a longer period. I do not imagine the minister has any inside information on that, but I would be interested to find out.

Those are the only significant issues with this bill. The opposition supports the intent to give the government an extra 12 months to make any changes as it sees fit, as long as, again, we get an undertaking from the minister in his response that those changes will be reported to the house in an appropriate and timely manner. Can the minister provide a suggestion of the changes that have been made or whether any changes are expected? Obviously, cabinet-in-confidence might prevent the minister from detailing for us any reserve or backup plans that might be in place, but I ask him to put on the record at this point that there are no intended changes and that this will give the government capacity if something significantly changes in the COVID environment. If we get answers to those questions, I certainly see no need to go into Committee of the Whole on the bill to go into detail on four clauses, which effectively would really be one clause. The answers to those questions are important.

I will finish on these remarks. Obviously, the future of COVID is a relatively unknown issue. I make the point that I have made frequently elsewhere: Australia, as an island, has done reasonably well to manage its COVID exposure and outbreaks, notwithstanding some hotel issues in Victoria. Victoria's numbers are down to a level now at which it looks as though it has it significantly under control. Most of the other states have a record that is at least the equivalent of that in Western Australia, which has managed to keep the spread down to effectively zero, picking up only those few cases that come in from international quarters. It has been a good response from all states in Australia generally, with a couple of hiccups in Victoria. As I have said repeatedly, as we have a hard border that is effective, we obviously have a high-risk community within that hard border and a huge risk that sits outside that border, and at some point those borders will have to become more porous. I do not think we can have an island within an island within the globe that stays that way forever. The optimism about a vaccine notwithstanding, this looks as though it might take longer than most people think.

This is a stopgap measure extension, effectively. The opposition supports it being in place. I am always delighted to stand and debate a bill that reduces the impost of payroll tax—a tax on jobs. It is a pleasure on behalf of the opposition to say that we will give the government that leeway to make sure that if it feels the need to reduce the burden of payroll tax for an extra 12 months, we will be immensely supportive of it.

HON RICK MAZZA (Agricultural) [11.32 am]: I rise to make a couple of comments on the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020. At the outset, I say that I also support the bill and I will not need to go into Committee of the Whole. The bill will effectively extend the sunset clause from April 2021 to April 2022

to provide some payroll tax relief for small businesses that have a turnover of less than \$7.5 million. This highlights that payroll tax is a drag on business. The reason this waiver is being given for businesses with a payroll of less than \$7.5 million—I am not quite sure where that figure came from, but obviously it is for small to medium-sized businesses—is that obviously some significant burden is being carried in having to pay payroll tax. This relief is being given to try to stimulate those businesses in a post-COVID environment.

It is interesting to note that the four-month payroll tax waiver that we have had so far has exceeded expectations by \$30 million; \$195 million has been waived when the expectation was \$165 million. The provision to not include the JobKeeper scheme in the wages will be extended to March 2021. As Hon Dr Steve Thomas pointed out, JobKeeper could be with us for some time, so maybe that could be considered at a later date.

The issues that we have had to deal with because of COVID-19 highlight some of these taxes and the effect they have on the economy. That has been sensitised by the COVID-19 pandemic. Certainly, with the opportunity that is before us, there could be some scope for reform of taxes, particularly how they impact on businesses.

I support the bill. I am sure that it will sail through pretty quickly. As I say, hopefully, there will be some scope for further reform as time goes on.

HON DIANE EVERS (South West) [11.35 am]: Like other members, I do not have too much to say on the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020. On behalf of the Greens, I will give the background. In April this year, Parliament passed the Pay-roll Tax Relief (COVID-19 Response) Bill 2020. It was not a controversial bill. No party opposed it and it went through quite easily. This act delivered exemptions from payroll tax for the purpose of alleviating the economic impacts of COVID-19, such as the four-month exemption period for employers who have a payroll of under \$7.5 million and the JobKeeper exemption. As JobKeeper has been extended and it is a federal issue, we have to play along with the federal government and watch what it does, so it makes good sense to extend these regulation-making powers.

The act contains a sunset clause that provides that the act will automatically expire on 21 April 2021, together with any regulations made under the act that are then in effect. It makes it imperative that we have something in place if we want to do anything after that time. Section 12 of the act is the sunset clause and it provides that the act is repealed. Section 2 provides that section 12 will not come into operation until the day after the period of 12 months beginning on the day after assent day. Assent day is 20 April 2020; therefore, the sunset is 21 April 2021, as I have said.

This bill, which will commence on the day after assent day, amends section 2 to provide that the automatic repeal contained in section 12 will come into operation on 21 April 2022; that is, this bill extends that sunset period by 12 months to 21 April 2022. The effect is that it extends the period for which relief can be granted via regulations if needed and it avoids the automatic cessation of regulations then in force until 21 April 2021. It does not extend the exemptions in the act, nor does it introduce new relief, so we will have to look at that again at that time.

The reason this bill is urgent is that the next state election will happen on 13 March, which means that there may not be time following the election for a new bill to be drafted, introduced, debated and dealt with by both houses and, if necessary, for new regulations to be made under it, all before the sunset of 21 April 2021 when the act would automatically be repealed. It is necessary that this bill gets through if we want the government to have the opportunity to extend the JobKeeper relief, if the JobKeeper scheme is extended past that time or if other issues arise during that time for which relief can be offered, as it was with the four-month exemption period for employers with a payroll of under \$7.5 million.

To understand where COVID is going, like everyone else, all we can do is look at the information we have been given. There are no crystal balls in this case. We are not going to figure it out and have an answer to it, so we have to be prepared and ready to deal with it as it comes up, just as other things may come up. This will give us an extra year, and in that time, hopefully, we will have a better idea of what the future holds.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [11.38 am] — in reply: I thank all members who have spoken this morning and indicated their support for the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020. I thank Hon Dr Steve Thomas, Hon Rick Mazza, who is away from the chamber on urgent parliamentary business, and Hon Diane Evers.

There were a couple of questions from Hon Dr Steve Thomas and I want to put the answers on the record. His first question was whether we know how much the payroll tax waiver has cost revenue. I am advised that the estimated cost of the four-month waiver was \$165 million and the actual cost as at 12 October—so, last week—is \$194.3 million, and it has benefited 7 765 taxpayers. It is a significant amount of money and also significant relief. Hon Dr Steve Thomas was looking for reassurance that the extension does not give the government capacity to make broad changes to payroll tax and he asked whether any other change is intended. Regulations were made to continue the payroll tax exemption for wages subsidised by the extended JobKeeper payment scheme until 28 March 2020, and that was it. A further question was asked about JobKeeper payments. Obviously, JobKeeper is the bailiwick of the federal government and I am advised that it has indicated that the JobKeeper scheme will not be extended again. I have no further information on whether that might change, but I would imagine that the issue will be monitored and that it could be changed again in the future.

Hon Rick Mazza asked for clarity about the waiver. The waiver for small to medium businesses was to run from March to June 2020. This bill does not extend that waiver or provide any new relief. It is just a mechanism to provide further COVID-19 relief if required in the future.

I am grateful for the support again of those honourable members. This legislation deserves to pass quickly. I commend the bill to the house.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Hon Stephen Dawson (Minister for Environment)**, and passed.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 21 October on the following motion moved by Hon Stephen Dawson (Minister for Environment) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 4389A–D (budget papers 2020–21) laid upon the table of the house on Thursday, 8 October 2020.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [11.42 am]: I seek leave to adjourn my comments to a later stage of this day's sitting.

[Leave granted for the member's speech to be continued at a later stage of the sitting.]

HON NICK GOIRAN (South Metropolitan) [11.43 am]: I rise to speak to the estimates of revenue and expenditure consolidated account estimates of 2020–21. This is the time of the year, albeit belatedly this year because of the COVID-19 pandemic, when each member has the opportunity, should they wish to do so, to give what is otherwise referred to as their budget speech. I have a large file here that consists of my notes and various source documents that I would like to utilise for the purposes of my budget speech today. However, perhaps for one of the first times, I have very little enthusiasm to give my budget speech or any speech today. The reason for that is that it seems very trite for us to be spending time dealing with the budget and the budget papers, as important as that is to the overall governance of Western Australia, when this week we learnt of an 11-year-old girl, a young girl in Western Australia, who felt that she had no option but to take her life. Whilst youth suicide is not a new issue in Western Australia at all, there is something somewhat chilling when one learns that the circumstances of that involve a young girl having been raped and the alleged perpetrator being held to account by police. The circumstances involved that person then being released by police, and then this young girl presumably felt that she had no other option but to take her life. I was asked by a journalist in the last 48 hours what my view was on this. The response I gave them was that I would simply ask every Western Australian to pause for a moment and consider what it must have been like for that 11-year-old girl.

I am a father of several beautiful daughters, all of whom are now older than 11 years of age, but I can remember quite vividly what it was like to be their father when they were 11 years old. They were in grade 6 at the time. It does not bear thinking about the idea that an 11-year-old girl would be sexually assaulted. It does not bear thinking about for very long at all, but for a person to feel that they have no other option available to them but to take their life is horrendous. That is the situation that we have learnt about in the last few days, so that is why I say that it feels a bit trite to be spending time poring over the budget papers and making various points, which we quite rightly do and should continue to do, and I support the ongoing provision of this opportunity for members to have this debate. But I ask myself the question: at what point in time are we going to start to take the child protection system seriously? I do not make that as a particular comment in respect of the current government administration. Members well know my view on the government's decision to collapse the Department for Child Protection and Family Support into the Department of Communities. That is not what I am talking about now. I am talking about far deeper, ingrained issues to do with the child protection system. It is of cold comfort to the family of this 11-year-old girl who is now deceased for the police yesterday to say, "Look, on reflection, we admit that we should have opposed bail." To the extent that I can be charitable and commend the Western Australia police about anything, at least they had the honesty yesterday to say that. They did not engage in a cover-up or try to defend what is plainly the indefensible. I at least commend them for that honesty yesterday.

However, as I say, it is cold comfort to the family of this 11-year-old girl who is no longer alive. It is for those reasons that I support the call made yesterday by the shadow Minister for Police for reform in this area. I would really like members to understand the gravity of it, which is why I will take a few moments to describe it now. Under the current system, the police determine whether they bring the person immediately before court for consideration of bail or whether they release the person. In other words, will they remand the person in custody temporarily until they appear before the court or will they release the person on bail? Imagine for a moment a scenario, as I understand happened in this case, in which the police—they would do this on a semi-routine basis—release the person on bail. Sometime in the next 72 hours that decision needs to be considered by the court. How do the police, who have just

decided sometime in the last 72 hours to release this person on bail, then appear before the court and make any case about whether the person should be remanded in custody? There is something wrong with our system there. At the very least, someone independent of the original decision needs to be the person who appears before the court and perhaps says, “With all due respect to the police, they decided to release his person on bail, but we’ve had a look at this case and we insist that the person be remanded.” There is a systemic problem here. This 11-year-old girl’s life has to be worth something; it should be worth more than a reform to the bail system—it should be worth so much more than that. We cannot quantify that, but we can do something about changes to the bail system.

This year, we have been dealing with COVID-19 bills, and this chamber has routinely agreed to make certain bills COVID-19 urgent and toss away our standing orders and normal practices to deal with matters instantly. We just had a bill to do with payroll that was dealt with in that fashion moments ago. We dropped everything, we made sure that people had only a certain amount of time to speak and it passed—it flew through the chamber. That has happened on multiple occasions this year. I cannot say that changes to the Bail Act are COVID-19 urgent, because it has nothing to do with COVID-19, but I can say that it is urgent. I, of all people, am not suggesting that the government should just bring in any old piece of legislation and that it should not be subjected to scrutiny—of course it should be. The proper parliamentary processes should be followed, but my point is this: governments, whether it is this government or any other government of any other persuasion, have the capacity to draft bills at short notice when they want to. They have that capacity. We have seen it time and time again. It was good enough for the government to, quite literally, drop everything and tell parliamentary counsel to drop everything so that it could deal with what it considered to be an urgent matter with Mr Palmer. Members will recall that we were here quite late at night dealing with one of those so-called urgent bills. Extraordinary measures were taken at the time—so extraordinary that they are now being litigated in courts around Australia. Whatever we think about the merits of that matter, the point is that the government had the capacity and the will to drop everything and make sure that happened. Does this government have the same desire and appetite to do something about this matter? Again, those who want to play silly games will say that this is terrible and we are politicising this debate. Hear my heart in this matter: I have no interest in politicising the death of this 11-year-old girl. I am saying that we need to do something about this. It is not an option simply to say that we think the bail system is fine. It is not fine. This case proves that it is not fine, so some reform is needed—some reform is needed urgently. There are still a few scheduled sitting weeks left between now and the end of the year. There is a capacity by this government to do something about this issue if it wants to. I do not know what discussions are taking place in government, but I ask that it gives this urgent consideration.

As I say, I prepared a speech about today’s budget papers, and I will embark on that momentarily. Some of the matters that I raise will be highly political, and the tone of my contribution will be entirely different from what it has been for almost the last 12 minutes, but I start with this matter so it is understood by members of the government and throughout the chamber, irrespective of which political party they sit in, because we all have some capacity to advocate on this issue. A backbencher in government has the capacity to knock on the door of the ministers and say that something needs to happen here. A minister in the cabinet for whom this is not their portfolio has the opportunity to knock on the door of the Attorney General and say that something needs to be done. They have the opportunity to knock on the door of the Premier and say that something needs to be done. A member of the opposition has the opportunity to say something. A member of any of the other parties in this place has an opportunity. They have a voice, and I am asking them to use it with respect to this matter.

I turn to the budget. It is interesting that much of the notes that I had prepared for today pertain, perhaps unsurprisingly, to the issue of child protection and some of the systemic problems that have emerged and remain unaddressed. Indeed, last year when I had the opportunity to give my contribution to the budget debate, I had notes to talk about the issue that I will raise in a moment, but I ran out of time because I did not have unlimited time. I was required to conclude my budget contribution within 60 minutes. I was going to raise the matter of 27 Western Australian babies who were born alive but left to die. I was going to raise it in last year’s speech to shine a light on the secrecy that surrounds this matter and the systemic failings. When I went back to those notes from last year, it was interesting to see towards the end that I had intended to conclude my remarks on this point by saying that, thankfully, a coronal inquiry was underway. The purpose of my saying that was to express some hope about the oversight of the deaths of those 27 Western Australian babies. It is now more than a year later, and I can say to members that this situation has now descended into nothing but a sick joke in which the Office of the State Coroner is now implicated. By way of background information to members who are not familiar with this issue of the 27 Western Australian babies who were born alive and left to die, on 15 June 2017, a little over three years ago, it was revealed in our Parliament, in this chamber in fact, that, tragically, 27 babies were born alive but left to die. There was understandable outrage at the time in the middle of 2017, so much so that on 1 November 2017, I tabled a petition in this place signed by more than 7 000 concerned Western Australian citizens who were calling for an inquiry to investigate why and how these Western Australian babies were not given any medical care.

Some encouraging signs emerged. On 18 September 2018, following questions I asked the Leader of the House about a bill to amend the Coroners Act, it was revealed by the government that advice from the State Solicitor’s Office had stated that the deaths of those 27 Western Australian babies were, indeed, reportable deaths. It also confirmed that they had not been reported to the Western Australian State Coroner, as required under law.

The very next day, 19 September 2018—just over two years ago—I wrote to the State Coroner to report these deaths, and I have written to the State Coroner on several occasions over the last two years, requesting updates. In the estimates hearings that took place for the 2017–18 fiscal period, just after that time, I asked questions of the Department of Health and was reassured that the information that was requested by the State Coroner was being provided.

In summary, we have a situation in which it was revealed in Parliament that 27 Western Australian babies were born alive and left to die. It was confirmed that they were not reported to the State Coroner, despite the fact that under Western Australian law they were reportable deaths. I then reported the 27 deaths to the Western Australian State Coroner, and it was confirmed during estimates hearings by the Department of Health that it was providing the information required by the State Coroner.

On 3 April 2019, there were more encouraging signs with regard to the inquiry into these 27 Western Australian deaths. The Coroner’s Court replied to one of my pieces of correspondence and, at the end of that reply, thanked me for my inquiry and advised that it would keep me updated on its progress. I was encouraged to see that some momentum was building for the inquiry into the deaths of these 27 Western Australian babies.

I asked more questions at the estimates hearings for 2018–19. After hearing nothing further since that time, on 20 February this year I wrote to the State Coroner once again. A new principal registrar replied to my correspondence on 9 March and said that the details could not be released due to privacy and confidentiality. The following month, on 13 April, I again wrote to the State Coroner and, to paraphrase, I basically said, “For the avoidance of any doubt and any confusion, I am not requesting, nor have I ever, private and confidential details. I am, however, requesting an update on the current inquiry.” Remember, the Coroner’s Court wrote to me on 3 April last year and signed off by thanking me for my inquiry and advising that it would keep me updated on its progress. That is what I was asking for—an update on the progress.

On 20 May this year I received a reply from the Coroner’s Court that included the statement that it had in January 2020 made recommendations to the Department of Justice for legislative amendment of the Health (Miscellaneous Provisions) Act 1911, and that the details of those recommendations remained confidential. On 17 June this year I asked a question of the Leader of the House representing the Attorney General requesting a copy of those recommendations. Disappointingly—but perhaps unsurprisingly, despite the fact that the government promised, prior to the election, that it would adhere to a gold standard of transparency—my request was denied.

We have a situation in which 27 Western Australian babies were born alive and left to die, and it was left to me, after an extended time, to report the matter to the State Coroner because the Department of Health had failed to do so. The State Coroner took that inquiry on board and received information from the Department of Health. The Coroner’s Court said that it would continue to keep me updated. I then asked for an update, and all of a sudden these huge shields went up, preventing any further information being provided on the basis of confidentiality. But what was revealed through a little crack in that shield was that the Coroner’s Court had made recommendations to the Department of Justice for some form of law reform, but those recommendations apparently remain confidential. The genesis of those recommendations was the deaths of 27 Western Australian babies, born alive but left to die. When I asked the Leader of the House, on behalf of the Attorney General, about those recommendations by the State Coroner—an independent body for law reform in this area—the government said, “No, we’re not going to tell you.”

On 24 August this year, almost exactly two months ago today, I spoke on the phone to the acting director of the Magistrates Court and Tribunals, Mr Martin Jackson, as had been recommended to me by the State Coroner. The outcome of that conversation was that he suggested that I write again to the State Coroner, so I did, on 23 September. In that letter I said, in part, that it had been suggested that I phone Mr Martin Jackson, the acting director of the Magistrates Court and Tribunals and that I had spoken with him on 24 August. I said that as I was not seeking identifying details of the cases, he had recommended that I send my questions to the State Coroner. I asked, firstly, how many individual cases had been reported to the State Coroner by the Department of Health in April 2019; secondly, how many investigations had been finalised; and thirdly, what the process was for obtaining information about the outcomes of the finalised cases.

That brings me to the final response from the Coroner’s Court earlier this month, on 5 October 2020. This response must be one of the all-time poorest responses from an organisation that exists because of the law of Western Australia and is funded by the taxpayers of Western Australia. It was signed off by Kelly Niclair—the latest principal registrar at the Coroner’s Court of Western Australia—and included the comment that no cases had been reported to the State Coroner by the Department of Health in April 2019.

Why is that controversial? It is because my question to the State Coroner was: how many individual cases were reported to the State Coroner by the Department of Health in April 2019? The reply was that no cases had been reported to the State Coroner by the Department of Health in April 2019. As if I would ask a question of the State Coroner saying, “How many cases were reported to you in April 2019 with regard to this matter?” if there were going to be no cases? Why did I ask the State Coroner how many cases were reported in 2019? Why would I do that? The answer to that question is that the Coroner’s Court of Western Australia wrote to me on 20 May and said that the individual cases had, in fact, been reported to the State Coroner by the Department of Health in April 2019.

The geniuses in the Coroner's Court of Western Australia wrote to me on 20 May 2020 saying that the Department of Health had reported these individual cases in April 2019. That is what the Coroner's Court wrote in its letter to me on 20 May this year. Come 5 October 2020, and suddenly, the smart alects at the Coroner's Court of Western Australia write back and say that no cases were reported to the State Coroner by the Department of Health in April 2019. Get your act together, Coroner's Court of Western Australia! This is an inquiry into the death of 27 Western Australian babies who were born alive and left to die, which I have been pursuing for years and which resulted in more than 7 000 signatures on a petition and a revelation that the Department of Health had for years systemically failed to report these reportable deaths. Under multiple governments, the Department of Health breached the law of Western Australia. It was supposed to report these reportable deaths; it failed to do so. The only reason it ever happened is because this government decided to bring in the Coroners Amendment Bill 2017, and under cross-examination from me, the Leader of the House revealed that in actual fact, this should have been done. The following day I had to report it to the Coroner's Court. For the Coroner's Court to pretend that no cases were reported in April 2019, despite the fact that in its own correspondence in May this year it said the exact opposite, is beyond exasperating. However, the situation is worse than that, because in this letter dated 5 October 2020 by Kelly Niclair, principal registrar of the Coroner's Court of Western Australia, she said that the number of investigations finalised is confidential and cannot be disclosed.

Twenty-seven Western Australian babies were born alive and left to die. It is being investigated by the Coroner's Court and this month the principal registrar in the Coroner's office said that the number of investigations finalised is confidential and cannot be disclosed. That is gold-class accountability by the Coroner's Court of Western Australia! Yesterday, one of the ministers tabled the 2019–20 annual report for the Office of the State Coroner for Western Australia. This is one of the accountability mechanisms. It includes a range of data and the like, reporting on the performance of the State Coroner of Western Australia. But apparently, earlier this month, the principal registrar said that the number of investigations finalised is confidential and cannot be disclosed. What rubbish. Why would the number of investigations the Coroner's Court has finalised be confidential? Would not members of this place, who have some responsibility to scrutinise the budget and the resources that are being provided to the state Coroner's Court, want to know whether there is a backlog? "The number of investigations finalised is confidential". Why is it confidential? Twenty-seven Western Australian babies were born alive and left to die. The Coroner's Court is looking into it; it should tell us whether it has finalised the investigations or not. It might not have finalised them, and there could be very good reasons for it, but to suggest that the number it has finalised is confidential and cannot be disclosed is shameful. The principal registrar of the Coroner's Court, Kelly Niclair, probably regrets that she ever wrote this disgraceful letter earlier this month. She finished her letter of 5 October 2020 by saying that the outcomes of finalised cases are confidential and cannot be disclosed. The Coroner's Court is keeping everything secret.

Apart from the fact that this is a very serious issue, in a First World place like Western Australia with our first-class medical facilities, we cannot have a situation in which 27 Western Australian babies can be born alive and left to die. We cannot have that for starters, but if there is ever a situation in which that happens, clearly it needs to be investigated. Clearly, there needs to be some explanation of how some Western Australians are receiving a different level of health care from other Western Australians. Clearly, an investigation is needed, and that investigation should be open and transparent. It does not need to give details of individuals; no-one is interested in getting behind the privacy and confidentiality of individuals. We are interested in law reform and in actual fact we know that the Coroner's Court has made some recommendations to the Attorney General of Western Australia, but this information is being hidden by this government. The government that set a gold standard of transparency is being aided and abetted by the office of the State Coroner of Western Australia. That is shameful.

I am absolutely disgusted that after all this time the death of these 27 Western Australian babies is being covered up to this extent. This government has the opportunity to take its foot off the hose and release the information and the State Coroner has the opportunity to do it, but they are in cahoots. What has made this whole situation worse, and I do not know whether it is necessarily the McGowan government's fault or the Coroner's office's fault, but one or both of them are responsible for this. The annual report was tabled in this house on Tuesday. The significance of the timing is that it prevents members of this chamber from being able to ask questions during the annual report process that is being embarked upon the Standing Committee on Estimates and Financial Operations. Why? It is because the Standing Committee on Estimates and Financial Operations determined—I do not say this to be critical of it—that questions must be lodged in the system by the end of last week. We cannot ask questions about an annual report by Friday last week if the government and the State Coroner only tabled the report this week. That is absurd. I was not here at the start of formal business today; I was away on urgent parliamentary business, dealing with a briefing on a matter under my commerce portfolio. I do not know, but I assume that the Standing Committee on Estimates and Financial Operations has revealed the timetable for its upcoming estimates and annual report hearings. I do not know whether that has happened.

Several members interjected.

Hon NICK GOIRAN: I am grateful to the honourable members for the interjection to confirm that that has not happened. If that has not happened, that is a good thing, because it gives the committee an opportunity to call in

the State Coroner for a hearing. The members of that committee should call in this agency, because it is absurd to have a State Coroner involved in a cover-up of information with the McGowan government, and absurd to have a system that prevents members from asking questions about it, because the deadline has passed and it would be made all the worse if it is not one of the agencies that is called. I understand that the Standing Committee on Estimates and Financial Operations, during the one week that will be assigned for these hearings, has limited capacity to call the plethora of agencies and departments that could be brought in. I do understand that. It needs to be selective and it needs to prioritise who it calls. I ask the members of the Standing Committee on Estimates and Financial Operations: could this case be worthy of investigation when 27 Western Australian babies were born alive and left to die? The Department of Health broke the law; it did not report those deaths despite the fact that the government subsequently conceded that they should have been reported. It took me to report it before there was any investigation, and now the coroner's office is saying different things from what it said earlier in the year.

The Office of the State Coroner for Western Australia previously said that it would provide updates, but now it says that it will not provide any updates. It said that it has provided some law reform recommendations to the government. Neither the Office of the State Coroner nor the government will provide that information. The Office of the State Coroner tabled its annual report late. Incidentally, it is supposed to be tabled by 30 September, as I understand it, but the Office of the State Coroner and the McGowan government thumb their nose at the law. They say, "We don't care if it needs to be done by 30 September; we'll just do it in the middle of October or late October." The significance of those three weeks is neither here nor there to me ordinarily, but it is very significant if it prevents members from being able to scrutinise the work of the Office of the State Coroner, not over some trivial matter, but the death of 27 Western Australian babies.

As I said in my more temperate remarks at the start of this speech, I remind members that we are all—I know all members will feel this way—saddened by the reported death this week of an 11-year-old girl. We are right to be sad about that. We should be sad about the death of those 27 Western Australian babies just as much as we should with respect to this girl. The deaths of children in Western Australia must be investigated; they cannot be covered up in any way. We cannot have that happen. I call upon the Standing Committee on Estimates and Financial Operations to make sure that it calls in the State Coroner for the annual report hearings. I cannot do any more than that.

I return to further issues that have been revealed in recent times with respect to child protection. What has also been revealed over the course of the last week or two, courtesy of some proper, competent investigative journalism at WAtoday, is that the department—remember this is the mega Department of Communities—knowingly put a male with a history of sexual assault allegations in the same group home as a younger girl who had suffered previous child sexual abuse. This decision by the department resulted in this girl being sexually abused once again. I hasten to add that what I am talking about now is a different case from the 11-year-old girl I spoke about earlier. Since that time, I have asked some questions of the government about this and the response, as is routinely the case, is that the government will say, "We can't comment about individual cases." It can comment. What it cannot do is provide information that might lead to the revelation of the identity of the child in care. The government can certainly be accountable for its actions and decisions; there is no problem with that. It is constantly putting up these massive shields to prevent any possible accountability. These huge shields are the complete opposite of gold-standard transparency. That is appalling. It is not some trivial matter; it relates to a young Western Australian girl who was put into a group home with a person who the department knew had a history of sexual assault allegations. An older male with a history of sexual assault allegations was in the same group home as this young girl. The department was told about the risk but it decided to take the risk anyway, and this girl was sexually abused once again.

Answers need to be given about this matter. These are basic matters of child protection that warrant accountable responses. What cannot reasonably occur is for the government to just routinely trot out the line, "We can't provide any comment about individual cases." What happens as a result of that is that nothing changes. Before we know it, an 11-year-old girl has taken her life because of systemic problems in Western Australia. Every time a problem emerges, irrespective of who is in government, the department presumably keeps advising the relevant Minister for Child Protection, whoever that might be, "Don't respond to this, minister; just say we can't respond to individual cases", and so nothing changes. It may be wonderful for some people in the department to feel that they can put up this enormous shield and never be held to account for this, but while they play these accountability and transparency games, people actually die and young people continue to be sexually abused. If the Department for Child Protection and Family Support cannot authentically engage in the protection of vulnerable Western Australians with respect to sexual assault and the taking of life, there is no point in having a department for child protection. Let us get rid of it. Let us get rid of the Minister for Child Protection because at that point in time we will have completely conceded that we have vacated this space. Somebody in government needs to provide an explanation about what they knew with respect to this older male being placed in the same group home as a younger female, which led to her being sexually abused once again.

On 22 September this year, exactly a month ago today, I asked this question on notice of the Leader of the House representing the Minister for Child Protection. My question commenced —

I refer to children who were not in care, but had been hospitalised or had died after the Department had received a child protection notification about them in the previous 12 months ...

The department knows about the child because it had been notified. Somebody said “red alert” to the Department for Child Protection and Family Support. This is a child who was then hospitalised or died, but they were not a child that had been taken into care by the department. I was asking questions in respect of that cohort: children in Western Australia who had died or been hospitalised. I asked the minister —

- (a) since 2019, on how many occasions did this occur where the Department had not yet completed an investigation; and
- (b) since 2019, on how many occasions did this occur where the investigation had been completed but a decision had been made to not bring the child into care?

I got this longwinded response from the government on 20 October, two days ago. I will not read it all to members now because time is ticking; I will read the most relevant aspect of the response. Interestingly, I have a copy of the actual answer that was signed by the minister. It has Hon Simone McGurk’s signature at the bottom of this. It states —

In the 2019–2020 financial year, the Department of Communities has received notifications of 31 cases that met the criteria for an investigable child death.

It goes on to say later —

In order to obtain detailed information related to Communities involvement with each of the investigable child deaths, the Department of Communities would need to conduct a manual search of individual personal case files. Once again, this would take significant time and effort and it would be unreasonable to apply operational resources to undertake this task.

Let me translate that. It means that the Minister for Child Protection has decided that it would require too much “time and effort”. Those are not my words. Those are the minister’s words in this response. She has decided that it would require too much time and effort to have somebody in the department pick up 31 files. According to this Minister for Child Protection, it would require too much time and effort for somebody in the department to do that. The people of Western Australia give significant resources to the Department of Communities, which the former Department for Child Protection and Family Support has been absorbed into, but even with that massive amount of resources provided by the taxpayer, it apparently would require too much time and effort for somebody to pick up 31 files of 31 Western Australian children who died to find out whether the investigation the department was looking into had been completed or whether the investigation had been completed and it had been decided not to take the child into care. There is no accountability here. I did not ask, and I am not asking, the minister to open up the files of the more than 5 000 children who are in care in Western Australia to get to the bottom of this question. It is 31 files. Members will make a judgement call on that. Do they think that it is asking too much of the Minister for Child Protection in Western Australia, whoever it is? Forget that it is Hon Simone McGurk; it does not matter who the minister is. It is the principle here that is important. Is it too much to ask whoever the Minister for Child Protection is to ask their department to pick up 31 files and look into this serious matter? What are the 31 files all about? They are about 31 Western Australians who have died—31 children in Western Australia who have died. It is too much time and effort, according to Minister McGurk. It is not too much time and effort. It is entirely appropriate. Whatever time and effort is required should be undertaken and it should be done urgently.

I hope that the Standing Committee on Estimates and Financial Operations calls the Department of Communities, particularly those staff members who are responsible for child protection, so that we can get to the bottom of these issues. There is a plethora of issues. The Standing Committee on Estimates and Financial Operations could devote the whole week to child protection and it would have plenty of things to get to the bottom of. However, that would be unfair and unreasonable and there are many other serious issues of governance in Western Australia that warrant proper scrutiny by that committee, so it is entirely proper for it to bring in a multitude of agencies to be held to account for their performance, not the least of which is the State Coroner of Western Australia.

I very much regret that there is absolutely no prospect that I will get through the material that I had hoped to cover today. Given the time, I will take up one last issue. It is a matter that members will be aware that I have been advocating action on for quite some time—that is, elder abuse.

I note that the budget has been signed off by the Treasurer of Western Australia, who, presumably, has done so with the imprimatur of the Premier of Western Australia. A lot of time in the budget is spent, very frankly, undertaking chest-beating-type activities, particularly about what the government proffers about how safe and strong everything is. Western Australian children are not that safe, for the reasons that I have outlined earlier. Twenty-seven Western Australian babies were born alive and left to die, and the McGowan government and the State Coroner’s office have covered up the investigation of those matters. A young girl was placed into care with an older male who it was known had a history of sexual assault allegations, and she ended up being sexually assaulted again. That is not particularly safe and strong. An 11-year-old girl has now taken her life, who we have heard about already, because of failures in the bail system. There is no safety and strength there.

I now turn to the matter of elder abuse, which is at the latter end of life. I remind members, once again, as I have said more times than I care to imagine over the last three and a half years that the McGowan government promised, prior to the last election, that it would expedite the bill to deal with this. I once again make the point that the use

of the word “expedite” is not mine; it is the government’s. Mr McGowan and Mr Quigley chose to tell the people of Western Australia that they would expedite law reform in this area. Here we are now, on 22 October 2020, with only a month to go in the parliamentary sittings of this four-year term and there is no sign of this bill. The commitment, verbatim, from WA Labor’s policy from January 2017 reads —

A McGowan Labor Government will expedite the enactment of amendments set out in the recommendations of the Statutory Review of the Guardianship and Administration Act 1990 into the law surrounding enduring powers of attorney and guardianship.

That is verbatim what the WA Labor policy said. I believe it was released in January 2017. It was certainly released prior to the election in March 2017. WA Labor said it would expedite it.

As members will recall, the very first motion I moved at the start of this fortieth Parliament was one to establish the Select Committee into Elder Abuse. I am not revealing any committee deliberations here, as it is in black and white in the committee’s final report. That committee was told by the Attorney General in April —

... that a bill to amend the GAA was approved by Cabinet in December 2017 and that ‘it is anticipated that the Amendment Bill will be introduced in the Spring session [of Parliament]’.

That being spring of 2018. In or around January 2017, WA Labor promised that it would expedite reforms. The house agreed to my recommendation to establish a Select Committee into Elder Abuse and the committee asked what was happening with the expedition of that reform. In April 2018, just over a year after the election, it was told by the Attorney General, in effect—I am paraphrasing—“Don’t worry about it, folks, because cabinet approved a bill in December 2017 and it is anticipated that it will be brought in in spring of 2018.” Nevertheless, the committee, quite rightly, made a recommendation urging the government to introduce a bill. As members will be aware, when a committee tables a report, the government provides a response. Almost two years ago, on 13 November 2018, the government provided a response to the final report of the Select Committee into Elder Abuse. The government said that it accepted the recommendation that it should bring in that now infamous bill as a matter of urgency. The government said it accepted that. The government response continued —

As per the McGowan Government election commitment, the Government has committed to expedite the enactment of amendments set out in the recommendations of the Statutory Review. It is anticipated the Amendment Bill will be introduced in the first half of 2019.

In January 2017, the Labor Party said to the people of Western Australia, “Vote for us; we’re going to expedite reforms in this area.” In April 2018, the Attorney General told the Select Committee into Elder Abuse, “Don’t worry about it, folks; we’ve got it all under control. In fact, we even approved a bill in December 2017 and we’re going to bring it on in the spring session of 2018.” The committee tabled its report and told the McGowan government to get on with it. The McGowan government came along and said, “Yes. No, we’re still intending to do things.” Shiftily, it said at the end that it was anticipated that it would bring it on in the first half of 2019. All right; the government is saying that it is now taking two years to bring this bill on. The government committed to expedite this bill. How can it seriously tell people that it is going to expedite law reform, and apparently now it is going to be taking two years? That was on 13 November 2018.

The question is: where is the bill now? The first half of 2019 is long gone; in actual fact, the first half of 2020 is long gone. There is a month to go. After today, I think there are three scheduled sitting weeks left. When does the McGowan government think that it is going to bring in these expedited reforms? I have been privy to a list that I believe has been provided to the opposition. There is no sign of it anywhere—no sign of a bill to be introduced.

Hon Aaron Stonehouse: Wheel clamping; that’s its priority.

Hon NICK GOIRAN: Honourable member, I have nothing positive to say about the priorities of the McGowan government on this issue of elder abuse.

I brought a motion before the house at the start of this fortieth Parliament. It is a four-year Parliament and we are about to come to the end of it. I brought on a motion about the serious issue of elder abuse in the hope that there would be some change. Here we are, and nothing has been done. To add salt to the wound, the government continues with its pretence that it is going to expedite the reforms. There is only one fair conclusion here. The McGowan government has completely failed older Western Australians. It has completely vacated the space of elder abuse. It can take no credit whatsoever for its performance in the area of elder abuse in this fortieth Parliament. The government owes an apology to the people of Western Australia. It lied before the election when it said that it was going to expedite the reforms, because we can only assess people on their actions after they make those commitments, and it is clear that that has not happened.

As I say, I very much regret that there is not more time to unpack the very serious issues of child protection and the prevention of family and domestic violence, to say nothing about issues that I would have liked to have otherwise undertaken on the Corruption and Crime Commission and the like. But I do hope that the Standing Committee on Estimates and Financial Operations, if it does nothing else, brings in the State Coroner of Western Australia so that we can get to the bottom of the situation with these 27 Western Australian babies who were born alive and tragically left to die.

HON ALISON XAMON (North Metropolitan) [12.43 pm]: I rise to make some comments about this year's budget. I have 23 portfolios on behalf of the Greens, so I am clearly not going to be speaking on every single portfolio that I have. I am looking forward to the budget estimates process to see whether I can get answers to some of the detail around the budget. But I was able to go through at least some of the core issues that have been occupying my mind particularly during the last year since the last budget, and I certainly have plenty to say about those.

One key issue that I want to talk about is what is happening—or, rather, what is not happening—in the area of homelessness. I think it has been very interesting to watch how, over the course of the last six months in particular, this area has finally started to receive mainstream attention. It is an area that is usually glossed over. We have seen the way that the now Lord Mayor changed his whole attitude to the issue of homelessness through the course of the last several months because awareness has been raised around what is happening for people, particularly rough sleepers, who continue to be terribly let down by government and are basically falling through the cracks. I would have thought that if one issue was going to receive a high level of attention in this budget, it would have been the issue of homelessness, yet this is an incredibly disappointing budget when it comes to addressing homelessness. Apart from a very welcome state government investment of \$201 million to provide essential services in remote Aboriginal communities, there were no new social or affordable housing initiatives in the state budget. Of course, this has been compounded by the failure of the commonwealth government to invest in this area as well. Certainly, my colleagues in the Greens at the federal level have made much comment on that.

From an economic perspective, it is stupid not to address the issue of homelessness. It is a good economic stimulus. It is one area in which splashing taxpayer dollars around actually makes people's lives better, and it makes good economic sense. It reduces costs in not only health and mental health, but also police and corrective services. It also reduces the costs around child protection if people are able to be appropriately housed. Housing is fundamental in ensuring that people are able to gain employment and critical in ensuring that we have engagement of children in school.

The state government has budgeted 831 new social homes from 2020–21 to 2023–24. The budget estimates that people will continue to wait an average of 95 weeks to access social housing. This is simply not good enough. That is an appalling length of time to leave people waiting to get into housing. Furthermore, the recently released and much touted WA Housing Strategy 2020–2030, which is a 10-year strategy, will see only an additional 2 600 homes added to the social housing stock. I remind members that as at 31 August this year, there were 14 890 applications on the housing waiting list, representing 24 921 people, and 2 097 applications on the priority waiting list, representing 3 898 Western Australians. People who are placed on the priority waitlist are already in absolutely dire need of housing. They are in dire need of receiving shelter. Members might have seen yesterday's ABC article titled "Terminally ill woman still homeless after 12 months on WA Housing Authority emergency list". The article goes on to refer to what I think is the very tragic story of Sheryl Brockman, who has terminal cancer and is homeless. She has been on the priority housing waitlist for over 12 months. This, of course, is just one of far too many stories. The article puts another desperate human face to the nearly 4 000 people who are currently on that waiting list.

This state budget has not even remotely adequately responded to the needs of these people. Modelling by the University of New South Wales indicates that there is a current shortfall of 39 200 social and 19 300 affordable homes across this entire state. Further modelling has estimated that an additional 2 500 households are likely to apply for social housing if the unemployment rate increases to eight per cent. It is a very likely outcome that we are going to see that increase in unemployment. We are in the middle of a global COVID-19 pandemic, so we have to expect that we are going to hit that sort of unemployment rate; therefore, we need to be prepared to deal with the consequences that flow on from that sort of hardship.

We know that there is already a rental crisis in Perth, with vacancy rates the lowest they have been in 13 years. It was with great concern that I read this week reports that, come January, we might have very seriously low rates of rental availability. We are facing a homelessness crisis. We are already in a homelessness crisis, but we are facing a worsening homelessness crisis. The WA government's response in both the 2020–21 state budget and the 10-year strategy, which I understand the spin doctors have put a lot of effort into, has frankly been far more spin than action. I note that the commonwealth government also needs to lift its game in this respect. People are being failed by both sides.

Of course I want to make some comments about mental health. I cannot stand to make a speech on the budget without talking about the mental health sector. I note that the government has been excitedly talking up its mental health spend in this year's budget, and it trumpeted that in the budget speech. There is over \$1 billion in this budget—a 7.5 per cent increase on the last budget. Indeed, potentially, that would be great news if the current situation was not so dire. There is unprecedented need. Of course the increased spending is welcome, and it is just as well it has been put forward, but it will not be enough to deal with the ongoing serious concerns in the mental health sector. We are now halfway through the WA mental health and alcohol and other drugs services plan 2015–2025, yet we have made little to no progress in some of these really important areas. In fact, in some areas, we are actually going backwards.

The WA Association for Mental Health, which members will be aware I used to be the president of, rightly identifies that this government is continuing, unfortunately, the very much outdated system and very much old-world thinking of funnelling more money simply into hospital beds without matching funding for prevention and community support.

The spending on prevention in this budget remains disappointingly low at just 1.7 per cent of the total spending on the mental health and alcohol and other drugs sectors, and that constitutes \$17.2 million. Of that \$17.2 million, the mental health sector is receiving \$8.5 million and the alcohol and other drugs sector is receiving \$8.7 million, which means that for the mental health sector specifically, the proportion of expenditure on prevention will be only 0.9 per cent this year, when the 2025 target requires that we need to be looking at about six per cent of expenditure. That is how far we are from the identified necessary targets. The target in the 10-year plan is that five per cent of spending should be on prevention, with an aim to reach six per cent by the end of that plan—so, within five years. We know that evidence-based prevention initiatives generate a significant return on investment and that they support people to stay well in the community and ultimately reduce the long-term impacts of mental health challenges, yet the government continually fails to adequately invest in this space. Spending on community support has stagnated at five per cent of the budget—so, \$54 million. This needs a fivefold increase to \$250 million a year in order to meet demand. That gives members an indication of just how far behind we are with the identified necessary investment. We are hitting only 20 per cent of what is required.

I remind members that the 10-year plan calls for community support to represent 22 per cent of the total mental health spend. A lack of investment in community-based supports means that people are not able to access mental health supports close to home and in their community, and that means that people are declining, are not getting support when they need it and early on, and are ending up in our hospitals when they hit that crisis point. Our mental health system is not working to ensure that people are kept out of our hospitals and that people avoid getting critically unwell. That is the way that our mental health sector is meant to operate.

I spoke this week about the annual report of the Mental Health Advocacy Service, which clearly articulates the real impacts on the ground. I remind people again that the Mental Health Advocacy Service is a statutory body that reports straight to Parliament, so it is able to give unfiltered commentary about what is happening to people. Because the current Chief Mental Health Advocate is not planning to continue in the role after this year, she is in a position to be fairly fearless about what she decides to bring to the attention of this place. She has painted a picture that shows that our mental health sector is in complete crisis and that things are not okay on the ground. This budget, as it has been presented, will do nothing to address the imbalance that I have just talked about. There is a cost, as there is with homelessness, when there is a failure to invest. There is a cost in failing to address the failure in our mental health sector. It costs \$1 595 a day for someone to be admitted to a mental health inpatient unit. Western Australia has historically had, and continues to have, the highest rate of readmission to hospital within 28 days of discharge for mental health patients of all the states and territories. The needs of people are simply not being met within the community because we are failing to invest in those community-managed mental health supports. The latest data shows a readmission rate of 18.6 per cent compared with the national average of 14.9 per cent. That is from the Office of the Chief Psychiatrist. About 25 per cent of mental health hospital beds are currently being occupied by people who could be discharged if only there were somewhere for them to go, which means that over 160 people could be discharged if there were appropriate community care facilities for them. Again, I remind people of that figure—\$1 595 a day.

As the annual report of the Mental Health Advocacy Service has attested, although there have been some welcome announcements in this space, including a 20-bed adult community care unit, there are actually 16 fewer psychiatric hostel beds due to bed closures. Furthermore, the mental health emergency care unit, which was opened at Royal Perth Hospital and designed to take some of the pressure off our emergency departments and help people avoid hospital admission, was funded by closing eight voluntary beds on a non-unauthorised mental health ward at RPH, which just put pressure back on the system yet again. Plans for a Safe Haven cafe, as another alternative to emergency departments, are also underway, and more hospital beds were announced during the year for Fremantle Hospital, but they will not be open until 2024—one year before the 10-year plan is due to expire.

Cutting through the spin, it is a dire situation within the mental health sector. Far too often, people are just not getting the supports they need when they need them. I remind people that the 10-year services plan, developed under the previous government, was an extraordinary plan in that for the first time all stakeholders—carers, consumers, family members, service providers, the non-government sector and clinicians—were brought together and a consensus framework was developed for what we needed to address the mental health crisis into the future. It received bipartisan support at the time, but it required investment. If we are failing to invest, we are failing the community on mental health matters.

Sitting suspended from 1.00 to 2.00 pm

Hon ALISON XAMON: Before the lunchbreak, I was talking about my concerns about the ongoing underinvestment in the areas of homelessness and mental health. On a positive note, I welcome the allocation of \$37 million to the “Western Australian Suicide Prevention Action Plan 2021–2025” and the additional \$2 million for the Aboriginal youth wellbeing package.

I think it is also important to note the concerns of the Mental Health Advocacy Service and the Youth Affairs Council of Western Australia that there is just not enough investment in specific youth mental health services. The annual report of the Mental Health Advocacy Service notes a range of ongoing serious gaps in the provision of services

to children and young people. I spoke about this issue in an adjournment statement earlier this week. The report goes into quite a lot of detail about the availability—or should I say the lack—of beds for children and young people. In addition to the issues that I spoke about earlier in the week, the service found that only three of the five government health service providers in WA have mental health wards for children, and that one of those three takes only children aged under 15 years. A number of examples of the consequences of a lack of services have been listed in the report, including one which involved a child with an intellectual disability being in an emergency department for more than 40 hours. Other examples include a 17-year-old who was rejected by a youth ward and left waiting in an emergency department for longer than 24 hours; a child who was held in a regional emergency department with security guards for over 24 hours, yet was still not admitted for another two days; a child with an eating disorder who was on multiple referral orders for a month while waiting for admission; 14 youths who were at one time waitlisted for one youth ward; young people who were waiting in the community for weeks for admission; and one child who spent a day in an adult ward at Graylands Hospital, which is no place for a child to be.

We already know that Perth Children's Hospital does not accept children aged 16 and 17 years as inpatients and that they can be admitted to only one of two youth wards that take people aged 16 to 24 years. On discharge, 16 and 17-year-olds need to go to a separate health provider for community care—the Child and Adolescent Health Service. This is a really big problem in the system. Time and again, access to continuity of mental health care specifically for 16 and 17-year-olds is raised by constituents, service providers and advocates. In this case, it has been raised by the statutory advocate, but it remains a massive issue and it is not adequately addressed in this budget.

A lot of people contact my office about mental health concerns. I think word gets around that my office takes particular interest in this area. Apart from a disproportionate number of concerns that come to my office about our prisons and forensic mental health specifically, a huge number of constituents come to my office desperately needing support, usually for their teenage children. It is an area of enormous need. One mental health service I always like to refer people to is Youth Focus. I think we are very lucky to have Youth Focus in this state. It is a marvellous non-government organisation that provides very good clinical and community supports for children and young people. Apart from referring people to headspace if their concern is fairly early on and low level, I always suggest that people try to get into Youth Focus, unless, of course, we are talking about people who have already become critically unwell with psychosis and those sorts of things. Therefore, I am alarmed and distressed to learn that Youth Focus now has waiting lists for people who are trying to gain access to its services. It strikes me that the easy fix would be to have money along the lines of what I have talked about previously—funding within the 10-year services plan. We are very lucky that we have a service to which we could potentially give money that would meet that demand, but it is not being given the funding that it needs to do that. I say to the government that that is a critical area we need to look at. Members in this place who are undoubtedly also being contacted by constituents whose children need urgent help should also be advocating that funding go there as well, because it will ensure that people are referred to a place that is able to provide appropriate supports, yet that is not happening.

It is important to note that the operations of the Mental Health Advocacy Service have been significantly impeded by ongoing budgetary constraints. That service absolutely needs to be funded enough to fully protect and support highly vulnerable people. In fact, I remind members that it has legal obligations to meet under the Mental Health Act and the Criminal Law (Mentally Impaired Accused) Act, and it needs to be funded accordingly. Advocates recorded more than 30 000 contacts in supporting more than 3 500 consumers in the last financial year. Although the service's budget increased from just over \$2.7 million in 2019–20 to \$2.8 million in 2020–21—a five per cent increase—that is clearly not enough to enable the service to properly fulfil its functions. This service experienced more than nine per cent demand over budget last year and is experiencing a rise in need. Those figures make it quite clear that the current situation is completely unsustainable.

The budget also contains no funding to address the demand for forensic mental health. Instead, it mentions only the recommencement of planning work that is required to support expansion. I note that despite it being an election commitment and there being wide recognition of the dire need for reform in the forensic mental health space, nothing has been done. There is no money, there is no budget and there is no legislation. Last year's budget indicated the imminent introduction of a bill to reform CLMIA, so I am incredibly disappointed that this year's budget merely mentions work to update projected demand for forensic mental health services, including estimating the potential impact of changes to the Criminal Law (Mentally Impaired Accused) Act 1996. This means that disabled and very mentally unwell people continue to be in limbo in our prisons. They are locked in cells all day because there is nowhere appropriate for them. I am aware of one critically mentally unwell person in particular who has a disability and has been kept in prison. A member of his family was on the phone to my office as recently as yesterday. He continues to self-harm because he is absolutely in the wrong place and should not be in prison. It is becoming very serious and I sincerely hope that a death in custody does not occur as a result. He has ended up in emergency far too many times and he does not need to be where he is in isolation in prison. He needs to be in a therapeutic environment.

In relation to health, the significant increase in palliative care funding is welcome. I am on the committee that is currently looking into the issue of palliative care, so more information will be made available to this Parliament at some point in the future. It is really disappointing that funding for free ambulance services for people on concession cards was not included in the new service agreement.

I am also disappointed that the Earbus did not receive ongoing funding over the forward estimates in this budget, but received funding for this year as per an election commitment. Given the World Health Organization has found that the rate of chronic middle ear infection in First Nation children is among some of the highest in the world, it is essential that services such as the Earbus that work to reduce the incidence of middle ear infection are provided with sustainable funding. I remind members also that the issue of ear health is not simply one of making sure that our children can be as healthy as they can be; it translates directly to the capacity to learn at school. There is also a correlation between higher rates of middle ear infection and juvenile offending. For a small level of investment, we can see a massive return in this area, and I am very disappointed that it has not been considered in the forward estimates.

In relation to education, I notice there is lots of infrastructure spending. It is disappointing that the budget reveals that no inroads have been made into reducing the gaps in engagement and educational outcomes between First Nation and non-Aboriginal students. There is no detail yet on support for vulnerable children, specifically students at educational risk. I hope to have an opportunity to unpick that further during the committee hearings, because, as members will be aware, that area is of particular interest to me. I note that the “Department of Education: Annual Report 2019–20” revealed a more than eightfold increase in the number of students who were expelled or excluded from eight in 2017 to 65 in 2019. I want to say once again, as I have said many times, given the correlation between school engagement and suicide, I think we should be really concerned about this development. I do not believe it is the right approach to take. When kids engage in problematic behaviours, they need to be supported, not abandoned. I am concerned that is what happens in practice.

I have already raised concerns about the failure to renew funding for Inclusive Education WA. I think it is an invaluable resource, and I do not think it was the best decision to make. As recently as Tuesday I spoke to parents who have been very disappointed about the decision not to continue the face-to-face teaching; they believe it is the wrong step to take. They are aware of the minister’s response to the issues I raised. I imagine this is an issue that people will continue to raise concerns about. For a parent who has in particular trans children, that seems to be an area of critical concern that has been brought to my attention. Parents are desperately concerned to ensure that schools are well equipped to provide safe environments for their children, but they are not confident that that will happen. I suspect we will hear more about that in future, particularly from those parents.

The Youth Affairs Council of Western Australia has also raised concerns about the need for investment in Indigenous infrastructure for disadvantaged schools and students. One of the things we have certainly seen is that the pandemic brought into stark relief the importance of digital access for students. It highlighted the disadvantage experienced by too many WA students who were unable to properly access education during isolation because they did not have access to a computer or the internet. I am concerned that in the event of a COVID-19 second wave in this state—which is always a possibility, as everybody acknowledges—we may need to go into lockdown, and schools or at least selective schools will need to close. If they need to close for a substantive period, there is concern to make sure children have equity in digital access. As I say, the Youth Affairs Council has raised that as a specific concern. It is one that we need to keep a really close eye on. The reality is that these days, children and young people are expected to have digital access just to keep up with homework and a range of day-to-day educational opportunities. It means that it poses a particular challenge for our public education system to ensure that children are not left behind simply because they do not have that access.

In relation to the public sector more broadly, which I spoke about last week, I am disappointed there is no investment in public sector jobs and about the ongoing wages policy, noting the wage rises are to remain at \$1 000 for the next two years and simply looking to increase with CPI after that. I think COVID-19 fundamentally and permanently has changed our world and thrown into stark relief the importance of our public sector’s capacity to urgently and swiftly address crises as they arise. That is the case particularly at the moment in a complex and ambiguous environment across planning and coordination and specialist expertise that is required. Not investing in the public sector at this time is short-sighted, and that decision is potentially dangerous.

I welcome that the COVID-19 recovery plan includes spending in important areas such as family and domestic violence initiatives, children in care initiatives and seniors support. We have found that these areas were particularly vulnerable to the impacts of the pandemic but I need to echo the voice of the Western Australian Council of Social Service. I am concerned that funding has not improved for the community services sector more broadly to meet rising need. Instead, the only increase is supplementation for wage rise increases.

I want to comment also on what I am seeing happen within the community sector more broadly. I am from the community sector; it is a sector I know. I do not purport to speak for other parts of the community. I do not purport to speak for farmers or big business, but I have a lot to say about the community sector because it is where I am from. I have those relationships and it is an area I really know. I am worried about the increasing level of concern being raised with me by community services and peak bodies that they are not free to speak candidly about concerns they have around the way this government undertakes its operations, specifically about loss of funding. What has been described to me is an atmosphere of fear and trepidation about expressing concern and a sense that this government will be vindictive about how it will respond to those criticisms by either denying people access to the

table to ensure they are part of helping to develop strategies to resolve problems or, worse, being defunded. I am really concerned about this because, as I have said, when I was the head of a peak body, when I spoke out against decisions that were being made by government, I was never concerned that the organisation I was representing was going to experience adverse repercussions as a result of my advocacy. It says a lot about what is happening in the community sector at the moment that there is a genuine, underlying fear. This government has had accusations of being thin skinned and glass-jawed thrown at it quite a few times by many sectors across the board. It is more than simply a concern about the silencing of voices. When the advocacy of the community sector is silenced, it leaves people vulnerable. It means that people are not able to ensure that they are getting the best services that are made available for them. That is problematic. I do not know what the solution is, other than to ask the government to cut it out—stop doing it. The reality is that there is an emerging culture of trying to silence dissent and trying to make sure that people are shut down.

Another concern that has been raised with me is about the pressure that is put on non-government community sector organisations to do things such as stand next to ministers when they make announcements about funding arrangements. That means they are caught in with the spin even if they have grave concerns and feel that what is being promoted is counterproductive, undercooked or woefully inadequate. I am very concerned that people feel as though they have very little option to say no. I am very clear that when funding is given, it should never have strings attached. We should make sure that people are able to deliver services, and if they still think that what is being provided is not up to par, they should be free to be able to speak out. These people represent some of the most vulnerable people in our communities. That is something I am very conscious of and I think it is very important that I speak up and call that out because these people feel that they cannot.

I note the much-touted announcement of 800 more police at a cost of \$314 million. What an extraordinary amount of money. It is \$257 million for 800 new police—200 a year over four years—and an additional \$57 million for flow-on costs for the criminal justice system. That means an additional \$31 million for the courts, \$15 million for Legal Aid WA, and \$11 million for the Office of the Director of Public Prosecutions. There is also \$323 million for new prison spending. So much for the investment in decarceration. So much for social reinvestment. We know that more spending on police does not reduce crime. I know that the announcement has been popular. I represent the Greens; I am happy to pursue evidence-based practice even if it flies in the face of populist thinking. We know that increasing the number of police does nothing to deal with the over-representation of First Nations people in custody, so the government has just blown one of the many recommendations from the Royal Commission into Aboriginal Deaths in Custody. I think this will just be more money without any real increase in community safety. We need greater spending on things that work. By that, I am talking about prevention and diversion and the problem-solving, diversionary courts. That is where we should be looking at putting the money.

In 2009, the Law Reform Commission recommended that we look at increased investment in a whole range of our diversionary courts and we have still not seen those much-required increases, particularly out in the regions. We need to look at the whole suite of measures that need to be funded to incorporate justice reinvestment, including drug and alcohol problems. These are the things that keep our community safe. These are the things we should be spending our money on. Instead, all the efforts to look at decarceration have basically been undone in one election announcement. I am very disappointed. The annual report from the Department of Justice revealed that despite some progress in the area, with some investment in things like drug and alcohol programs, a significant backlog remains in the completion of prisoners' individual management plans. Of course, that impacts on people's capacity to undertake rehabilitation opportunities and their eligibility for parole. People are being kept in prisons longer than they otherwise would have been simply because we are not investing in ensuring that people can undertake programs in prison, as required. That is before we even look at the ongoing delivery of health, mental health, alcohol and other drugs, and dentistry services within our prisons. They are woefully inadequate and should not be delivered by the Department of Justice. I have maintained all along that they should be delivered as part of the overall health system. I think it is poor. Once again, I will call for prisoners to have access to Medicare. That was one of the first things I raised in this place three years ago. At that point, government members said that they agreed with me and that they would raise it. I am asking government members to keep raising it at the federal level. It is going to be a critical reform that will ensure that, ultimately, prison is a place where people can address their underlying health, mental health and other concerns, and go out into the community and hopefully never come back into prison. We have to start looking at changing the way in which those services are delivered.

Regarding youth justice, which, as members know, is a particular passion of mine, I am pleased that the number of children and young people in Banksia Hill Detention Centre has been trending down, but that is about the only good news. More than seven out of 10 children and young people in detention continue to be First Nations children. For girls, the statistics are particularly bad. In Banksia Hill Detention Centre, as at 30 June 2020, six out of eight girls were First Nations girls. I continue to be concerned about younger children in detention. I am incredibly disappointed that the Western Australian state government is not moving to raise the age of criminal responsibility. It is an incredibly important reform, which I really hope does not fall off the agenda. There was a lot of talk about it early in the term. It is absolutely essential that it remains on the agenda and that we look at reform. I would dearly love to see some reform in the next term of government, whether I am here or not. As at 30 June, there were three children

under the age of 13 and 18 children who were aged 13 or 14 at Banksia Hill. We have already heard commentary today about the tragedy of 11-year-old children taking their lives. It is right to recognise that that is a tragedy and right to recognise that it is such a tender age to have such terrible things happen. Members, children of the same age are in Banksia Hill. In other jurisdictions in the world, they would not be in there. They would be given other types of support. It is very disturbing that such young children are still being incarcerated. As long as that is an option made available, it is a disincentive to ensure that there are wraparound services to help those children who are invariably troubled and come from deeply distressing backgrounds.

I am still concerned about the impact of mandatory sentencing on children. The most recent public statistics demonstrate that for 16 of the 48 sentenced children and young people in Banksia Hill Detention Centre, their most serious offence was unlawful entry with intent, or burglary and break and enter. I remind members that detention was meant to absolutely be the option of last resort when it comes to children. That is what the act says. The budget papers show how ineffective the youth justice detention system is. A total of 53.4 per cent of young people were returned to detention within two years, which is worse than last year, when the figure was 52.9 per cent. We know that nearly 85 per cent of young people returned to detention or adult custody within five years.

As I have said before—I am simply echoing previous reports of the Office of the Inspector of Custodial Services—we need to close Banksia Hill and move to small purpose-built therapeutic centres close to the communities where the children and young people live. This is not some big Greens plan; this is something that the experts are saying needs to occur. I am echoing that evidence-based approach. This reform is completely missing from the budget. This government has now been in power for four years and something could have been done, but we have seen nothing.

I am really concerned about what is happening with child protection. There is a correlation between the issue of child protection and the youth justice concerns that I just spoke about. We have seen staff vigils and heard stakeholders identify that we have a system in crisis. The number of children in state care has continued to increase. The rate for First Nations children, at 4.8 per cent, more than doubled the rate for non-Aboriginal children, which is at 2.2 per cent. I note that the budget indicates that the growth rate has slowed; nonetheless, it is still growing. Aboriginal children comprise only seven per cent of WA's youth population but they represent 56 per cent of children who are in care. We are seeing that families are being separated and not receiving adequate support to stay together or to work towards reunification. That is coming directly from the services that are trying to provide these supports. There continues to be a critical lack of foster carers. I asked some questions recently in this place that revealed that 2 422 children were separated from their siblings. That is simply devastating. We know that when children are separated from their parents, the one thing they want is to at least be able to stay with their siblings. That is a huge number of children who are not able to stay with their siblings for a range of reasons. That is heartbreaking.

I welcome the allocation of \$700 000 to trial Aboriginal family-led decision-making. It is essential that self-determination is not just a concept in legislation but also enacted on the ground. First Nations communities should absolutely lead these initiatives, which aim to determine how best to protect and care for their children. It is disappointing that they had to get this initiative, even though it has been occurring in other jurisdictions for a very long time. There has been some increase in funding for early intervention and family support, and that is welcome, but it is not enough and it does not continue into the forward estimates. The figures in the budget are very concerning, demonstrating that the government is still failing to meet the target on care planning time frames. The budget target is 90 per cent and the actual is 84 per cent. The proportion of First Nations people who were placed in care in accordance with the Aboriginal and Torres Strait Islander child placement principle had an actual of 66 per cent with a budget of 80 per cent.

I will make some comments about what is happening with our oversight agencies. By and large, these agencies are generally maintained in terms of FTE and the services offered. I am talking about the Public Sector Commission, the Equal Opportunity Commission, the Office of the Auditor General, the Ombudsman, the Information Commissioner and the Health and Disability Services Complaints Office, but I have some more comments to make about some of these agencies. We are seeing a desperately needed increase in services provided by the Office of the Auditor General, as we need to, because it is starting to play a much larger role in the local government sector and has been afforded additional roles, so we need to see an increase in FTE. We could also potentially use an increase in staffing for the Information Commissioner as the workload of complaints about refused or redacted FOI applications continues to increase. On that note, I am one of the people who has been trying to access documents by FOI. Sometimes I do it on behalf of constituents and sometimes it is because I am denied information that I have been trying to get for quite some time, even in this place. Cabinet must be a veritable library with the sheer volume of documents that have been paid for by the taxpayer that cannot be made available in any way for years on end because they are apparently cabinet-in-confidence. I know that people like to talk about some sort of blockage in the Legislative Council in terms of decision-making, not that I agree with that, but there is clearly a blockage in decision-making in cabinet, judging by the number of documents that it is simply unable to clearly make decisions about, which means that they are never able to be made available. Anyway, I think we need to look at more funding for the Information Commissioner to try to get to the bottom of this and find out why so much information is unable to be brought to light so that people know on what basis government is making a lot of its decisions. We do know that the oversight agencies undertake

the critical work of administrative and financial review and ensure transparency in government decision-making. We need these agencies to be strong and healthy now and in the future. These agencies are best able to find the problems when it comes to the delivery of public services but, unfortunately for us, offices such as HADSCO and the Equal Opportunity Commission effectively have very little authority to correct the issues that they may find. I understand that that is a statutory problem but it is of concern, and certainly anecdotally people are regularly unhappy with the resolution of their complaints to these authorities.

I want to make some specific comments about the State Records Office. The State Records Office thoroughly disappeared from last year's budget. Even the service known as "State Information Management and Archival Services" was removed from that budget. Instead, it was replaced with "Corporate and asset and infrastructure support to the culture and arts portfolio and government". This year we have to guess that the services provided by the State Records Office are in the service listed as "Asset and Infrastructure Support Services to Client Agencies". There used to be a government budget outcome under the heading "Government records and State Archives are appropriately managed and accessible". There used to be KPIs around achieving this outcome. I note that those KPIs have never been met because the government has never provided the commission and the office with the resources required to do their job. It was suggested that the reporting contained in the State Records Commission annual report would have to be sufficient. I note that the annual report is not yet available. I imagine that the litany of failures to appropriately resource what is an essential government service will continue. The State Records Office has provided an annual report as part of the Department of Local Government, Sport and Cultural Industries. Even this department-produced document notes that over 75 linear kilometres of paper-based state archives are not in public archives and that an archive for its born-digital records is still not in place, despite literally years of being called for by the commission. There is still no genuine state archive, whether that be paper or digital. This was a recommendation of the WA Inc royal commission, and we still do not have it. It is an essential part of our accountability systems and it is also a really important part of our cultural heritage. This does not mean that the government is not spending money on records management and archiving overall. We are still spending millions and millions of state government money on contracted document storage and contracted records management consultancy every year. However, none of that money goes to the State Records Office.

I want to take a moment to reflect on the difference between what we do here and what happens in New South Wales. We know that last year the State Records Office of Western Australia had fewer than 20 employees while the State Archives and Records Authority of New South Wales employs more than 130 people. It generates revenue in the order of tens of millions of dollars as a commercial provider of records management services for private industry and as a low-cost provider for state government agencies. It is a non-budget dependent agency. New South Wales enjoys the benefits of having a functioning public archive, which is a central records management body that acts as a consultancy for government and private industry, and it costs the NSW government virtually nothing. We know that we need to properly document our decision-making, especially since many government agencies have been moving quickly in the last six months due to coronavirus. I note that one of the achievements touted in the annual report this year is the reduction of red tape in record keeping. I hope that concerns members as much as it concerns me. An awful lot of so-called red tape is put in place because we have seen that without solid accountability systems, including record keeping, we provide opportunities for corruption. I remain truly disappointed at the extremely low priority this government has assigned to the State Records Office of Western Australia and the building of a digital archive. This has been a critical issue for our paper records, and it has been for decades. The budget contains nothing in the works to confirm that we need to build a digital archive to protect our cultural memories or that that message is understood.

I will conclude my comments on the budget by discussing a topic that is absolutely at the core of the Greens' work, and that is, of course, climate change. We have an unprecedented opportunity to tackle climate change and the COVID recovery at the same time. It is beyond disappointing that the steps taken in this budget towards tackling climate change are mediocre. Although the budget contains measures for the development of battery storage and environmental rehabilitation, it falls well short of what is needed and it certainly does not put the level of emphasis on climate change that we would not only hope to see, but that is absolutely necessary. Investment in these areas can provide the jobs that we need—we do need jobs—and also set up our future to be much greener and more carbon efficient and, ultimately, safer for our children. This budget contains billions of dollars for road building across the forward estimates. We know that those kinds of activities do not deliver the number of jobs per \$1 million invested that investment in health care and education, for example, does. They certainly do not provide the same long-term climate change-fighting outcomes that expenditure on renewable energy infrastructure does, and they do not offer the immediate and long-term benefits of a substantial rehabilitation program. In many ways, those things are not only necessary, but also relatively easy to implement.

Overall, this budget provides some increased spending in important areas, but there are some very disappointing missed opportunities for much needed reform. This government has now been in office for four years. I have spoken about issues that the government would consider to be its core issues, but clearly they are not, including the ongoing failure to redirect funding from prisons and police through justice reinvestment and addressing the significant needs of vulnerable people, such as homelessness and mental health.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.43 pm]: I stand to continue my comments on the budget papers, which I commenced yesterday. As was mentioned yesterday, we were to have a debate on funding for Lotterywest this morning. A number of issues were canvassed in that debate. I emphasise that at the conclusion of that debate there was some misguided notion from some members opposite that the motion was directed towards the gay community. It most definitely was not. I want to make that quite clear. I thought I had made the intention of that motion quite clear, but if I did not—perhaps it did not get through to members opposite—the intention was to articulate the concerns that I and members across the board have about the funding of grants and the selection of agencies that are eligible for those grants. That was the exclusive intention. When we start making value judgements about people in determining whether they get a grant, it will be time to go fishing. The integrity of Lotterywest will be lost if we do that.

As I said yesterday, I want to make a number of comments today. I repeat that I anticipated that this would be my last speech in reply to a budget, but it is not.

Hon Darren West interjected.

Hon PETER COLLIER: I had to come back and battle more with Hon Darren West. I was going to miss it too much! And with Hon Sue Ellery, I have to say.

As I said yesterday, which I will repeat, my great mate the Belgian is riding off into the sunset, and I wish him well. Hon Mathias Cormann has been an outstanding contributor to public policy in Australia.

The \$600 electricity credit in the budget is interesting. The irony to that seems to have escaped most people; it was actually paid for out of the money that came back from the Bell Resources litigation. That litigation was the direct result of the maladministration of a former Labor government. I guess in a way that we have done a complete circle. The Labor Party took it out and now it is giving it back, or certainly some of it. That is a good thing and I think it will be very well received by the community.

Having a \$1.2 billion surplus in the middle of a pandemic is an interesting concept, particularly when pretty much every other administration, including the federal government, is moving into serious debt to assist those most in need. We can take great delight in saying that we have a \$1.2 billion surplus. However, I have to say that that claim is a little misleading. The net operating balance takes into account only one side of the government ledger, which is the recurrent expenditure. When we take into account only wages and other recurrent expenses, we find that the government received \$1.2 billion more than it spent. However, what seems to have eluded a lot of people is that when we take into account all other expenditure for the financial year, including capital works, the \$1.2 billion surplus becomes a \$3.39 billion deficit. The deficit is the borrowings, which simply pushes up Western Australia's debt. Having said that, we are, as everyone knows, in extraordinary circumstances.

As we all know, the finances have been very much assisted by the rapidly rising price of iron ore. It has risen about 45 per cent since the 2019–20 midyear review, increasing to around \$US130 a tonne. A budget cut-off has provided an additional \$2.2 billion in iron ore royalties to the government since the midyear review. Taking into account the additional \$1.9 billion the government received in iron ore royalties in the midyear review, the state has received an incredible \$4 billion in iron ore royalties compared with what was forecast at the time of the 2019–20 budget. Without a shadow of a doubt, the elevated iron ore price per tonne definitely has been a godsend for the government. But that happens in government and we can accept it. It is now part of the budget papers.

Another great windfall for the government, of course, has been the GST. The GST agreement was initiated by a very reputable Liberal–National federal government. The federal government most definitely assisted with the surplus as a result of those changes to the GST. The GST revenue is \$2.3 billion in 2020–21, down from \$3.4 billion in 2019–20. That reflects a significant decline in GST revenue due to COVID, as was anticipated. As a result, our share of the GST actually shrunk, according to the Commonwealth Grants Commission. It fell from 51.8 per cent of Western Australia's population share in 2019–20 to 45 per cent in 2020–21. However, the commonwealth government's 70 per cent GST floor saw the state receive an additional \$1.5 billion, bringing the total GST payment to \$3.8 billion. That has definitely had a significant positive impact on the state government's budget bottom line. We also need to remember that there has been significant federal government investment over this period, particularly in capital works. Let us look at a few of those items. There is \$868 million to fast-track the infrastructure projects announced in November 2019; \$176 million in the June 2020 stimulus package; \$419 million for the Perth City Deal; \$6 billion in JobKeeper payments, which is very significant; \$2.6 billion in business cash flow boost payments; \$1.3 billion in coronavirus supplement payments; and \$1.1 billion in 2021–22 for priority road and rail projects in Western Australia as part of the 2020–21 budget. That is a significant investment by the federal government in anyone's language. Yes, that has led to an astronomical level of debt for the federal government, a sum that no-one would ever have thought of or imagined nine months ago, but, of course, as we keep on saying, we are living in extraordinary times.

A lot has been said about the infrastructure blitz in this budget with the government's \$27 billion capital works program, including a \$7.5 billion investment in infrastructure in 2021. I will compare that investment with the former government's investment during the global financial crisis, which occurred just after we came to power in 2008.

Following the GFC, the Liberal government responded with an investment of \$8.3 billion, which is the highest on record. The government's infrastructure investment in this budget is \$7.6 billion, which is 10 per cent less than it was in 2008, despite a much bigger economy and a much bigger economic crisis.

That said, I would like to look at specific areas of the budget, the first being the disability sector. I have had a fair bit to say about the disability sector over the last four years. I am delighted to be the shadow Minister for Disability Services. I have a good working relationship with the Minister for Disability Services and the sector; we are all at one. The rollout of the National Disability Insurance Scheme has been a little above average. It has been rolled out to most people now. A significant number of people with a disability are now much more empowered. The NDIS has given them an opportunity to genuinely take control of their lives and it is a very significant positive for a lot of people with a disability. The one issue that has continued to harbour discontent within the sector is the movement of the Disability Services Commission into the Department of Communities. I spent 20 minutes talking about this in a debate last week, so I will not go over it again, but suffice to say it was done in haste and without consultation and it has not succeeded. I have not spoken to one person in the disability sector who thinks that it has been a positive move. In essence, the commission has become lost. It has become part of a megadepartment that is answerable to five ministers and, quite frankly, people from one of the most marginalised groups in our community now feel that they do not have a champion because there is no discrete department. In a lot of instances during the rollout of this national policy, all forms of communication were done via phone calls to faceless bureaucrats in Geelong and that has been problematic. I am really, really disappointed that the Disability Services Commission no longer exists in its previous form, and I highly recommend that the government consider making it a discrete department yet again.

I turn to my shadow portfolio of sport and recreation, which I took up a few months ago. Again, I have engaged with pretty much every sport in the state. There are significant commitments on the part of the government with regard to sport and rec, particularly with the WACA and the football stadium at Queens Park. One area that concerns me is tennis, which is close to my heart. The State Tennis Centre is in desperate need of complete refurbishment. I do not mind saying that a very good friend of mine was responsible for building it in the first place. His name is Richard Court. I was coaching his kids in the 1990s and he just happened to be the Premier of Western Australia. His government decided that WA needed a state tennis centre to give us a profile at the international level to draw and attract satellite tournaments, both nationally and internationally. We simply did not have a go-to place for an international-style tournament. We had the Royal King's Park Tennis Club, which is a great grass venue, but the rest of the world was going off grass courts. Only Wimbledon has grass courts now, but previously three out of the four grand slams were played on grass. Richard Court's government built a tennis centre at Burswood in 1995. It is a wind tunnel. As a long-time tennis player, I do not agree with it being there. Having said that, it has been quite successful and it is now part of the Burswood precinct, which is a hive of activity on the weekends. The only problem is that it was built on a dump, so the courts continually crack and they are now sinking, which is a problem.

Hon Sue Ellery: Is it still a wind tunnel?

Hon PETER COLLIER: Pretty much, yes. When you play tennis at two o'clock in the afternoon, the sea breeze comes across the river and you are cactus unless you are a serve volleyer.

Having said that, it is what it is. The building itself, the home to tennis, now has concrete cancer and the courts are in serious disrepair. To put salt into the wound, when Burswood train station was built, the centre lost six of its courts. Ideally, the \$2.6 million in the kitty will go towards the establishment of a clay court centre somewhere in Western Australia. A clay court centre is desperately needed because we need that versatility of surface. Something has to be done about the State Tennis Centre because, in its current form, it is unsustainable. I know that the Minister for Sport and Recreation and Tennis West agree with me, but it is about getting to a common medium, something on which we can all agree.

What concerns me most of all about the State Tennis Centre is that, more than just rumours, the government was seriously considering building a tennis centre at Whiteman Park. I know that it was looking at the sporting precinct out there and I think it still is. What concerns me about this is that it is not in the budget. There is no funding for the State Tennis Centre in the budget. Tennis West has been informed that one of the options is a greenfields site and Whiteman Park is definitely still on the drawing board as an option. If the government builds the state's tennis centre at Whiteman Park, it will kill tennis in this state. If the government ever wants to bring back a tennis tournament of international standing to WA, it has to provide a decent centre with an established centre court and a framework that is conducive to international standards.

We have been left behind in the last 10 years. There have been wonderful developments in tennis in Adelaide, Hobart, Brisbane and Sydney, but we have been left behind. As a direct result, those other cities now have major international tennis tournaments. Western Australia has missed out. A tournament held here just before the Australian Open would be a perfect segue to the Aussie Open. We have the ATP Cup, which is the successor to the Hopman Cup. That was quite successful last year. It probably will not happen this year because of border restrictions. But that in itself is very vulnerable. It is a money tournament played on one court. Points are used, but it is basically still a team tournament. There is no opportunity for a legitimate tour tournament here similar to those held in Brisbane, Hobart, Adelaide

and Sydney. We really need to look at this if we are serious about tennis, because it is an international sport. It is one of the few sports that is international and gets international recognition. It would get plenty of international television coverage, which would be wonderful for the state. It is something that we desperately need to look at.

Let us consider the performance of the government. I have moved eight motions in this place about standards. That comes from a sincere concern about the deterioration of standards in the chamber. They emanate almost exclusively from the fact that from the time the government had an emphatic win on 11 March 2017, it did not come to terms with not getting control of the upper house; it did not get control of the Legislative Council. Yes, it had an emphatic win in the lower house but not in the upper house. In fact, the vote disparity between the upper and lower houses was diverse. It got 37 per cent of the vote in the upper house; it got much more in the lower house. As a direct result of that, it was very frustrated from day one, but we have a bicameral system. We have an electoral system that was put in place by the previous Labor government. However, the Premier and successive ministers from the other place continue to have hissy fits over the fact that perhaps—just perhaps—the Legislative Council is doing its job. That has been the major reason standards in the government have slipped. I will not go over it again. I have dozens and dozens of questions to provide support and evidence for this. All I need to say is that members should refer back to previous motions on standards.

The problem for the government is that we do have an upper house, but that is a wonderful thing. It is wonderful that we have that diversity of opinion. Perhaps, just perhaps, the people of Western Australia will do exactly what they did on 11 March 2017. As I have said before, members opposite do a lot of chest beating and high-fiving when they talk about the results of 2017, but I remind them yet again that the primary result we received in 2017 was identical to the primary result we received in 2001, and we came within a whisker of regaining government four years later. Members opposite would know—I am sure the Labor Party did its polling—that in February this year, their position for a second term was very, very precarious. I draw the attention of members opposite to the by-election in Darling Range just over 12 months after the government had had an emphatic win. I draw their attention to the federal election result in 2016 and see whether they get complacent. Of course, things have changed since then and the COVID-19 pandemic has ensured that the popularity of the current government has skyrocketed, as it has for incumbent governments across the nation. That is inevitable. People look for leadership and direction when there is a crisis. They do it in wars, in floods and in earthquakes—whenever they look to their leaders to offer direction.

With that said, we are going to fight the good fight, and we are going to fight the good fight in both houses, both the lower house and upper house. Heaven help us if we get to the point that the government is re-elected and gets control of the upper house. I remind members—I have said this on several occasions—that the government was so incensed after the last election that it did not have control of the upper house that it tried to do something that was unheard of. It tried to offload the Presidency to someone from this side of the chamber. It was absolutely extraordinary that it could compromise its own integrity and the conventions of this place for political advantage like that. There were 14 Labor members, four Greens and 18 others, which generally would be regarded as centre right. The Leader of the House tried relentlessly to get one of our guys from the crossbench to take on the Presidency. She thought she had a Greens member in her pocket, and they vote with her all the time, so that was fine. That would give her 18 votes and we would end up with 17 because, of course, the President gets a deliberative vote only in a tied vote. It did not work that way. We stared that down, as we should have, and the government came back and said it would go with its second option, Hon Kate Doust. We were always going to support Hon Kate Doust. She is an extraordinarily honourable person and a great President and, quite frankly, she should have been the preference of the Labor Party from day one. To go through that charade for three weeks after the election, that almost humiliating charade of trying to get one of our guys to take on the Presidency, was extraordinary. That set the mood for the past three years. Hon Sue Ellery admitted on 13 June 2017 when I raised this point —

Why on earth would the government, which had just been elected overwhelmingly, not take this wonderful opportunity to have one of its own to be the first candidate for the first female President? Why were members opposite so keen to get someone from this side of the chamber to be President?

I continue to quote from *Hansard* —

Hon Sue Ellery: Why do you think?

Hon PETER COLLIER: I am going to tell the member. The answer is numbers, and 18 always beats 17.

Hon Sue Ellery: That is correct.

Hon PETER COLLIER: Absolutely! Hon Sue Ellery actually admits it. The government was willing to compromise the Presidency for the numbers; is that right?

Hon Sue Ellery: How was it compromised?

Hon PETER COLLIER: The government was willing to forgo the Presidency for the numbers.

Hon Sue Ellery: Wouldn't it be in everyone's interests, with such a massive majority elected in the Legislative Assembly, to ensure that we could deliver on our election commitments and the policies that we took to the election and ensure that we could pursue our agenda?

There it is, but the people of Western Australia did not say the government could have the daily double. The government does not get both. The people of Western Australia said the government could have one house and they would have a check and balance on it in the other place.

Hon Alannah MacTiernan: Her comments were entirely reasonable. We sought to maximise the way we could be effective as a government.

Hon PETER COLLIER: That is exactly my point. Why does the minister not look in the mirror every now and again and say, “I am not God’s gift to the political world”? She thinks that somehow everyone has got to — Several members interjected.

The ACTING PRESIDENT (Hon Martin Aldridge): Order! Order! Members, when the Chair is calling the house to order, members will stop yelling. I do not want to have a completely sterilised debate, but when a number of people are interjecting and I cannot hear the member on his feet, that is when I will call the house to order.

Hon PETER COLLIER: Members opposite have a bizarre notion that somehow they are above everyone else.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Excuse me, but the Acting President has just made —

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: The member has been in every Parliament in Australia. She must know by now that we have rules in this chamber and she cannot adhere just to the gospel according to Hon Alannah MacTiernan.

Several members interjected.

Hon PETER COLLIER: I am sorry, but we do not succumb to her every time she opens her mouth. She is not God’s gift to the political world. I am sorry about that.

Hon Pierre Yang: Carry on with your speech.

Hon PETER COLLIER: I beg your pardon? Would you mind asking your member to stop interjecting? It is nothing to do with me, mate.

The ACTING PRESIDENT: Order, members!

Hon Pierre Yang: You’re very funny.

Hon PETER COLLIER: I know.

The ACTING PRESIDENT: Order! Members, I think it would help facilitate the Leader of the Opposition’s untimed speech if members address their remarks through the Chair and discontinue their interjections.

Hon PETER COLLIER: That discussion continued in *Hansard* and we had the same with Hon Darren West, who always provides us with an extraordinary amount of fodder. He says in *Hansard* on 5 September 2017 —

I want to remind members of the former government that the best thing they can do in opposition is get out of the road and let Ben Wyatt, that very skilled economics fellow and barrister, do what he needs to do to repair the budget.

I said, “So, we don’t have an opposition?” Hon Darren West replied —

It should get out of the road. If the measures that we introduce are so poor, the public will have a say on them.

Once again there is the misguided view that somehow the people of Western Australia got it wrong; that they do not want a bicameral system of government but a unicameral system of government. Imagine the rubbish legislation we would have in that case, particularly that bill we dealt with over the past few weeks, which had the support of all members in this chamber but was fatally flawed in many areas, so much so that the government brought in eight more amendments three weeks after debate had started. Imagine if this place sent it through without those eight amendments; it would have been flawed legislation. That is why we have an upper house.

With regard to standards, I will briefly talk about this misguided notion that somehow the terrible Tories on this side of the chamber have been responsible for holding up legislation and for the fact that the government still has 17 bills on its priority list. That is garbage. I remind members opposite that it is absolutely nothing to do with the numbers in this chamber. The Liberal Party is minuscule compared with the government. The government has 18 members; it has 14 members plus the Greens.

Hon Stephen Dawson: What a load of rubbish!

Hon PETER COLLIER: I could go back over it again, if the minister likes, and say it again. I have just been through all that. I have actually alluded to that.

Anyway, what we have now is the notion that somehow the terrible Tories are holding up all this legislation. I remind members, and this is for the benefit of those who were not here in the last term, that I was sitting in that seat over there for four years and we would go through pretty much every second piece of legislation and every member of the Labor Party would stand up and talk for their full 45 minutes and then the last speaker—Hon Samantha Rowe,

she was a purler at this one as the Whip!—would then stand up and say, “With that, I move that we refer the bill to committee”, so we would start it all again. Butter would not melt in her mouth! I have to say, Mr Acting President, that happened over and over and over and over again. Therefore, to think that if we spend a measure of time on a piece of legislation that that is somehow a new phenomenon, get a grip!

One time—I have said this a few times and I always remind members of this—we sat for 24 hours. Hon Ken Travers stood here and spoke for six hours on a duties bill that the opposition supported. He spoke for six hours and I sat in that seat over there for eight hours until 10 o’clock the next morning for debate on a duties bill that the opposition supported. Therefore, when we hear all this self-righteous indignation about these terrible Tories, let me tell members that I have a list of all the legislation and how many hours it took to debate. It does not make for flattering reading for members opposite, I can tell them! I was going to go through it, but I will save them, and I did say some nice things about the minister just a moment ago, so it does bear fruit when people do the right thing.

The one issue I will talk about is COVID legislation. I noticed some comments recently in the media from the Leader of the House that given we are in the middle of a pandemic, we would not mind sitting longer hours. Can I remind the Leader of the House that we have sat longer hours. We have now sat an additional 61 hours. We collectively agreed—there was not one dissenting voice—to sit those hours to facilitate the passage of COVID legislation. We all did it. Therefore, the government has had more than enough time to deal with COVID legislation, because COVID legislation has taken 57 hours, yet we have sat an additional 61 hours. This talk that we have all this backlog of legislation because of COVID is rubbish. There is no merit behind it. I want the government to understand that. We have been very, very supportive of the government on COVID legislation. As always, come the November sittings, we will look at extended hours. The Leader of the House wanted us to start sitting extra hours in September, three months before the end of the current session, which is unheard of. It is nothing new that we sit late in the last week or two; it has always been that way. We do not start sitting late in September. We gave the government every single hour that it wanted for COVID legislation. I want to make that perfectly clear.

Having said that, in a moment I intend to talk about the Corruption and Crime Commission because, quite frankly, that has been a festering sore for this government. The manner in which the government has dealt with it has been disgraceful. The imputation that has been placed upon members of this house, two members in particular, is extraordinary and I will talk about that in a moment.

Let us just have a look for a bit at the borders and where we are going with regard to that. When the COVID-19 pandemic hit, it took us all by surprise and we were in shock. It completely changed our mindset across the board. An enormous amount of fear and uncertainty existed throughout the community. The government did a good job. It said that it had to keep everyone safe. It closed the borders and took a number of steps that were completely averse to anything that any of us had ever experienced before, such as closing schools, restaurants and cinemas et cetera, to ensure that this virus did not spread. Yes, it had our support and the support overall of the community.

But the point of those measures were—and we were always told this—that ultimately if we had a spike in infection rates, they would eventually come down, we would flatten the curve and our health system would be able to deal with it. We had a health system that could cope with infections. We were told over and again by the Minister for Health and the Premier to flatten the curve. Then if we had really sophisticated and effective contact tracing, we could identify breakout points and deal with them, which New South Wales has done extraordinarily well. Every now and again there will be an outbreak, but New South Wales has great sophisticated contact tracing and it is able to deal with it. Other systems were not so successful, like in Victoria where there was the bizarre situation in which private contractors took over hotel quarantine and all sorts of insidious relationships went on between the officers and the inhabitants of those hotels. As a result of that, Victoria has had massive outbreaks, and it is still in a negative situation as far as the community is concerned.

We need to determine whether we will manage this virus or eradicate it. Dare I say it, what is becoming blatantly clear now, regardless of who we listen to, is that we have to get to a situation within our community in which we learn to manage it. If we do not and we wait for a vaccine—with all due respect and, again, this is not the gospel according to Pete—we could be here for years. We keep hearing about potential vaccines in Oxford and that Donald Trump reckons the United States had one about three months ago, so we know that that is not going to happen soon. On the horizon, it will be at least 12 months before we have a vaccine.

Hon Alannah MacTiernan: Member, can I just comment?

Hon PETER COLLIER: As long as it is sensible, because the minister is not very good at interjections.

Hon Alannah MacTiernan: I think it is Pfizer or certainly one of them are actually saying that they are anticipating that they would have completed the phase 3 trials by the end of November and would have made FDA application around that time, which would mean that it potentially could get approved in January or February.

Hon PETER COLLIER: It could get approved, but dissemination of that vaccine globally will take at least six months. I stand by that, and I have not heard anyone say anything to the contrary. In fact, I heard the Chief Health Officer say that yesterday; he was talking about all sorts of vaccines. We keep hearing about these different vaccines. Yes, I heard exactly that commentary: “potentially, by the end of the year”, so it is all very subjective. All I am saying

is that eradication is the threshold level that has been accepted by this government. That is why people are starting to get a bit nervous about this. They are getting to the point at which they can see that it is either eradication or management. What is it going to be? That has created an enormous amount of uncertainty within the community.

I will talk about the mixed messaging that we have been getting from the government in the last month. I have asked dozens of questions about this issue, and that is why I gave notice of the motion about information today. If the Premier has said, “Yes, we have to have 28 days with no spread”, I can tell members now that the Australian Capital Territory, the Northern Territory, South Australia and Tasmania fall into that category. They meet that criteria, yet we are not opening our border to those jurisdictions. A cynic might suggest that there is a political imperative, not a health imperative. If the health advice that the Premier has been getting from the Western Australian Chief Health Officer is adhered to and it is 28 days, four jurisdictions already meet that criterion. That is fact.

As I have said, I have asked dozens of questions. Originally, the government was very transparent with the information that was provided. I asked in early August in a question without notice of which some notice had been given how many exemptions had been granted for interstate entry and how many exemptions had been granted for international entry. It was a very easy question. I assumed that the police had that information and could just push a button and get the information, and they did, because three hours later, I got it. I was told that 35 243 people had entered Western Australia from domestic air travel and 7 093 people had entered Western Australia from international air travel, and so on. However, the government very quickly went back to the script. When it came under a bit of pressure about where we are going, it realised that it had to put the shutters back up. It is blatantly clear that it is very easy to shut down. We can just put up the border. It is easy; anyone can do that. The hard part is coming out of quarantine and the hard border, and that is what the government is finding at the moment. How does it come out of the hard border scenario it has created?

It was blatantly evident that there were all sorts of exceptions and all manner of ways in which people were bypassing the border and getting around the quarantine requirements. A month later, I asked exactly the same question about exemptions and I was told —

The Western Australia Police Force is in the process of refining its data collection options rather than relying on time-consuming and less reliable manual counting.

I assume from that answer that a lot more people have come in, because if the police could provide the information for me in three hours on the first occasion, why could they not provide it for me on the second? It is a real worry if the Western Australia Police Force has no idea who is coming in. I asked an easy question about the G2G PASS. On 15 September, I asked how many people were trying to return home and how many had been approved. The answer was —

The Western Australia Police Force advises that the residential address of an applicant for a G2G PASS is not a category for exemption for entry to Western Australia under the Quarantine ...

I could go on and on about this. Suffice to say, I did not ask about that. Straightaway, members opposite go back to the default position, which is putting up the hand all the time: “Do not ask anything.” The little minnows at Dumas House who answer the questions are saying, “How can we get around this one? How can we avoid answering this question?” I have asked dozens of questions like that. I know that the answers have not been created by Hon Michelle Roberts or the Premier. They do not create their own answers, of course; they are created for them and they just sign off on them. It is a cultural attitude by the backroom boys and girls who answer these questions, and the government, in accepting them, perpetuates this notion that it is open and transparent, but it is not. It is yet again creating an attitude of avoidance. I have asked so many of these questions. The next day, I asked —

Given that the Western Australia Police Force does not require an applicant’s residential address for consideration for exemption, —

Which I had not asked about —

how is it determined that an applicant is actually a Western Australian resident?

The answer was —

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Minister for Police.

The Western Australian Police Force advises that being a Western Australian resident is not a category for exemption to enter Western Australia under the Quarantine (Closing the Border) Directions.

Hon Stephen Dawson, to his credit, said —

Honourable member, I had not seen that answer. I realised that it was asked earlier in the week. I am happy to see whether I might be able to get the member a different answer.

He realised how stupid the answer was. I did not get another answer, but I do not hold that against the minister. That goes back to this whole ethos.

We have asked these questions over and again in both houses. Information is power. We are part of Her Majesty's Parliament, whether or not we like it. Having a pandemic does not mean that we become null and void; we are still entitled to ask questions to ensure that things are on the right track. That is our legitimate right. It is our constitutional right. That is why we ask questions, yet every time we ask questions or my colleagues in the other place ask questions, the Premier goes back to the script. He is demeaning, patronising and critical the whole time. He cannot open his mouth without saying, for example —

I do not really understand the Liberal Party at all. It is always looking for ways to try to undermine. It was just a silly question. It was really, really silly.

Or —

They seem to always want to criticise the arrangements we put in place. They seem to nitpick about it all the time.

I remind the Premier that we have supported every single thing he has done, but that does not mean for one second that we are going to shut up and not ask questions, particularly when we are getting mixed messaging from the Minister for Health, the Chief Health Officer and the Premier. It is our legitimate right to ask questions. The Premier decided he was on a winner with this and he went out and started beating his chest. He is always having a go at either the opposition or the other states because he knows that it is very populist and adds to his 89 per cent, his 90 per cent and his 91 per cent, although it has come down a bit lately and I think it will go even further because of the way he is going.

Let me have a look at these. This was in *The West Australian* of 1 April —

“I don't care if you don't like the food, I don't care if you don't like what's on TV.

“You're going to the hotel, you're staying there for two weeks, you're going to be in your room and you're not bringing the virus home.”

The Premier of Western Australia said that. Let me have a look at a few more. Again, this just incensed me from the Premier. It is this arrogance that is going to bring you guys down ultimately, I promise you. This is from 20 May 2020 —

Deputy Chief Medical Officer Paul Kelly says he is ready to meet the WA Premier “any time”, after Mark McGowan said he did not know who he was amid an ongoing feud between state premiers over border closures.

Mr McGowan hit back at calls from the New South Wales and federal governments for interstate borders to be reopened, saying he would not be “bullied” by a state that allowed the Ruby Princess disaster to unfold.

“I don't know who Paul Kelly is, clearly not the singer,” he said.

This is the Premier of Western Australia. This is from 9 May 2020 —

“I know the New South Wales Premier is unhappy, I know Mr Birmingham is unhappy. But frankly, bad luck,” he said.

“It might inconvenience the New South Wales Premier and some people from the eastern states, but frankly, I don't give a damn.”

This goes on and on. At the time—I am talking May here—it was very populist stuff. The Premier had decided that that would give him a few more percentage points on his 86 per cent, 87 per cent and 88 per cent. The first time he did that, it started to become unstuck. People started to say, “We've had enough of this nonsense. We can see that there's not as much merit in these closed borders as we first thought. Yes, it certainly played its role, but we have to start thinking about an exit strategy. We have to start thinking about where we go from here, or do we stay in lockdown ad infinitum until we have a vaccine?” Then the federal government asked the state government to accept 500 more international travellers, which the federal government paid for. The Premier said that doubling the number of Australians returning from COVID-riddled countries overseas was a threat to the Western Australian people and that the federal government was just dumping them at the airport. That cost the Premier an enormous amount of support—“dumping” these people at the airport. Of course, the Premier wanted to put them on Christmas Island. Let us not forget that the left hates Christmas Island. It is okay to dump returning Australians on Christmas Island, but it is not okay to put asylum seekers on Christmas Island, according to the Labor Party. That caused the Premier enormous grief. I can assure members that it did.

He really stuffed up about two weeks ago when *The Sunday Times* reported —

While being pressed by reporters on what his specific objections were to the other “clean” States' border arrangements that gave him so little confidence, he freestyled his way into a plainly unconstitutional line of argument.

“But you know, honestly, the benefit to opening to the NT or SA for WA is not there. There is no benefit,” he said.

“Far more West Australians will go there on holidays than people from SA and the NT come here on holidays. All we’ll do is lose jobs were we to open to those States.”

Desperate attempts were made by his spinners to put the genie back into the bottle and he tried to walk the comments back at a later press conference in Port Hedland, but to no avail.

The portion of the population who would like to travel for business or family reasons perceived a Premier playing politics with their lives and livelihoods.

Close the border for public health reasons, so long as those closures are proportionate? Fine — and the issue that will be tested in the High Court.

Close the border because it’s good/bad for the economy? A textbook breach of s.92 of the Constitution which states commerce, trade and intercourse between the States is to be absolutely free.

That is when the Premier came unstuck. All of a sudden, the mantra changed from a health issue to an economic issue. They also missed a big one there, of course—political issues. Until this stage, it has been politically expedient to keep the borders closed.

Liza Harvey was the first to ask for the borders to be closed. But when she had the audacity and temerity to think about bubbles or opening up to states that were COVID-free, she was lambasted by the Premier, even though the Chief Health Officer said that it was fine. Now the Premier is faced with a dilemma: do we keep going this way while the rest of the nation is opening up or do we think about the possibility of having limited exposure with those states that are safe, based upon a criterion that the Premier established? The Liberal Party did not do that. The Nationals WA did not do it. One Nation did not do it. Hon Charles Smith did not do it. No-one did that other than the Premier. He established this criterion. The line in the sand is: no infection rates for 28 days. Some states have reached that, and the Premier is now asking, “What are we going to do?” I see it now.

Ultimately, believe it or not, I wish the Premier well on this one. I hope he gets it right. Like the rest of the people in this chamber, I do not want COVID to come back. Having said that, the Premier started to come a bit unravelled last week and we saw an extraordinary interview in *The West Australian* on Saturday, 17 October, under the heading “My fear of mass deaths”! I mean, really, Premier? Does the Premier really think that is going to provide a degree of confidence, comfort or security among the aged members of our community? Does he honestly think people will be impressed by a Premier talking about mass deaths? This is a criterion that the Premier set. He set a criterion of 28 days COVID-free. He said that; no-one else. He should not be talking about mass deaths when we open up to those jurisdictions that meet that criterion. He has always said it is based on health advice. If he has changed his views on that, let the people of Western Australia know. He should let them know that that is what he thinks. Do not take the people of Western Australia for bunnies, Premier, because they are starting to wake up to you!

We have supported the government all the way in its response to this pandemic, including extra time in this chamber and supporting all COVID legislation. But we are expressing the views of a growing number of Western Australians who are asking: where do we go from here? If the line in the sand is eradication, the Premier should let Western Australians know. If we have to stay locked up until we get a vaccine, let Western Australians know. The Premier should not treat people with contempt by saying that the standard—that line in the sand—for opening the borders is 28 days COVID-free and then balk when that line in the sand is reached.

The other thing I would like to talk about is the Corruption and Crime Commission. This matter has consumed the chamber for about 12 months for a host of reasons, not least of which is the fact that we have been lambasted, criticised and bemoaned constantly by the Premier and the Attorney General over something that, quite frankly, is eminently sensible. It is called parliamentary procedure and parliamentary process. This chamber and the other chamber have followed that process. When that process did not fall into line, yet again, with the Premier and the Attorney General, they went back to script; they spat the chewy, jumped up and down, and yelled and screamed. That is all we have had for the past 12 months. It has been disgraceful. This Parliament has a process in the Joint Standing Committee on the Corruption and Crime Commission.

After the last election, the government did not adhere to the convention of that committee and it appointed a member of the Greens as opposed to John McGrath—our recommendation—and Hon Jim Chown. To be perfectly honest I did not have a problem whatsoever with the appointment of Hon Alison Xamon. I can say, hand on heart, that I have an enormous amount of respect for her. I think she will always do what is right for the community and for this Parliament. That was not an issue. But the joint standing committee, as part of the parliamentary process, was asked to deliberate on the reappointment of John McKechnie. For that to occur, the joint standing committee, which consists of two Labor members, a Liberal member and a Greens member, needed both majority and bipartisan support for that appointment. The committee could not reach agreement on that. The government’s response was swift and vicious. Hon Mark McGowan and Hon John Quigley were vitriolic. In saying this is disgraceful, I will get back to that in a moment. Is it not disgraceful that John McKechnie was not reappointed?

The Premier of Western Australia then wrote to the Leader of the Opposition, Hon Liza Harvey, and asked for her support for a bill—let us call it the McKechnie bill. He was not prepared to accept the Joint Standing Committee

on the Corruption and Crime Commission's recommendation; he wanted to bypass that process and change it. The only way he could do that was through the statutes—through a bill. He decided to bypass the committee, the crossbench, the Greens and the Nationals WA and introduce a bill to give the rest of the parliamentary process the single-finger salute: "Sorry guys, I'm getting who I like." He thought he would do it by asking Hon Liza Harvey to support such a bill. I am not going to read the whole lot but I will read the relevant part, which states —

We have been supplied with a list of the ongoing and emerging operational activities of the Commission which would be interrupted by a change of Commissioner at this time, or by the absence of any Commissioner (with an acting Commissioner stepping into the role). These are substantial activities, and a change or absence of Commissioner would create significant disruption to these operational activities, and the important investigations to which they relate. The current state of emergency and future recovery period is not the time to be changing leaders of the State's premier integrity agency.

The letter says, "We have been supplied with a list of the ongoing and emerging activities of the CCC". I thought that was interesting, so I asked a question about it. The Premier said that he did not have it, but he put it in a letter. About five questions later, yet again, I get the response, "The Attorney General's got the list," but it is not the Premier, so it does not count. "We" is the Attorney General, not "us". If we read "We have been supplied with a list of ongoing and emerging operational activities of the Commission", what would we think? Surely we would think that he has it. He put it in black and white; the Premier signed this. Does anyone know who, according to the CCC, has asked for a list of ongoing activities? Does anyone know? I will tell members. It is Hon John Quigley. He is the only one who has asked that. Why? I thought the CCC was sacrosanct, a separate arm devoid of political interference. Why does the Attorney General want a list of ongoing activities?

Hon Darren West interjected.

Hon PETER COLLIER: Does Hon Darren West think it is appropriate? Does he honestly think that is appropriate?

Hon Darren West: You interfered with the appointment to protect Phil Edman.

Hon PETER COLLIER: We did not interfere. How dare you!

The ACTING PRESIDENT: Leader of the Opposition, please direct your comments to me.

Hon PETER COLLIER: Thank you, Mr Acting President. I find that interjection highly offensive. We did not interfere.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: If the member does not mind listening.

Hon Darren West: It's all about Phil Edman.

Hon PETER COLLIER: We did not interfere with the reappointment of John McKechnie. The process for the appointment of John McKechnie was adhered to. The fact that the government does not like the outcome of that process is nothing to do with the opposition.

That is one thing to think about. The only Attorney General to ask for a list of ongoing operational activities was Hon John Quigley. Put that in the back of your mind, guys.

The Premier's letter goes on to read —

Of course, you are aware that one of the current investigations of the Commission concerns the risks of misusing parliamentary allowances. This has been publicly disclosed. The interim report released on 17 December 2019 was critical of expenditure by Mr Edman in respect of social activities of a group which exists within the Parliamentary Liberal Party and particularly the Legislative Council, known as the "Black Hand Gang" (a name associated with secret criminal groups, and which has no doubt been adopted in jest).

The Premier of Western Australia wrote this. I would love to know where he got his degree. He continues —

However, no member of the public should be able to suggest that the reason why Commissioner McKechnie QC does not have bi-partisan support is due to this investigation.

Why did he bring it up in the first place? To continue —

It is therefore critical that Commissioner McKechnie QC should now receive bi-partisan support, to avoid any diminution of public confidence in the great institution of Parliament.

"Great institution of Parliament"! He just abused it—he wanted to bypass the great institution of Parliament by doing a handshake deal with the Leader of the Opposition and bypass every other party and have a two-party state and take control of the process. That is a sad indictment of the moral fortitude of our Premier. Of course we would never support that—not ever. Contrary to the ill-founded accusations of the Premier, it has absolutely nothing to do with CCC investigations.

The Leader of the Opposition sent a letter to that effect. She suggested that the matter perhaps go back to the Joint Standing Committee on the Corruption and Crime Commission to have a second look. That was eminently sensible. “There are some issues; perhaps you’ve heard about it, so let’s go back and see if the Joint Standing Committee on the Corruption and Crime Commission can have another look.” I was part of the decision-making of this. I said, “Why not ask the committee to have another look? If there are some issues, and the committee listens to the Premier and the opposition leader, ask: do some problems exist?” On 14 April 2020, the Leader of the Opposition wrote the Premier a letter to that effect. I have to say that, quite frankly, I was even reluctant to go that far. The joint standing committee members were the only ones privy to information for that selection process. I respect the position of the four people on that committee, albeit I do not respect one in particular as an individual anymore, but I do respect the other three. There is no way I was going to question the validity of the committee’s decision. The committee members were the only ones who were privy to information regarding the reappointment process. They came to the decision. To suggest or to even contemplate the decision was based upon some issues regarding former member Phil Edman or that we were covering up corruption—I will talk about that in a moment—is, quite frankly, offensive and demeans the character or the role of the Premier.

Hon Darren West interjected.

Hon PETER COLLIER: Does Hon Darren West think we are covering up corruption?

The ACTING PRESIDENT: Leader of the Opposition!

Hon Darren West interjected.

The ACTING PRESIDENT: Member, just stop the interjections, please.

Hon PETER COLLIER: I tell you, what, mate; you say that outside this chamber—you say it. I challenge you to say it outside this chamber. Once again, I challenge you to say that outside this chamber.

The ACTING PRESIDENT: Leader of the Opposition!

Hon PETER COLLIER: Grow up!

Point of Order

Hon PIERRE YANG: Mr Acting President, the Leader of the Opposition has been in this place for a very long time; he certainly understands that pointing fingers across the chamber is unparliamentary. I ask for your counsel.

The ACTING PRESIDENT (Hon Matthew Swinbourn): Leader of the Opposition, could you continue to direct your comments to the Chair and perhaps we can avoid the circumstances in which you feel the need to point the finger. I would appreciate that.

Hon PETER COLLIER: Thank you, Mr Acting President. I will say that I was offended by that interjection.

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: If you want to take this to the Standing Committee on Procedure and Privileges, I am quite willing to do so. Do not test me on this one—do not dare.

The ACTING PRESIDENT: Leader of the Opposition, continue with your speech, please. I remind other members that interjections are disorderly and they will cease.

Hon PETER COLLIER: When it all comes out, Mr Acting President, and their accusations, particularly the one Hon Darren West just made, are found to be ill founded, I will accept their apology. The same goes for you, Hon Alannah MacTiernan, fount of all knowledge.

Debate Resumed

Hon PETER COLLIER: The Premier went absolutely ballistic because the Leader of the Opposition would not support his suggestion, so he came out and this is when the lambasting began of the members of the Liberal Party in particular. It is reported —

Mr McGowan blasted the opposition’s only member on the oversight committee, upper house Liberal MP Jim Chown.

“Clearly Mr McKechnie put together a report last year which exposed some pretty awful dealings on the part of some Liberal party members and consequently, or subsequently, his reappointment was not supported by a Liberal party MP on the CCC upper house committee,” he said.

“The CCC’s role is to root out corruption. Mr McKechnie is good at that. He exposed some of the dealings of some of the upper house Liberal MPs and now the Liberal party is opposing his reappointment.”

Mr Quigley said Mr Chown was acting on the wishes of the ‘Black Hand group’, the colloquial name used by Liberals to refer to upper house MPs mentioned in a CCC report handed down by Mr McKechnie covering former Liberal MP Phil Edman’s use of electorate expenses.

“This is a disgrace on Western Australia,” Mr Quigley said.

“The Black Hand group have obviously delivered their verdict to Mr Chown and said: ‘get rid of that McKechnie, get rid of him behind closed doors and don’t give a reason.’

“Mr Chown will have to stand up, surely, in the Legislative Council and explain to the public of Western Australia why he has blackballed and vetoed the best corruption fighter Western Australia’s had.

“It’s because Mr Chown and his Black Hand gang don’t want Mr McKechnie proceeding.”

Mr Chown declined to comment on the accusations levelled at him by the government, but noted it would be a breach of privilege for anyone to undermine the confidence of a parliamentary committee in relation to its deliberations.

Spot on, Hon Jim Chown. Quite frankly, having a hissy fit about not getting your own way is demeaning and not becoming of a Premier or an Attorney General. Do not just take my word for it. Take the word of the committee itself, in particular the chair, Margaret Quirk. She put out a media release because she got a bit fed up with the insinuations that somehow it was politically motivated. By design, the comments were aimed at the committee for protecting corruption. Her media release on 23 April 2020 was titled “Reappointment of the Corruption and Crime Commissioner, John McKechnie QC”. It reads —

The Committee met on 22 April 2020.

It took into account the matters which were recently brought to the Committee’s attention by the Premier.

Again it was unable to reach either a bipartisan or a majority decision in support of the recommendation to reappoint the current incumbent.

The Committee operates under Standing Order 270:

“Committee deliberations will be conducted in closed session.”

However, because of unfounded public speculation about the motives for the Committee’s previous deliberations, it has resolved to unequivocally reject any suggestion that the motivation for any members not supporting the appointment recommendation was the Corruption and Crime Commission’s focus on parliamentary electoral allowances.

I hope members heard that. It continues —

A range of reasons were canvassed at length. As has been the practice since the Committee’s inception, all points of view by members were made in good faith and given respectful consideration.

The nature of those discussions is not detailed because it includes information provided by third parties in confidence and matters which may impact on the operational performance of the Commission.

...

Given support for the incumbent by both the Opposition Leader and the Premier, discussion on what did, or did not, occur in the Committee, and imputing motives to individuals, does not progress a constructive way forward.

Hear, hear! What a great media release. Did it stop the Premier and the Attorney General? Not on your life. They were going to bulldoze the bill through whether or not we liked it. It continued. I will quote the Premier from Tuesday, 16 June 2020. He said —

The real story is what the CCC report brought down. I will not go through it at length but there was a grand conspiracy amongst Liberal Party MPs to cover up a corruption inquiry and cover up what has gone on. The conspiracy continues because they continue to block the reappointment of Mr McKechnie, the chief investigator in this case. It is shocking. If we were in Victoria, I imagine that it would be the subject of a royal commission. That is what would be going on here. If we were in Victoria, no doubt what is going on here would be a national story. I sometimes find that Western Australia is a long way away when it comes to the interstate press, and they do not notice these things. If this had been going on with Victorian upper house Liberal Party members, it would be a national story. What Liberal Party members have done should be a national story. This cover-up has gone on for long enough. The failure to reappoint Mr McKechnie is a continuation of this cover-up by the Liberal Party.

I say to the Premier, and I have said this over and again: I have not had one conversation with Hon Jim Chown, Hon Alison Xamon or the other two members about the decisions that they made. I can say very safely that no other members of the Liberal Party have spoken to them either—none whatsoever. If the Premier wants to call a royal commission into this situation, he can; he is the Premier. But do not lambaste us with this nonsense. He is the Premier; he can do whatever he likes regarding a royal commission. It goes on and on. The Premier made it so personal, particularly regarding Hon Jim Chown. On 13 May 2020, the Premier said —

We have heard the remarks of the member for Kalamunda about Mr McKechnie. Who do we think it is? One does not have to be a rocket scientist to work that out. I do not think that I have ever spoken to Mr Chown, an upper house MP who represents a region—I am not sure which one.

What a patronising comment to make—for goodness sake. I will not go on any further about the comments made by the Premier and the Attorney General. I have been through this over and over again, highlighting the comments made by both the Premier and the Attorney General. I was offended. Members get offended in politics, but we are big boys and girls and we get on with it. Quite frankly, the comments the Premier made were highly offensive. He did not just insinuate, but labelled me and my colleagues as corrupt. How dare he. I do not care that he is the Premier of Western Australia or that Hon John Quigley is the Attorney General. That has nothing to do with it. As I said, I have utmost confidence in Hon Jim Chown. He has been a friend of mine for decades. I think very highly of him. He is an honourable man. He would have done what he thought was the right thing to do—nothing more, nothing less. To suggest that somehow he was corrupt, or that he was protecting corruption, is reprehensible. I mirror those comments with regard to Hon Alison Xamon. As I have said before, I have the utmost respect for Hon Alison Xamon. Her capacity to get around legislation and do the right thing on legislation, whether I agree or disagree with her, is second to none. Although she was not criticised as much as Hon Jim Chown was about this issue, by design, she was. Quite frankly, again, that is demeaning of the role of the Premier.

The biggest issue was when the Premier called my colleagues and me terrorists. I remember members opposite getting all bent out of shape when I referred to them as Bolsheviks. I have mentioned that a number of times. They hated it. At one stage, when the President said that it was perhaps not a good move, I said that I assumed I could not call them comrades either. I assume that members opposite do not call each other comrades any more. Since “Bolshevik” is out the window, I assume “comrade” is not acceptable either because they are of the same ilk.

Hon Alannah MacTiernan: We use “tovarisch” as our preferred term.

Hon PETER COLLIER: Good; as long as “comrade” is not used, because that would be hypocritical. I equally take offence to being called a terrorist. In a media conference on 26 April, the Premier said it and repeated it several times. When asked about John McKechnie, the Premier said —

We want him reappointed... It's wrong. It's outrageous. It's verging on corrupt.

The Premier also said —

You can't give in to terrorists; you give in to terrorists they just continue to terrorise and that's what the Liberal Party is doing,” ...

No, I am not a terrorist, Premier. Let us look at a couple of definitions of “terrorist”. The *Oxford Dictionary* defines it as someone who unlawfully uses violence and intimidation, especially against civilians, in the pursuit of political aims. The *Cambridge Dictionary* defines it as someone who uses violent action or threats of violent action for political purposes. The *Macmillan Dictionary* defines it as someone who uses violence in order to achieve political aims. I am none of those things. I am a member of Parliament who supports the parliamentary process. Hon Jim Chown is a member of Parliament who supports the parliamentary process. Hon Alison Xamon is a member of Parliament who supports the parliamentary process. The fact that we did not adhere to the rantings, quite frankly, of the Premier and the Attorney General does not mean that we delve into the role of being a terrorist. As I have said before, I cannot believe this. We can go back to the 1972 Olympic Games when eight Jewish athletes were slaughtered by Palestinian terrorists. What about the four planes that were downed by al-Qaeda terrorists in 2001? They were terrorists. They used violence for their political aims. I am not one of those people. I am highly offended to be called a terrorist. That will mean nothing to members opposite but for those members who got bent out of shape because I referred to them as Bolsheviks, I suggest they look in the mirror, because it is 1 000 times worse to call someone a terrorist, and all because the Premier could not get his own way.

I will be bringing my comments to a close, though I may possibly take this to question time; I will see how I go. I have read the quotes into *Hansard* several times. They have been constant, consistent and unrelenting. For some bizarre reason, the Premier and the Attorney General think that by abusing and criticising us, somehow they will get their own way. As I said, I will finish on this particular area, where I started. There is this notion that the Premier and the Attorney General do not accept or respect the fact that they do not control the upper house. The way to get through it is to abuse us, criticise us and accuse us of being terrorists, all because they could not get their own way. The Liberal Party got some legal advice on the process of introducing a new bill. The government wanted to bring in this bill. The advice goes on forever. I have heaps to read but I will not read it all. In part, it states —

It is trite to observe that it matters not that the Leader of the Opposition and the nominating committee support the reappointment of Mr McKechnie.

To the extent that there is an “impasse” in the appointment process, it arises because the Premier will not recommend a candidate other than Mr McKechnie.

There is no failure in the processes prescribed by the Act, or indeed in the design of such processes. That the Joint Standing Committee might not, by majority and in a bipartisan way, support appointment of the Premier's recommended candidate is an intrinsic part of the mechanism for appointment, and has been from the commencement of the *Corruption, Crime and Misconduct Act 2003*.

Hear, hear! That legal opinion was written by Grant Donaldson. That is exactly right. It does not mean that there is anything wrong or corrupt or that we are terrorists. It just means that the process is following its correct path.

After all that, we were told that the Attorney General decided back in May—he could see the writing on the wall because I made my comments and we decided that we would not support the legislation—to pull the bill. He said, “No; we’re going to take it to the election. It will be an election issue.” We thought that was fine—take it to the election. But it kept going. The Attorney General sent another letter to Hon Liza Harvey, asking her for another way around it. He could not get his own way, so he said that the government would bypass it again. It would not introduce a bill to do it this time; it would have an appointment process and a sweetheart deal across the chamber between the Premier and the Leader of the Opposition. He said that he and the Leader of the Opposition would do a deal, as though Hon Liza Harvey was going to compromise her principles and say, “Okay, fair enough, we will isolate the crossbench and you and I will do it.” That is exactly what he wanted.

It all came to fruition when we had our leadership meeting and we were provided with a list of 18 bills that we had to get through by the end of the year. Guess what? The CCC bill was not on the list. Hon Liza Harvey wrote back to the minister and said, “It’s not on the priority list. How come you want this to happen when the leader of the upper house has not agreed to it?” We have not heard anything since. The Attorney General got caught out. I would love to know whether the Premier or the Leader of the House in this chamber knew anything about this letter. He wrote the letter to Hon Liza Harvey about another way around the process. The government was trying everything to get John McKechnie in. As I said in a speech recently, without a shadow of a doubt the government has seriously compromised John McKechnie from ever holding that role again, not because of anything he did, but the Premier and the Attorney General made his position as commissioner untenable. He will always be tainted as a Labor stooge. Why was the government so intent on reappointing Mr McKechnie? It was because he is a Labor man. By continuing this process, the Attorney General has done exactly that. Why would the Attorney General go again? He lost the battle in May. He acknowledged that. He said that in the chamber. A month or so later, we get another letter setting out another way around it. That fell flat on its face as well. Then we go back to the list of ongoing operational activities. Again, four questions later, we found out that the Attorney General had that list, not the Premier.

To conclude, we have a situation in which we do not have a commissioner. Apparently, the CCC has not been able to do any work because it does not have a commissioner. It has become redundant. We have members of the Liberal Party who are terrorists and a political process that is flawed, according to the Premier and the Attorney General. I will say a couple of things. Firstly, our political process operates fine. It has done so since the system to appoint a commissioner was established 20 years ago. That is not an issue. Secondly, I repeat that we are not terrorists. Thirdly, is the commission operating or has it become redundant and devoid of any direction as a result of the decision? We do not know. We asked for the CCC to appear at estimates, and we did not get that, which is disappointing.

The Joint Standing Committee on the Corruption and Crime Commission interviewed the CCC. Let us see whether the CCC thinks that it is devoid of any operating potential or has become redundant. This is fascinating. It is on the public record. I highly recommend that members, particularly those opposite, read the whole thing. It provides a fascinating insight. Remember, we have been told that the CCC cannot work. Let us look at the transcript. It states —

Hon JIM CHOWN: Mr Ellis, congratulations on your first annual report on behalf of the commission. Obviously, you are an extremely busy person, and taking up this role as acting commissioner has probably put a major burden on your leisure time as such. In regard to the matter where you have stated that it creates uncertainty for the commission in not having a full-time commissioner, have you expressed this opinion in writing to the Attorney General?

Mr Ellis: We have expressed to the Attorney General that it is desirable for a full-time commissioner to be appointed. We have also expressed the view that it is desirable for there to be a second acting commissioner—sort of a tag-team approach. As you would be aware, that is not an appointment that can happen overnight. The same process needs to be followed.

Hon JIM CHOWN: It has been nearly six months, acting commissioner. And what was the response?

Mr Ellis: Is it appropriate for me?

The CHAIR: Absolutely!

Mr Ellis: My understanding was that he was eager to address the issue. No doubt he will be able to say what his priorities are, but my understanding of his priority was to procure the reappointment of former Commissioner McKechnie.

The CHAIR: From my recollection—Mr Warnes might be able to help me—the issue about having a second acting commissioner has been a live issue for a long time, as I understand it. This is not a new thing.

Mr Warnes: I think previous to Mr Ellis’s first appointment, there were two commissioners. Certainly when I started at the commission, they were in that transition to one, with Mr Douglas finishing his term and Mr Shanahan continued. Since that period, we seem to have only one acting commission. It has been great to have an acting commissioner when former Commissioner McKechnie had a conflict of interest with matters—Scott was able to jump in—but we do not have that luxury now. We are fortunate that we have not had that and been confronted with that particular issue yet, but it is around the corner I am sure.

So, it has been done before. The CCC is not “Nigel No Friends” in this space; it can operate without a commissioner. It has done so in the past, and it will continue to do so.

It gets better. This is well worth a read, everyone. I highly recommend members go to it and perhaps get the Attorney General to have a perve as well. It goes on —

The CHAIR: While we are on that matter, there have been some indications, both in the report and I think publicly, that the commissioner has ongoing investigations into electoral allowance matters, if I can put that in broad terms. Given that there is no decision at this stage from the court, how active is that investigation, or is it effectively in suspension until you get more legal guidance?

Listen to this one, because it had all finished, remember, because John McKechnie is not there anymore —

Mr Ellis: We are still actively pursuing that investigation.

I repeat —

We are still actively pursuing that investigation.

The investigation has not stopped. I really hope that the Premier and Attorney General will read this. Mr Ellis continues —

There have been hearings to do with it.

I repeat —

There have been hearings to do with it. We will not be able to finalise the report or the whole of the investigation until the legal proceedings are resolved, but we do anticipate that —

I might add that that would have been the case even if John McKechnie was still there. There are still legal proceedings. The transcript continues —

Ms Endebrock-Brown : The legal proceedings are obviously holding up a number of things, but also relevant to the investigation is the material that we are trying to get hold of. We are waiting for that as well to be able to finalise the investigation or pursue aspects of the investigation.

Hon ALISON XAMON: Obviously there has been a lot of publicity about one particular high-profile element of that investigation, but, as I understand it, that has not prohibited the CCC from being able to investigate other members of Parliament. Can I confirm that, notwithstanding the fact that we are waiting a very long time for the outcome of that particular litigation, the CCC is still perfectly capable of being able to undertake investigations of other members of Parliament right now? Can I confirm that?

Mr Ellis: There are limits on what we can investigate at all because of parliamentary privilege.

That would occur anyway. That is important. It would have occurred anyway; it has nothing to do with whether John McKechnie was there. Mr Ellis continues —

Certain matters that we are investigating, particularly the electoral allowances, are not, in themselves, matters of parliamentary privilege, so we can continue to investigate those. However, in order to investigate those matters of the electoral allowances, we require access to a whole lot of documents. At the moment the contention is—and this is one of the things that may be resolved by the court—that a whole bunch of documents contain documents that are the subject of parliamentary privilege and, as I understand it, the Parliament needs to go through and decide which of those documents are privileged and which are not. Until it does so, we cannot get any of them. That puts a limitation on us finalising the investigation. It makes it a little bit more complicated, but there is certainly stuff that we can still do, and we are doing.

I want to make something perfectly clear. Firstly, the CCC is still continuing with that investigation; and, secondly, the fact that John McKechnie is not there has nothing to do with that investigation. There is still the issue of privilege, and that would have existed regardless of whether or not John McKechnie was there. That was the decision that was made by this chamber. It has nothing to do with John McKechnie. Once again, instead of the Premier and Attorney General lambasting us and, in particular Hon Jim Chown and, by design, Hon Alison Xamon, they need to go and look at this report and say to the Parliament and the people of Western Australia, “Actually, we got it wrong. The CCC is still investigating the electoral allowances issue.” It is still doing it. It is actively investigating it. I have just read that into this chamber. This is from a transcript of evidence of 7 October 2020 from the Joint Standing Committee on the Corruption and Crime Commission. I highly recommend that everyone looks at the whole thing.

I will go into a couple of other things. This is very important because it goes to just how involved the Attorney General is in this whole issue. The transcript states —

Hon JIM CHOWN: Can I just ask why the Attorney General received a full list of CCC investigations?

Mr Ellis: I beg your pardon.

Hon JIM CHOWN: Can I just ask why the Attorney General received a full list of investigations underway within the CCC?

Hon ALISON XAMON: That came out in the course of a line of questions within the Legislative Council.

They were my questions, I have to say. Hon Alison Xamon continues —

The Council was advised that the Attorney General had requested and received a full list of ongoing investigations from the CCC.

That is because the Premier wrote to the Leader of the Opposition and told her so. The transcript continues —

Mr Warnes: I do not think he got a full list of investigations. He got an indication of some of the serious investigations that we were undertaking by nature of them, not the specifics that would be operational.

Hon ALISON XAMON: I am just recalling that this has been the source of some debate within the Council.

It most certainly has. The transcript continues —

Hon JIM CHOWN: Now you are qualifying, Mr Warnes. What do you mean by some nature?

Mr Warnes: I guess what he wanted to get a sense of was the impact of not having a reappointment of the commissioner.

Again, I will repeat that. If members cannot see the issues with this, they need to look in the mirror. This is from Mr Warnes from the CCC —

I guess what he wanted to get a sense of was the impact of not having a reappointment of the commissioner. We gave him a sense of the type of operations that we had underway that would be impacted, potentially, by that.

The CHAIR: And what were they?

Mr Warnes: In terms of the investigations?

The CHAIR: Yes.

Mr Warnes: I cannot recall them off the top of my head ... of what the list was or what the indications were.

A little further down, it states —

Hon JIM CHOWN: On any previous occasion has an Attorney General requested such information from the CCC to your knowledge?

Mr Warnes: Not to my knowledge.

I will come back to that later.

Debate interrupted, pursuant to standing orders.

[Continued on page 7158.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

LOTTERYWEST GRANTS — VICTORY LIFE CENTRE

1158. **Hon PETER COLLIER to the Leader of the House representing the Premier:**

I have my two questions and three others today.

I refer to question without notice 1138, which was asked on Wednesday, 21 October 2020.

- (1) Was a grant proposal to Lotterywest that was recently lodged by Margaret Court Community Outreach, operating through the Victory Life Centre, rejected?
- (2) If yes, why was the proposal rejected?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) A grant proposal that was lodged on 28 May 2020 by Margaret Court Community Outreach, operating through Victory Life Services, was not progressed.
- (2) The board expressed concerns about Lotterywest being associated with the public statements made by the organisation's founder on gay and lesbian issues and on marriage equality.

TOURISM WA — CREATIVE ADVERTISING SERVICES CONTRACT

1159. **Hon PETER COLLIER to the minister representing the Minister for Tourism:**

- (1) Will the minister confirm that Mollie Hill, who is the executive director of strategy, brand and marketing services at Tourism WA, worked for The Monkeys?
- (2) Can the minister confirm that The Monkeys was awarded a recent Tourism WA contract; and, if so, what was the value of that contract?
- (3) Did Mollie Hill declare a conflict of interest and/or excuse herself from the awarding of the contract referred to in (2)?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Tourism.

- (1) Yes.
- (2) Yes. Tourism WA's creative advertising services contract was awarded to four agencies: The Monkeys, The Brand Agency, Sandbox and Marketforce Group. It is valued at an estimated \$18 million over five years.
- (3) There is no conflict of interest. Ms Hill worked for The Monkeys between September 2015 and March 2017. She commenced work with Tourism WA in May 2019 and was not a member of the evaluation panel for the contract.

WORK HEALTH AND SAFETY BILL 2019 — CONSULTATION

1160. Hon PETER COLLIER to the Leader of the House representing the Attorney General:

I ask this question on behalf of Hon Michael Mischin, who is on urgent parliamentary business.

I refer to the amendments to clauses 230, 231 and 232 of the Work Health and Safety Bill 2019, which first appeared in Legislative Council supplementary notice paper 155, issue 5, of 15 September 2020, and to the memorandum to members of Parliament explaining those amendments, which was tabled on 20 October as tabled paper 4503.

- (1) When was the Attorney General first consulted about those clauses?
- (2) When was the Director of Public Prosecutions first consulted about those clauses?
- (3) When was the State Solicitor's Office first consulted about those clauses?
- (4) What advice did the Attorney General, the DPP and the SSO provide concerning them, to whom and when?
- (5) Given that approval to print the bill would have been granted by cabinet before November 2019, why did the Attorney General not notice and draw to the attention of his fellow minister that what was proposed by clauses 230, 231 and 232 was inconsistent with Western Australian prosecution law and practice?
- (6) Having regard to the comments in tabled paper 4503 that the Office of the Director of Public Prosecutions could not carry out certain of the functions proposed by clause 321 because it is already lacking in resources, to what extent is it lacking in resources and how is that deficiency being addressed?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I had asked that the honourable member be made aware of the answer that I am about to give. I am not sure whether that has happened.

The Attorney General is unable to provide an answer to the question in the time provided. An undertaking is given to provide an answer on the next sitting day of the house.

“VETERANS AND FAMILIES STRATEGY”

1161. Hon PETER COLLIER to the minister representing the Minister for Veterans Issues:

I ask this question on behalf of Hon Tjorn Sibma, who is on urgent parliamentary business.

I refer again to the “Veterans and Families Strategy”, which was released in August 2019.

- (1) Can the minister please advise in tabular form the progress that the state government has made in implementing the following initiatives and policies that were identified in the strategy; and, in the case of those initiatives and policies that are incomplete, could the minister advise when he anticipates completion —
 - (a) recognition: actions 1.1 through 1.4 inclusive;
 - (b) understanding: actions 2.1 through 2.4 inclusive;
 - (c) support: actions 3.1 through 3.8 inclusive;
 - (d) participation: actions 4.1 through 4.4 inclusive; and
 - (e) commemoration: actions 5.1 and 5.3 inclusive?

Hon STEPHEN DAWSON replied:

I thank Hon Tjorn Sibma for some notice of the question. The following answer has been provided to me by the Minister for Veterans Issues.

It is not possible to get the information in the time required and I therefore ask the honourable member to place the question on notice.

CORONAVIRUS — AGRICULTURE WORKERS

1162. Hon PETER COLLIER to the Leader of the House representing the Premier:

I ask this question on behalf of Hon Dr Steve Thomas, who is on urgent parliamentary business.

I refer to the shortage of farm workers to harvest this year's crops.

- (1) How many agricultural workers have been approved to date as exempt travellers to this state's hard border under the agricultural worker exemption category in each month since the hard border was instigated?
- (2) Given that the agricultural worker exemption category was removed from the list of exemptions on 18 September, how many agricultural workers have been approved to date as exempt travellers to this state's hard border under the general exemption category in each month since the hard border was instigated?
- (3) How many employment placements have been made as a result of the Work and Wander Out Yonder campaign to date as a result of the campaign, and how has that been measured?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I know that the honourable member is aware of the answer that I am about to give.

Given the complexity of the question, an answer is not available in the time frame today. However, we will provide the member with a response on the next sitting day, 3 November.

WOODSIDE — REDUNDANCIES

1163. Hon JACQUI BOYDELL to the minister representing the Minister for Mines and Petroleum:

I indicate that I have three questions today.

I refer to the recent round of 300 redundancies executed by Woodside Energy.

- (1) Was the minister aware of these redundancies before they occurred; and will he please outline any formal or informal negotiations or conversations regarding these redundancies that were undertaken by the minister and any representatives from Woodside Energy?
- (2) Will the minister please table any correspondence between the minister, his chief of staff, the policy advisers, the Minister for Regional Development and Woodside relating to this issue?
- (3) What steps will the minister take to ensure that the large number of highly skilled people who have just lost their jobs are able to remain living in the regions, helping to keep Karratha a viable functioning regional city?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1)–(3) I have received an answer from the Minister for Mines and Petroleum in which he notes that he is responsible for oil and gas only as it relates to regulatory matters.

However, in my position as Minister Assisting the Minister for State Development, Jobs and Trade, I have been advised that the government was not involved in any of the negotiations and that the Premier's office was given advice at the same time as Woodside staff.

Additionally, our understanding is that the positions affected are across the entire business, not just in Karratha. We are confident that with all the other economic activity and future projects, Karratha will continue to be a vibrant, functioning regional city.

WOMEN'S COMMUNITY HEALTH NETWORK WA

1164. Hon JACQUI BOYDELL to the parliamentary secretary representing the Minister for Health:

I ask this question on behalf on Hon Colin Holt, who is absent on urgent parliamentary business.

I refer to WA Health's "Western Australian Women's Health and Wellbeing Policy", which was developed in 2019.

- (1) What is the breakdown of funding provided to organisations that are involved in delivering community-based health services to women via the Women's Community Health Network WA for the following financial years —
 - (a) 2019–20; and
 - (b) 2020–21?
- (2) Has additional funding been provided in the 2020–21 financial year to expand the community-based women's health service network; and, if so, in what locations?
- (3) Will the minister please identify the relevant funding streams and whether funding is provided by other departments if applicable?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) (a) A total of \$6 762 984.10 was provided in 2019–20; and
 (b) a total of \$6 875 925.93 is allocated for 2020–21.

A breakdown of this funding by community-based organisations is provided in tabular form, and I seek leave to have it incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

| Name of Provider | 2019–2020 Payment base | Projected 2020–21 |
|--|---------------------------|----------------------|
| Sexual Assault Support Service | | |
| Relationships Australia (Western Australia) Incorporated | 200,626.32 | 203,976.78 |
| Allambee Counselling Incorporated | 388,000.59 | 394,480.20 |
| Waratah Support Centre South West Region Incorporated | 497,701.57 | 506,013.19 |
| Chrysalis Support Service Inc | 387,558.47 | 394,030.70 |
| Goldfields Rehabilitation Services Inc | 233,548.72 | 237,448.98 |
| Women's Health Clinics - Metro | | |
| Fremantle Womens Health Centre Incorporated | 476,163.66 | 484,115.59 |
| Gosnells Women's Health Service Incorporated | 321,831.84 | 327,206.43 |
| Ishar Multicultural Women's Health Centre Incorporated | 498,771.60 | 507,101.09 |
| Midland Women's Health Care Place Incorporated | 345,964.31 | 351,741.92 |
| South Coastal Women's Health Services Association Inc | 311,049.55 | 316,244.08 |
| Women's Health Care Association Incorporated (Northbridge) | 1,112,977.40 | 1,131,564.12 |
| Womens Healthcare Association (Joondalup) | 332,853.30 | 338,411.95 |
| Women's Health Clinics - Regional | | |
| Goldfields Womens Health Care Association Inc | 241,003.71 | 245,028.47 |
| Hedland Well Women Centre Incorporated | 291,094.30 | 295,955.57 |
| The Nintirri Centre Incorporated | 128,208.86 | 130,349.95 |
| The South West Womens Health and Information Centre Incorporated | 278,176.70 | 282,822.25 |
| Womens Health Resource Centre | 277,834.63 | 282,474.47 |
| Unplanned Pregnancy Programs (4) | | |
| Goldfields Women's Health Care Association Incorporated | 43,531.27 | 44,258.24 |
| The South West Women's Health and Information Centre Incorporated | 54,172.54 | 55,077.23 |
| Womens Health Resource Centre Incorporated /Chrysalis | 27,478.84 | 27,937.74 |
| The Family Planning Association of Western Australia (Inc)*North Metropolitan Area Counselling | 68,127.78 | 69,265.52 |
| The Family Planning Association of Western Australia (Inc)*South Metropolitan Area Counselling | 68,127.78 | 69,265.52 |
| The Family Planning Association of Western Australia (Inc)*Education and Training | 178,180.36 | 181,155.97 |
| TOTALS | 6,762,984.10 | 6,875,925.93 |

- (2) The 2020–21 funding maintains existing services plus CPI.
 (3) The relevant funding stream is the state service appropriation. Any funding received from other departments would need to be directed to other ministers.

VACCINATION RATE — CHILDREN

1165. Hon JACQUI BOYDELL to the parliamentary secretary representing the Minister for Health:

My question is asked on behalf on Hon Martin Aldridge, who is absent on urgent parliamentary business.

I refer to page 310 of budget paper No 2 relating to outcomes and key effectiveness indicators of child immunisations.

- (1) What assessment has been undertaken relating to the efficacy of the Public Health Amendment (Immunisation Requirements for Enrolment) Act 2019 and its impact on childhood immunisation rates?

- (2) How many children have been refused enrolment since the assent of the legislation in —
 - (a) a school;
 - (b) a community kindergarten; and
 - (c) a childcare centre?
- (3) How many immunisation certificates have been issued to date by the Chief Health Officer?
- (4) How many children have fallen within a class of exemption as prescribed by the regulations?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) To date, no formal assessment has been made regarding the efficacy of the Public Health Amendment (Immunisation Requirements for Enrolment) Act 2019. Provisional data suggests that immunisation rates for children who turned five years of age were stable from 2018 to 2019, the year the legislation came into effect. A formal evaluation of the impact of the act on immunisation rates is planned for 2021.
- (2) Data on the number of children who have been refused enrolment is not collected by the Department of Health and is not a requirement of the act.
- (3) To date, one immunisation certificate has been issued by the Chief Health Officer.
- (4) Of the 570 children with an immunisation status of “not up to date” enrolled between 1 January and 31 March 2020, when audited on 30 June 2020, 79, or 13.9 per cent, were on a catch-up schedule; 102, or 17.9 per cent, met one of the categories for exemption as prescribed by the regulations; and 389, or 68.2 per cent, were enrolled with incomplete information on eligibility for an exemption.

To address the high proportion of children enrolled with incomplete information provided on eligibility for an exemption, an assessment of the current understanding of persons in charge of schools and childcare services is currently underway.

SOUTHERN FORESTS IRRIGATION SCHEME

1166. Hon COLIN TINCKNELL to the minister representing the Minister for Water:

I refer to the answer to question without notice 1106 that did not specifically answer parts (2) and (3). I ask again about the 28 July meeting with Donnelly River farmers and the Department of Water and Environmental Regulation.

- (1) Can the minister confirm that the answers to those questions were provided by the Department of Water and Environmental Regulation but were withheld by ministerial instruction?
- (2) Why has it taken the minister’s office almost three months to provide answers to these questions?
- (3) In relation to the minister’s reference to “coming weeks”, does that mean the coming weeks of 2020, 2021 or beyond?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The information provided to me by the Minister for Water is as follows.

- (1)–(3) Answers to the questions asked on 28 July are still in preparation. A response to these questions will be provided in the coming weeks of 2020.

CORONIAL CASES — BACKLOG

1167. Hon ALISON XAMON to the Leader of the House representing the Attorney General:

I refer to the appointment of an additional coroner at 0.5 FTE for 2019–20 and to the backlog of 497 coronial cases at 30 June 2020, an increase of 39 cases compared with 2019.

- (1) Given the still increasing backlog, will the government continue to fund the extra judicial resource?
- (2) If no to (1), why not?
- (3) Does the Attorney General anticipate that the backlog in outstanding inquest cases will continue to rise over 2020–21?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(3) The figure of 497 coronial cases includes both inquests and administrative findings. There has been no increase in the backlog of inquest cases. The backlog of inquests as at the end of 2019–20 was 109 and has since come down to 99 cases as at September 2020—the lowest level in the past three financial years, after 100 in 2018–19 and 128 in 2017–18.

To address the backlog of coronial cases, an additional temporary coroner was appointed for six months in early January 2019 and non-recurrent funding was also provided specifically for former Deputy State

Coroner Evelyn Vicker to be appointed for 12 months on a 0.5 full-time equivalent basis to complete investigations into 44 long-term missing persons. Although the overall backlog of coronial cases increased by 39 compared with 2019–20, the growth in lodgements during this period was 125, and the number of finalisations increased by 433. The funding of the Coroner’s Court of Western Australia is continuously monitored; however, it is anticipated that while the number of finalisations continues to outstrip the number of lodgements, the backlog will reduce over time.

PARNPAJINYA RESERVE — NEWMAN

1168. Hon ROBIN CHAPPLE to the minister representing the Minister for Mines and Petroleum:

I refer to Parnpajinya, Newman’s town-based reserve, and note the answer to question without notice 1070, asked on 13 October 2020, regarding changes to tenure at the site, especially the answer given in part (4).

- (1) At present, does the proximity to active mining leases limit the use of the land with regard to domestic or residential aspects?
- (2) If yes to (1), will the minister please explain the effects of this proximity on residential and domestic land use?
- (3) In the future, will the proximity to active mining leases limit the use of the land with regard to domestic or residential aspects?
- (4) In general, how close can a residential structure be built to an active mining area?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Mines and Petroleum.

- (1) No; the use of the land at Parnpajinya is in accordance with the conditions of the reserve.
- (2) Not applicable.
- (3) See the response to (1).
- (4) Section 20 of the Mining Act 1978 protects residential structures on crown land from mining activity—namely, prospecting on, fossicking on, exploring on, mining on, or otherwise interfering with any crown land that is situated within 100 metres of any land that is in actual occupation and on which a house or other substantial building is erected. An occupier of the land may allow mining to occur on the land by providing consent in writing.

BUILDING LAW REFORM

1169. Hon NICK GOIRAN to the minister representing the Minister for Commerce:

I refer to Western Australia’s building laws, comprising the Building Act 2011, Building Services (Complaint Resolution and Administration) Act 2011 and Building Services (Registration) Act 2011.

- (1) Is there a mandated code of conduct for building surveyors?
- (2) If no to (1), is the government planning to introduce a code of conduct for building surveyors in the upcoming building law reforms in accordance with recommendation 10 of the 2018 Shergold and Weir “Building Confidence” national report?
- (3) What, if any, oversight or disciplinary powers does the Building Commission currently hold over building surveyors and structural engineers?
- (4) Does the government plan to increase the regulatory powers of the Building Commission in accordance with recommendation 6 of the 2018 Shergold and Weir “Building Confidence” national report?
- (5) Are lifetime structural warranties currently required to be provided in Western Australia?
- (6) If no to (5), is the government planning to introduce lifetime structural warranties in the upcoming building law reforms?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following answer has been provided by the Minister for Commerce.

- (1)–(2) The McGowan government has committed to implementing the recommendations from the “Building Confidence” report, and the Department of Mines, Industry Regulation and Safety is currently seeking public comments on several proposals to improve building laws in WA. One such proposal is the introduction of a code of conduct for building surveyors.
- (3) Building surveyors are registered under, and subject to, the disciplinary provisions of the Building Services (Registration) Act 2011. The legislation provides for the building services board to take actions in the State Administrative Tribunal against any registered building surveyors who breach the disciplinary provisions of the act. The SAT may suspend, cancel and/or issue a maximum fine under the current provisions.

The Building Services (Complaint Resolution and Administration) Act 2011 provides for the Building Commissioner to accept complaints into unsatisfactory or faulty building service provided by structural engineers. The McGowan government is proposing to introduce a registration scheme for all building engineers, including structural engineers, to allow for disciplinary actions to be taken against engineers, if warranted, in the future.

- (4) Yes. Under the proposed reforms to building laws, consideration is being given to extending the powers of the Building Commissioner in accordance with recommendation 6 of the “Building Confidence” report.
- (5)–(6) No. I am advised that no Australian jurisdiction requires statutory lifetime structural warranties.

CHINA — TRADE RELATIONS

1170. Hon ROBIN SCOTT to the Leader of the House representing the Premier:

I refer to the recent demand by the Chinese government to stop its mills from purchasing Australian cotton. I refer also to reports that Australia’s multibillion-dollar cotton industry has become the latest victim of a growing trade war with China, and that industry bodies are scrambling to understand the changes to export conditions.

- (1) What is the McGowan government doing to protect our industries from increasing Chinese trade hostility?
- (2) Does the McGowan government support the federal government’s attempts to find new markets?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. The Department of Jobs, Tourism, Science and Innovation advises the following.

- (1) The state government maintains strong economic relations with China. The value of Western Australia’s merchandise exports to China in 2019–20 was \$98.5 billion, representing 54 per cent of the state’s total merchandise exports. China is Western Australia’s largest market for a number of the state’s key export commodities, including iron ore, nickel, copper and lithium.
- (2) The state government is continuing to pursue opportunities for Western Australian businesses in a range of markets globally to support economic growth and create jobs in Western Australia.

RECOGNISED BIOSECURITY GROUPS — OPERATIONAL PLANS

1171. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the minister’s statement to the house on 20 October 2020 regarding recognised biosecurity groups’ operational plans.

- (1) Has the government made any assessment on what percentage of RBG activities are related to biosecurity issues that can be linked to the lack of pest and weed control on land under the management, control or ownership of the state government?
- (2) If yes to (1), what was the outcome of that assessment?
- (3) If no to (1), why not, given that the government has imposed a compulsory levy on landowners, most of whom manage the control of pests and weeds on their own properties?
- (4) How many comments were received from stakeholders in favour of the establishment of declared pest rates of any RBGs established in 2020?
- (5) What is the threshold of support required in order to implement a declared pest rate?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1)–(2) We do not accept the basic premise of that question. Therefore, of course, there has been no assessment because the supposition is not well founded. I comment that this really continues an arrangement that has been in place for a long time.
- (3) Our government, like previous governments, holds the view that for effective management of established declared pests and weeds, a cross-tenure, coordinated community approach is required.

As the member would be aware, the state government contributes a matching dollar-for-dollar amount to any funds raised by the declared pest rate. The intent of this matching rate is to facilitate a whole-of-landscape approach, noting that the declared pest rate does not replace an individual landholder’s responsibility to control declared pests on their own property. The intent of the recognised biosecurity group model is to provide a coordinated approach and drive the principle of shared responsibility.

I would also add, member, that it is not only via the matching funding to the controlled pest rate that the department, or indeed the government as a whole, does work in relation to these pests, be they weeds or animals.

- (4) The only group that had a rate established for the first time in 2020 was the Midlands Recognised Biosecurity Group. Of the 957 landholders consulted in the MRBG operational area, there were 13 responses— one supporting, seven not supporting and five neutral. This year I discontinued the declared pest rate in Carnarvon, as I judged a significant percentage of the levy payers to be opposed to the levy.
- (5) Recognised biosecurity groups are required to demonstrate community support for determining a rate chargeable for a financial year prior to the minister giving consideration to formally consulting on, and any subsequent raising of, a rate under the Biosecurity and Agriculture Management Act 2007.

KINROSS COLLEGE — YEAR 11 AND 12 STUDENTS

1172. Hon DONNA FARAGHER to the Minister for Education and Training:

I refer to the minister's answer to question without notice 1130, asked on 20 October 2020, regarding the Labor Party's 2017 election commitment to provide a dedicated area for year 11 and 12 ATAR students at Kinross College. Her response was that she could not remember the detail of it and would have to go back and check.

- (1) Can the minister now confirm whether she intends to fulfil this commitment; and, if so, when?
- (2) If not, why not?

Hon SUE ELLERY replied:

I thank the member for the question.

- (1)–(2) No, I cannot, because I have not checked. I do not know whether the member has observed, but a few things have been going on in the last couple of days, so, no, I have not followed that up.

NATIONAL CONSTRUCTION CODE

1173. Hon TIM CLIFFORD to the minister representing the Minister for Housing:

I note that the Minister for Commerce's response to question without notice 585 states that either the 2019 or the 2016 National Construction Code could be implemented in response to the preferences of Western Australian customers. Given that the state government is the customer for the new social housing builds committed to in the 2020–21 and 2021–22 financial years, can the minister please confirm that these builds will be constructed in line with the 2019 National Construction Code to guarantee maximum safety and energy efficiency for WA's most vulnerable?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Housing.

All new construction undertaken by the Department of Communities is now required to meet the 2019 National Construction Code.

WATER — SAMSON DAM — CONTAMINATION

1174. Hon DIANE EVERS to the minister representing the Minister for Water:

- (1) Will the minister please confirm whether contamination has recently occurred in or near Samson Dam and nearby creeks and tributaries; and —
- (a) if yes, was it a result of Alcoa's operations at the Willowdale mine site; and
- (b) if no, what was the cause?
- (2) If yes to (1), what is the impact to the Samson Brook catchment area—drinking water source?
- (3) If yes to (1), what testing and monitoring is occurring, by whom and at what cost?
- (4) If yes to (1), what is being done to rectify the contamination?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Water has provided the following information.

- (1) Alcoa reports monthly to the Water Corporation and has advised that there has been a number of loss of containment incidents associated with mining activities in the Samson Brook catchment area, such as leaks from hoses, storage facility spills, drainage sump ruptures, and spills from refuelling equipment.
- (a) Yes.
- (b) Not applicable.
- (2) No impact on the drinking water source occurred, as the reported losses were contained and recovered.
- (3) Routine sampling of Samson Dam and the catchment is undertaken by the Water Corporation, consistent with the Australian Drinking Water Guidelines, at an annual cost of \$7 100.
- (4) Sampling results indicate that no contamination has occurred.

METRONET — ROBINSON ROAD CLOSURE

1175. Hon PETER COLLIER to the minister representing the Minister for Transport:

- (1) Is Robinson Road, which links Bellevue and Midland, planned for closure as part of the Metronet railcar facility development?
- (2) If yes, what local community and business consultation measures have been undertaken to support this decision?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The following answer has been provided to me by the Minister for Transport.

- (1)–(2) Consultation has commenced with stakeholders, such as the City of Swan and emergency services, and the closure will soon be advertised on the City of Swan’s website in order that public comment can be received.

FORENSIC MENTAL HEALTH SERVICES

1176. Hon ALISON XAMON to the parliamentary secretary representing the Minister for Mental Health:

I refer to page 318 of the “WA State Budget 2020–21” and the review of the state’s forensic mental health services.

- (1) What is the time line of the review?
- (2) Who is undertaking the review?
- (3) What are the terms of reference?
- (4) Who is it anticipated will be consulted during the review?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1)–(4) The state’s forensic mental health services, including infrastructure and models of care, will be reviewed as part of broader planning for the decommissioning and reconfiguration of mental health services and the divestment of activities at Graylands Hospital. This work is currently being undertaken by the Department of Health and the Mental Health Commission. The steering committee, led by the director general of the Department of Health and the Mental Health Commissioner, has been established to undertake an analysis of system-wide mental health demand and current capacity and associated future infrastructure requirements, and to identify viable options for an expanded forensic mental health service. Consultation with key stakeholders, including consumers, carers and clinicians, will be progressed as part of this work.

DOLPHINS — KOOMBANA BAY

1177. Hon DIANE EVERS to the Minister for Environment:

I refer to the minister’s response to question without notice 134 on 20 February 2020 and note that the scientific paper titled “Food-provisioning negatively affects calf survival and female reproductive success in bottlenose dolphins” published on 20 June 2019, which led to the Department of Biodiversity, Conservation and Attractions amending the provisioning program.

- (1) Given that the paper refers to the fact that research is hindered by a lack of long-term datasets, what is the government doing to rectify this, particularly given the proposed expansion of the Koombana Bay marina?
- (2) Can the minister confirm that data collection and analysis is currently not being undertaken by Murdoch University on behalf of the Dolphin Discovery Centre and DBCA; and, if yes, will the minister provide funding for this essential research?
- (3) Has a review of the provisioning program been commenced; if no, why not; and, if yes, when is it expected to be completed?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

- (1) The scientific paper “Food-provisioning negatively affects calf survival and female reproductive success in bottlenose dolphins” was based on data collected by Murdoch University between 2007 and 2016 and records from the Dolphin Discovery Centre since 2000. I am advised that this is considered a long-term dataset.
- (2) I am advised that there is no current funding arrangement between the Department of Biodiversity, Conservation and Attractions and Murdoch University to undertake data collection and analysis on this matter.
- (3) DBCA is continuing to engage with the Dolphin Discovery Centre on its provisioning program to inform a review.

CLIMATE CHANGE POLICY*Question without Notice 1091 — Answer Advice*

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [5.05 pm]: On behalf of the Minister for Water, I would like to provide an answer to part (1) of question without notice 1091 asked by Hon Diane Evers last week on 14 October.

I seek leave to have the response incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

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- (1) Climate change continues to impact almost all aspects of water resources management, and it is therefore difficult to attribute costs associated with climate change. However, I can provide the costs of capital infrastructure investment that has been allocated over the forward estimate as a result of climate change.

Busselton Water

- (a) Busselton Water plans capital expenditure of \$1.18 million over the forward estimates.
 (b) Not applicable

Aqwest

- (a) Aqwest plans capital expenditure of \$12.66 million dollars over the forward estimates
 (b) Not applicable

Water Corporation

- (a) Water Corporation plans capital expenditure of \$263.6 million over the forward estimates
 (b) Not applicable
-

QUESTIONS ON NOTICE 3130, 3150 AND 3230*Papers Tabled*

Papers relating to answers to questions on notice were tabled by **Hon Alannah MacTiernan (Minister for Regional Development)** and **Hon Alanna Clohesy (Parliamentary Secretary)**.

WA COUNTRY HEALTH SERVICE — HOSPITAL EMERGENCY CODES*Question without Notice 1124 — Answer Advice*

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [5.06 pm]: I would like to provide an answer to Hon Martin Aldridge's question without notice 1124 asked on 20 October.

I seek leave to have the response incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

I thank the Honourable Member for some notice of the question.

- (1) An audit of emergency code activations, as it applies to Albany Health Campus (AHC) was conducted on 15 September 2020 by WA Country Health Service OSH Program Manager, provided to answer question 3187, to determine how many emergency code activations resulted in actual code black incidents.
- (2)–(3) The pre-audit data provided in Legislative Council Question on Notice 2872 includes all emergency code activations recorded in the AHC security logs. These were categorised by broad type in terms of the reason for the code activation, including false alarms, codes called as a preventative measure, and/or stand downs. The audit identified that the number of incidents that met the definition of actual code black was three.
- (4) Question 3187 answers how many confirmed code black incidents occurred at AHC between 1 September–12 March.
 Question 2872 answers total emergency code activations, and broad category of reason activations by broad 'type', not incident.
 WA Country Health Service will conduct an audit of the information provided in Question 2872 to provide an extra column of information with actual code black incidents for each site and table this extra information.
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ESTIMATES OF REVENUE AND EXPENDITURE*Consideration of Tabled Papers*

Resumed from an earlier stage of the sitting.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [5.06 pm]: I am sure members will be pleased that I am bringing my contribution to a close. I would like to continue my comments on the appointment of John McKechnie to the Corruption and Crime Commission, and in particular the transcript of evidence that was provided to the Joint Standing Committee on the Corruption and Crime Commission on 7 October 2020. The reason I am doing this is that, quite frankly, this evidence refutes every single accusation that the Premier and the Attorney General have made about the process that was followed. I am not talking about the generic political process; I am talking about the operational process of the CCC. We were told relentlessly by the

Premier and the Attorney General that the commission could not operate without John McKechnie as head commissioner. He was the only man who could do it. He was the Messiah and the CCC would fall into an almighty heap without him. We were also told that the investigation into electoral allowances would be stalled and those terrible Tories—those terrible Liberals—were doing this for a reason: to stop that investigation. We were told that relentlessly over and again. We were also told that with one commissioner down, it was almost impossible for the CCC to continue. The evidence that was presented by the CCC as reported in this transcript has refuted—blown out of the water—those accusations. It is a shame that the CCC cannot appear before the estimates committee, because we would have had the opportunity to ask even more questions. I say to all members of the standing committee that they did a sterling job in this area. As I have said, the evidence completely refutes every single accusation that the Premier and the Attorney General have made.

On top of that, there are still the issues with the parliamentary process, which is what the Premier keeps on saying: “We have to usurp the parliamentary process.” The Premier and his Attorney General tried to do that twice. They tried to introduce a new bill—the McKechnie bill. That went pear-shaped—where it belonged. The Attorney General, by sleight of hand, also tried to change it without notifying anyone, including the Leader of the House in this place, that he had gone to the Leader of the Opposition to try to do a sweetheart deal with her. That did not work either. They have tried absolutely everything. They can play their political games all they like, but to say relentlessly that the CCC is inoperable without John McKechnie is absolute garbage. The CCC has operated for decades without John McKechnie and it will operate without him when it has a new commissioner.

An issue that came up, as I mentioned earlier, was when the Premier wrote a letter to the Leader of the Opposition when he was trying to usurp the process and introduce the McKechnie bill. He said, in part —

We have been supplied with a list of the ongoing and emerging operational activities of the Commission which would be interrupted by a change of Commissioner at this time, or by the absence of any Commissioner (with an acting Commissioner stepping into the role).

That is garbage! It came out in a hearing of the Joint Standing Committee on the Corruption and Crime Commission that that is garbage. I wanted to know why the government had a list of the ongoing operational activities of the CCC, because surely that would compromise the CCC. Again, I asked the Premier a number of questions and, just like with today’s effort with the Victory Life Centre, it took me eight questions to get a response when the government could have given it to me on day one. Once again, the government went round and round and tried to find a way to not answer. But I will never give up—ever! Surely you guys know that. We are coming to the end of this parliamentary term; I am not going to give up. Just to digress for one second, if the government had answered that first question on the Victory Life church eight days ago, this all could have been avoided. The government gave an answer that everyone knew. But, no, the government tried to bypass it and tried to obfuscate and deflect attention away from it.

I asked the Premier —

- (1) Has the Premier received a list of ongoing operational activities of the Corruption and Crime Commission?
- (2) If yes, when did he receive the list and will he provide it?

The answer was no.

I asked him about it the next day and said, “Hang on, Premier! You’ve actually written a letter to the Leader of the Opposition.” That letter said —

We have been supplied with a list of the ongoing and emerging operational activities of the Commission ...

That is what he stated in a letter to the Leader of the Opposition. I came back and about three questions later—I do not have time to go through them all—we worked out that, in fact, the Premier did not receive a list, but “we” did. He was referring generically to the government. Really? You have got to be joking! Talk about sleight of hand. Again, it goes back to the default position of this government and that is to always hide the facts and do whatever it can to avoid telling the truth. We saw it again today with the Victory Life church issue. That is one of about 20 examples we have, particularly with regard to the CCC. We finally got to that, which brings me back to the Joint Standing Committee on the Corruption and Crime Commission public hearing held on Wednesday, 7 October, and why Hon John Quigley would have a list of the operating cases that were going on. Hon Jim Chown asked —

On any previous occasion has an Attorney General requested such information from the CCC to your knowledge?

That is, the operating activities of the CCC —

Mr Warnes: Not to my knowledge.

Hon ALISON XAMON: This is the first time.

Hon JIM CHOWN: This is without precedent.

Mr Warnes: I guess, administratively, he wanted to know the impact of not having a reappointed commissioner and we were giving him a sense, administratively, on what would happen at that point in time when we were trying to understand what the impact was.

The CHAIR: Clearly, you failed to convince him.

Mr Warnes: Clearly.

As I said, yet again this is without precedent. Hon John Quigley and the Premier cannot get their own way by following due process or by following a procedure that has existed since they put it in place 20 years ago. They tried to do all they possibly could to bypass due process. They tried to introduce a bill. That did not work. They abused us. That did not work. They criticised us. That did not work. They called us terrorists. That did not work. They tried to introduce another bill and make a sweetheart deal across the chamber with the Leader of the Opposition. That did not work. Members would think that they would finally wake up to the fact that when they do not get their own way in this place, it does not mean that they spit the chewy and try to bypass processes and procedures. I remind members opposite that the last time a government tried to do that was in the 1980s. It was called WA Inc. It was another previous Labor government. That ended well, did it not? It ended in tears.

We have procedures within this Parliament that ensure integrity, probity and honesty. It is called parliamentary process and convention. When members do not get their own way in this place, they do not spit the chewy and try to bypass those procedures. Members do not get their own way by criticising their opponents and calling them terrorists or hiding corruption. It is just not true. I reinforce, as far as the opposition is concerned and as the proud Leader of the Opposition in this place, that we support and respect the processes of this Parliament. We support and respect the processes of the reappointment of the head of the CCC. We respect that. We do not in any way, shape or form think that, as the Premier has said, the reason John McKechnie was not appointed was that members of the committee were trying to hide corruption. That simply beggars belief. I put on the public record yet again: I have not spoken one word about the reappointment of John McKechnie to any member of that committee. I can say, hand on heart, with great confidence that not only the Liberal Party, but also pretty much everyone else in this chamber can say exactly the same. They respect the integrity of the parliamentary process. That is why we have it. As I said, as a direct result of the bleating and the absolutely relentless criticism of not just the Liberal Party, but also the whole process, the Premier and the Attorney General have fatally wounded John McKechnie in terms of ever, ever being commissioner of the CCC.

As I said, I met John McKechnie a few times when we were in government. I would not say that I know him all that well, but I have always found him to be an honourable sort of character. I was not a member of the committee. I do not know what was provided. I have absolutely no idea, but I respect the committee. That is the simple fact of the matter. If we tried to do that every time someone was to be appointed through a parliamentary process, we might as well go fishing—change the goalposts like we did with Lotterywest grants over the last few months. If they do not fit into our DNA or what we actually believe in, just change the goalposts. We are not going to do that. We will not facilitate that.

I know that members opposite are counting down the days to the end of this Parliament because they are so full of confidence that they are going to win the lower house and get control of the upper house. Can I say: heaven help us! Please, do not let that happen! That would mean we would have a government that is out of control. We already have a government that is out of control and a Premier who thinks that he can walk on water and a number of his ministers are following suit. There are several exceptions, but a number are following suit, including the Attorney General, who thinks that the Parliament is just a by-product and an inconvenience. They think, “We’re going to do it whether they like it or not. We want John. Yes, with a nudge and a wink, we’ll put John in as head of the CCC. Oh, there’s this little thing called a committee, but they don’t want him. Oh, tough. I’ll speak to Liza and we’ll have a bit of a handshake deal and the two of us will do it. Don’t worry about it. Actually, we can’t because the Liberal Party doesn’t agree with that. Oh, well. I’m going to call them terrorists and corrupt. That’s what I’ll do. I’ll get my own way.” That still did not work. Members would think that after all this time, they would have seen the writing on the wall and realised, “John, you’ve had five good years as commissioner. Let’s try to find the best candidate for that job and get on with it.” No! For almost 12 months the CCC has not had a commissioner and that is a direct result of the petulance of the Premier and the Attorney General and because they were not prepared to follow due process.

I really hope that they learn something from this and that if by chance they win a second term, they come back and do things with respect for the Parliament. I hope they understand that after the last election, even though they got a thumping majority in the lower house, they did not have a majority in the upper house. The people who sit on the benches on this side and the Greens who sit on that side are a direct result of the fact that the people of Western Australia wanted some checks and balances. That is what they wanted. Government members can carry on all they like. They can carry on with their petulance, but when it comes down to it, this house represents the Western Australian people. That is why we have a bicameral system of government—to ensure that we have those checks and balances, just as we have another check and balance in March next year, which will elect or re-elect another government.

After that, we will come back to this place, ideally with those on this side of the chamber on the other side of the chamber, and we will follow correct procedure. That is called the Parliament. That is why I am absolutely privileged to be here. We will uphold the integrity of the Parliament. I will not be bullied by a Premier and Attorney General who are drunk on power and who insist on bypassing the process.

Debate adjourned, on motion by **Hon Ken Baston**.

WORK HEALTH AND SAFETY BILL 2019

Statement

HON TIM CLIFFORD (East Metropolitan) [5.19 pm]: I rise tonight to speak on the Work Health and Safety Bill 2019, which was passed this week. I would like to acknowledge all the work done to pass that bill because I think it is quite important. I would like to acknowledge the work of my parliamentary colleague Hon Alison Xamon. I also acknowledge a couple of my other colleagues, Hon Kyle McGinn and Hon Matthew Swinbourn, who worked actively within the union movement, and all the other people and members of Parliament who worked to get the bill through this house. I believe it is very important that workers are protected. I worked in the construction industry for over a decade and saw my fair share of near misses, negligence and employers putting money ahead of workers' safety. When the bill was being debated, I reflected on what was mentioned in the chamber a few times—namely, some of the penalties imposed on some employers around health and safety. I mentioned a couple of the fatalities and the penalties, and that compensation had ranged in the thousands, which I found appalling. As someone who has been a worker in construction across this great state of Western Australia, I thought it was an absolute disgrace to think that my life could have been worth as little as \$38 000.

I worked on the Ravensthorpe nickel project, where I was the second in charge of the work crew on the tailings dam. At the time, I worked as a plastic welder. The ponds in these places are not small. People might imagine the ponds that hold water to be small, but these dams were 800 metres long, 300 metres wide and 25 metres deep. Work crews of up to 50 labourers were deploying heavy high-density polyethylene plastic sheets on the ponds. We would pull the plastic into place and weld it behind the machines to ensure that the seal on the lines was correct, so that when it rained, the clay that lined the ponds, the water or whatever was contained in the ponds did not seep into the watertable. That is quite important for tailings dams.

Deploying plastic on a front that is 300-metres long comes with a lot of risk. When the wind gets up, plastic can blow away. To ensure we could secure the plastic, we needed both work crews, of sometimes up to 20 labourers, to work behind the machines to ensure that the leading edge is bagged down with hundreds of sandbags. It was a physically demanding job. I remember one still morning going out to the ponds. My regular boss was away that day in, I think, Esperance. He was a really good boss, in fact, and would always stand up for us to the engineers and powers that be in the company in Perth. If it was not safe to do something, he would stand up for us and say, "We can't do it today," and outline exactly the risks involved. He always kept our safety in mind, but sometimes he was railroaded by management. The person who replaced him that day was an Irish engineer supervisor who was employed under a 457 visa. He was a good person but he was put in a pretty precarious situation. The company put a lot of pressure on him to get the plastic out on the ponds, because the more plastic that is put out, the more money the company makes, because it puts it ahead of the deadline for the end of the job. If that happens, the company makes hundreds of thousands, if not millions of dollars, out of it.

We had a rule that if the wind blew beyond 15 knots, we stopped deploying plastic and downed tools. We would do something else, such as repairs. There was plenty of work to do around the site. We worked 6.00 am to 6.00 pm every day, with half an hour break from 12.00 to 12.30 pm. That was part of our workplace agreement that was brought in under the Howard government, and it was used to lethal effect against us. If we complained about the workplace agreement, we might not have a job the next week. The workplace agreement was designed to ensure that workers kept working regardless, and if we complained, we would not be on site. But that is a subject for another day.

That morning, the wind blew beyond 15 knots, so we stopped deploying. Another colleague of mine was working at the pumping station in Hopetoun when the wind was getting up. It looked like we would be getting up to 35-knot winds that day; they were massive. The boss on site that day, who was on the 457 visa, said, "No; we're rolling the plastic out regardless." I stood up to the boss. It divided the crew, because he was threatening the rest of the crew if we did not get the plastic out. It takes two hours to set up the process to remove the bags. The full leading edge would need to be exposed to the wind, which takes about half an hour, and to close everything down takes over an hour or two. The strong wind was only half an hour away. I said that we were not going to do it. The boss said, "If you don't do it, you're on the first plane out of here." I said, "You can get stuffed because I'm not risking the lives of the workers." He divided the crew and a bunch of my work mates and I walked off. However, the other folks decided to keep going because they were worried about losing their jobs. They had mortgages and kids and wanted to make sure they had food on the table. They pulled all the sandbags off, the wind blew up and the plastic then lifted. There were at least 10 pallets, with 100 sandbags in each pallet, weighing about a tonne each, and they lifted off as though they were nothing. Members can imagine what would have happened if a worker had been on the plastic and how far they would have been thrown in the air, and how they could have been possibly maimed or

killed. These risks were real. The situation that day showed the importance of putting the health and safety of us workers ahead of company profits. The bosses were fully aware of what was going on. I hate to think that if I had been on the plastic that day, my life would have been worth only \$38 000. By the way, the damage caused when the wind blew up and pulled back the plastic cost over \$180 000 and took us three weeks to repair, just because of the negligence of my employer at the time.

A whole bunch of things happened on the same site. On days when it rained and we were using electric welders, we would be told to get out and keep welding. Electricity and water do not mix. This is another thing: they would tell us to get on the cherry picker. The cherry picker had not been tagged to prove that it had passed a safety inspection, but we were forced to go up there anyway. The tilt alert was taped over, so it would not warn us if the machine was on a steep angle, so a person could fall a couple of storeys if it fell over. They are examples of all the issues. On one site we were put in danger multiple times because of an employer. I was only 24 or 25 at the time and we worked for an employer who did not care about us. He did not let BHP know what was going on onsite when we reported it. This happened continually. It happened when I worked in Ravensthorpe, on Barrow Island and at Port Hedland. Everywhere I worked, an employer was willing to risk our lives to ensure they could make money. That happens every day. This is why it is very important that this bill was passed this week.

I take my hat off to all the people who worked on the bill. I did not know anything about legislation or about all the paperwork that is involved with what goes on around work health and safety; I was just a worker. When people are threatened with losing their job, they usually comply. Sadly, that continues to happen, so, hopefully, this bill will go a long way towards protecting lives. I am sure this legislation will be discussed in the future. I hope that if the company I worked for, which is still in operation today, puts people's lives at risk, it will be held to account by this legislation.

SUICIDE — CHILDREN

Statement

HON ALISON XAMON (North Metropolitan) [5.29 pm]: At the front of Parliament House at the moment, a vigil is being held to commemorate the devastating death of the 11-year-old girl who died when she had her life support turned off at Perth Children's Hospital on Tuesday after she self-harmed. I am not going to comment about the aspect of bail or the courts because that issue has been well canvassed in the media. Everyone is talking about it. However, the issue is not as straightforward as it is being portrayed. One moment we are talking about decarceration and in the next we are calling for more people to be locked up. That being said, whether the alleged offender should have been granted bail is something for the courts and the police. It is an issue that will quite rightly be looked into by the Attorney General and the State Coroner. It appears clear that this case is more complex than a simple failure of the Bail Act. We know that suicide is absolutely preventable. Quite simply, 11-year-olds do not suicide if they are receiving adequate support and care. From what I understand, this devastating case illustrates the complexities of Aboriginal child suicide. Everyone is outraged now, as they should be, but I have been outraged for a very long time, as have many other people who have been working on the ground in this space. No inroads have been made and things are getting worse, particularly for Aboriginal children in so many areas. I repeat: 11-year-old children do not suicide unless the system has completely failed them.

As I have said before, these issues have been investigated, inquired into and reported on many times, including more recently through parliamentary inquiries and also by our State Coroner and the Ombudsman. Although every Aboriginal child suicide is different, the experiences of intergenerational and personal trauma are well recognised indicators of vulnerability to suicide, as highlighted by the State Coroner's report, "Inquest into the deaths of: Thirteen Children and Young Persons in the Kimberley Region, Western Australia", which was released early last year. In that report, the coroner said —

To focus only upon the individual events that occurred shortly before their deaths would not adequately address the circumstances attending the deaths. The tragic individual events were shaped by the crushing effects of intergenerational trauma and poverty upon entire communities. That community-wide trauma, generated multiple and prolonged exposures to individual traumatic events for these children and young persons.

I have spoken about the findings of that report many times in this place—I have made multiple speeches about it—yet vulnerable children and families continue to be failed, day in and day out, in Western Australia. For example, we know that child sexual abuse causes profound and lasting trauma and can have incredibly detrimental impacts on a person's mental and physical health, and interpersonal relationships. However, children remain unable to access the support and care that they need after they have experienced or even disclosed abuse. On Tuesday night, I spoke again about terrible gaps in children's access to appropriate mental health care in Western Australia. The next morning, I woke to the heartbreaking reality of another death, splashed on the front pages of our daily newspaper.

Housing is another example. Precarious housing is a well-recognised significant vulnerability. I understand that this family had experienced, and continues to experience, a housing situation that is neither safe nor secure. During Mental Health Week last week I noted that access to affordable housing and having a safe, stable roof over a person's

head is suicide prevention and that improving the mental wellbeing of our community and addressing the homelessness crisis cannot be separated. However, homelessness and insecure housing continue to be the reality for tens of thousands of Western Australians. Aboriginal-led solutions and improving services in regional and remote areas is essential suicide prevention work. Addressing poverty is suicide prevention work. Reforming First Nations child protection is suicide prevention work. Supporting kids to be engaged in school is suicide prevention work. These are all areas with systemic failings.

As I have said many times in this place, suicide is preventable, and losing 11-year-olds to suicide is tragic, utterly devastating and absolutely unacceptable. I think this is a heartbreaking case and my heart goes out to the child's family and loved ones. I extend my personal sympathy as they grieve their immeasurable loss. I urge the government to ensure that the trauma experienced by this family stops here and that this child's family and loved ones are properly supported, with a secure home and access to culturally safe postvention supports for as long as they need them. I urge the government to act with some urgency to address all the systemic failings that have underpinned this girl's death. We know the systemic failures. They have been reported over and over again. We do not need more reports or inquiries. We just need to implement the recommendations—please.

Statement

HON CHARLES SMITH (East Metropolitan) [5.35 pm]: I want to make some further comments on the death of this young lady. The Ugle name is well known to me from my policing career. I am aware of the extended family and its issues. I am sick and tired of the mainstream media blaming police when things like this go wrong. This is not the fault of the police; it is the fault of decades of poor public policy in the criminal area. When the police arrest Aboriginal people, they are under immense pressure to get them out of the lock-up as soon as possible. What are the police supposed to do? Do they retain people in custody or get them out of the police station by giving them bail as soon as possible? This problem is caused by decades of pressure from politicians who do not get it. In addition, departments such as the Department of Child Protection and Family Support, as it was, has been a longstanding failure in looking after children. That department would have known about this child for years and it seems that nothing was done. I hope we find out why the department did not remove the child earlier if it was aware that this kind of abuse was going on. Why did the magistrate not intervene at the court hearing and deny bail? This man would have a criminal record as long as his arm, yet he was given bail by the magistrate. It is not just an issue with policing; it is the Bail Act itself. I have called for reform of the Bail Act to make it harder for some offenders to be granted bail. I hope that soon the department that deals with child protection gets an enormous increase in staff and funding because it damn well needs it. I have advised the minister that it is a failing agency. I fear that the new bill coming through will do nothing more to fix this problem, but I hope it does.

KATANNING AGRICULTURAL SHOW

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.38 pm]: Briefly, can I acknowledge the Katanning show committee for going ahead with the Katanning agricultural show that is coming up this weekend. I encourage everybody to take a wander out yonder and come to the Katanning show. It was a very brave move by the committee to hold the show this season. It is one of only two in the Agricultural Region. I am sure it will be a resounding success. The show is sponsored by WAMMCO International, the producer-owned lamb marketing board; CBH Group; and the Shire of Katanning. Of course, the show is also sponsored by Lotterywest. I look forward to seeing everybody at the Katanning show. We look forward to talking to members of the Katanning community about the \$600 energy rebate, the massive roadbuilding program that the McGowan government is undertaking in the great southern, tier 3 rail and any other issues that the people who visit the Katanning show want to talk to us about. It is a fantastic, multicultural community. I am really looking forward to being at the show on Saturday. As they say, see you at the show!

House adjourned at 5.38 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

WA COUNTRY HEALTH SERVICE — NURSES

3130. Hon Martin Aldridge to the parliamentary secretary representing the Minister for Health:

I refer to question on notice 2071, regarding WA Country Health Service (WACHS) nursing staff at hospitals and nursing posts, and I ask:

- (a) what is the frequency and length of overtime conducted by nursing staff by site since April 2019 to date;
- (b) has WACHS undertaken further data validation regarding providing lists for the 10 greatest shift lengths by location:
 - (i) if yes to (b), will the Minister please provide data since inception of reporting;
- (c) which sites are relying upon agency nursing staff since April 2019, by site and cost;
- (d) how many nursing positions were advertised by site from April 2019 to date, which have not been filled, and please identify the reason for not being able to fill the position; and
- (e) what is the Government's strategy and plan to address nurse shortages in regional locations?

Hon Alanna Clohesy replied:

I am advised:

- (a) [See tabled paper no [4509](#).]
- (b) No further internal data validation has been undertaken. Nursing management resources would need to be diverted from patient care delivery and the COVID-19 response to seek explanations (which are not recorded in the system) on shift lengths.
 - (i) Not applicable.
- (c) [See tabled paper no [4509](#).]
- (d) Occupancy status of positions advertised from April 2019 to August 2020

| Region | Advertised Vacancies / Positions currently occupied | Advertised Vacancies / Positions Not filled | Advertised Vacancies / Positions – Recruitment Ongoing |
|----------------|---|---|--|
| Goldfields | 50 | 4 | |
| Great Southern | 64 | 2 | 1 |
| Kimberley | 71 | 3 | 3 |
| Midwest | 54 | 6 | 2 |
| Pilbara | 61 | 4 | |
| South West | 80 | 5 | |
| Wheatbelt | 54 | 6 | 1 |

A total of 752 Advertisements relating to 471 unique nursing positions were advertised over the period 1 April 2019 to 18 August 2020.

Data Notes:

- (1) Nursing advert data provided by HSS based on information sourced from Thomson Reuters (RAMS Contract / Administrators).
- (2) Advert data has been broken down to positions advertised at a regional level.
- (3) Advert data has been linked against the current position establishment to determine occupancy status.
- (4) The 'Positions – Not Filled' column relates to advertised positions that are still substantively vacant in the position establishment.
- (5) Excludes adverts relating to suspended or abolished positions.

Of the positions listed as vacant as of 18 August 2020:

- 9 Positions have subsequently been filled.
- 17 Positions assessed had no suitable applicants.
- 1 Position was withdrawn.
- 1 Position was subject to the breach process.
- 2 Positions were suspended due to COVID-19.

(e) The WA Country Health Service is:

Supporting increased recruitment of entry level staff through formal Graduate Programs, a Transition to Practice Program for novices recruited directly into Emergency Departments is currently being trialled in the Pilbara. A Transition to Practice for perioperative services is planned for 2021 and direct appointment.

Encouraging flexible recruitment and appointment practices.

Central Office administered pools for Nurse Manager and Nurse Practitioner relief across the regions.

Ongoing management of the TRAVEL Program offering rotations of four months in different regions, participants can continue within the Program beyond the 12 months.

Working collaboratively with NurseWest to support filling shortfalls utilising NurseWest and Agency nurses in regional locations.

FISHERIES — FISH KILL — SNAKE CREEK

3150. Hon Robin Chapple to the minister representing the Minister for Water:

I refer to the fish death on Liveringa station in September 2019, in a media article on ABC Kimberley Facebook on 21 November 2019, the Department of Water and Environment Regulation said it was ‘... examining whether extraction of water for irrigation from Snake Creek exacerbated the fish kill events’, and I ask:

- (a) how many fish died during the mass-death event, in total:
 - (i) please list those in (a), by species; and
 - (ii) how many of these fish were endangered or protected species:
 - (A) in reference to (a)(ii), please list those species;
- (b) who, or which entity, informed the Department of the event:
 - (i) in reference to (b), on which date, and by what medium:
 - (A) if by written correspondence, could the Minister please provide a copy;
- (c) does Liveringa station pump water from the area of Snake Creek in which the dead fish were found:
 - (i) if yes to (c), how much water, in total, is the station licensed to take from Snake Creek per annum:
 - (A) has the amount given at (c)(i) changed since the fish deaths;
- (d) how does the Department monitor the actual volumes of water taken from Snake Creek;
- (e) is there a meter to measure how much water this pumps extracts per annum:
 - (i) if no to (e), why not;
- (f) during the season prior to the mass-deaths, how much water was licensed to be taken from Snake Creek:
 - (i) of that amount, how much was actually taken from Snake Creek;
- (g) what minimum water-level must be retained in the pool:
 - (i) at this level, given at (g), is it still permissible to take water from the Creek, under licence;
- (h) did the Department explicitly check Liveringa’s compliance with the water licensing and requirements:
 - (i) if not to (h), why not; and
 - (ii) if yes to (h), when and how was compliance assessed;
- (i) prior to the mass-death event, when was the Snake Creek to Liveringa pump used;
- (j) what is the distance of the centre pivot from the pools where the dead fish were found;
- (k) what chemicals were used over the preceding growing season;
- (l) prior to the mass-death of the fish, when was the last application of chemicals at the station;

- (m) what chemicals did the Department test for in the pool where the fish kill occurred;
- (n) what fertiliser was applied to the centre pivot prior to the fish kill;
- (o) what was the application rate of the fertilizer per hectare in the season prior to the fish deaths;
- (p) when was the last recorded rainfall event at Snake Creek prior to the fish deaths:
 - (i) who, or which entity, recorded the rainfall;
 - (ii) how much rain fell during this event; and
 - (iii) what is the location of the monitor of rainfall at the station;
- (q) what is the evaporation rate for this pool in centimetres, per day, during this time of year; and
- (r) is there a report into the mass fish death event:
 - (i) if no to (r), why not; and
 - (ii) if yes to (r), will the Minister please table this report:
 - (A) if no to (r)(ii), why not?

Hon Alannah MacTiernan replied:

- (a) 42
 - (i) Adult barramundi
 - (ii) None.
 - (A) Not applicable.
- (b) A member of the public informed the Department of Primary Industries and Regional Development on 22 September 2019 and this information was then relayed to the Department of Water and Environmental Regulation. A report was also made on 25 September 2019 via the FishWatch hotline.
 - (i) Answered in (b) above.
 - (A) Not applicable.
- (c) Yes.
 - (i) Six gegalitres per annum however actual abstraction is subject to licence conditions including water levels at which pumping must cease.
 - (A) Licence conditions are under review.
- (d) Water levels and meter readings are reported annually to the Department of Water and Environmental Regulation. The Department conducts compliance site visits periodically to check correct installation and operation of meters and to take meter readings directly. The Department attended Liveringa for site visits in each of the past two years.
- (e) Yes.
 - (i) Not applicable.
- (f) Six gegalitres per annum
 - (i) 1.192 gegalitres
- (g) The water licence requires the licensee to cease pumping at a level of 37.0 metres Australian Height Datum.
 - (i) No.
- (h) Yes.
 - (i) Not applicable.
 - (ii) The licensee notified the Department on 16 July 2019 that the cease to pump level had been reached on 15 July 2019 and that pumps were removed. Water level and meter data was also submitted to the Department on this date and reviewed for compliance against the licence and operating strategy. The Department conducted a site visit on 23 September 2019 to check compliance. The 2019 water year annual report was submitted to the Department on 28 February 2020 and was reviewed for compliance with licence conditions and operating strategy commitments.
- (i) 15 July 2019
- (j) Approximately 1.6 kilometres
- (k) None.

- (l) Liveringa reported that no pest or disease control chemicals were applied but crops were fertilised several times.
- (m) A full suite of water quality analytes were tested from water samples taken immediately after the fish deaths were reported (23 September 2019); phytoplankton, electrical conductivity, pH, alkalinity, turbidity, sulphate, chloride, dissolved major cations, total metals, nutrients, biological oxygen demand, organochloride and organophosphorous pesticide.
- (n) A range of commercially available nitrogen, potassium and phosphorus based fertilisers were applied during the growing season of 2019. Pivot 2 area was not fertilised at all.
- (o) Fertilisers were applied according to recommended application rates.
- (p) 22 September 2019
- (i) Liveringa Station Manager and recognised Bureau of Meteorology weather stations – Fitzroy Crossing Airport (station number 003093) and Department of Water and Environmental Regulation Rain Gauge Christmas Creek (station number 503013).
- (ii) Fitzroy Crossing Airport recorded 1.4 millimetres on 23 September 2019 and 2.6 millimetres on the 24 September 2019. Christmas Creek recorded 3.2 millimetres on 24 September 2019.
- (iii) Fitzroy Crossing Airport is 115 kilometres from the fish kill site and Christmas is 160 kilometres from the fish kill site.
- (q) Evaporation exhibits a strong seasonal pattern, ranging from over 2 centimetres per month during the build-up (October through December), which is typically the hottest time of year, to about 1 centimetre per month during the middle of the dry season (June). [See tabled paper no [4507](#).]
September evaporation ranges typically between 1.5–2 centimetres. The effect this has on the rate of change in the pool volume will depend on the volume and surface area of the pool, which would vary from year to year depending on the preceding wet season flow.
- (r) Yes.
- (i) Not applicable.
- (ii) Yes, report tabled. [See tabled paper no [4507](#).]
(A) Not applicable.

PRISONS AND DETENTION CENTRES — SEPARATE CONFINEMENT ORDERS

3224. Hon Alison Xamon to the minister representing the Minister for Corrective Services:

I refer to question on notice 3025, answered on 15 September 2020, and I ask:

- (a) how many of the 81 individuals who were on a level two regime are Aboriginal;
- (b) what length of time was each prisoner from (a) on a level 2 regime;
- (c) how many of the 19 Individuals who were on a level 3 regime are Aboriginal; and
- (d) what length of time was each prisoner from (c) on a level 3 regime?

Hon Stephen Dawson replied:

- (a) 49 Prisoners.
- (b)

| Prisoner | Days on level 2 regime |
|----------|------------------------|
| 1 | 3 |
| 2 | 7 |
| 3 | 11 |
| 4 | 13 |
| 5 | 14 |
| 6 | 14 |
| 7 | 15 |
| 8 | 15 |

| | |
|----|-----|
| 9 | 21 |
| 10 | 21 |
| 11 | 23 |
| 12 | 27 |
| 13 | 27 |
| 14 | 28 |
| 15 | 28 |
| 16 | 30 |
| 17 | 30 |
| 18 | 30 |
| 19 | 30 |
| 20 | 31 |
| 21 | 36 |
| 22 | 38 |
| 23 | 42 |
| 24 | 44 |
| 25 | 46 |
| 26 | 55 |
| 27 | 56 |
| 28 | 56 |
| 29 | 56 |
| 30 | 56 |
| 31 | 56 |
| 32 | 58 |
| 33 | 58 |
| 34 | 62 |
| 35 | 62 |
| 36 | 62 |
| 37 | 63 |
| 38 | 63 |
| 39 | 67 |
| 40 | 67 |
| 41 | 67 |
| 42 | 74 |
| 43 | 75 |
| 44 | 76 |
| 45 | 76 |
| 46 | 80 |
| 47 | 83 |
| 48 | 88 |
| 49 | 103 |

(c) 11 prisoners.

(d)

| Prisoner | Days on level 3 regime |
|----------|------------------------|
| 1 | 3 |
| 2 | 53 |
| 3 | 53 |
| 4 | 7 |
| 5 | 54 |
| 6 | 53 |
| 7 | 53 |
| 8 | 124 |
| 9 | 3 |
| 10 | 132 |
| 11 | 85 |
| 12 | 98 |

The Department advises that prisoners on DPP 3 were not held in separate confinement conditions. All Prisoners who were on the DPP continued to have access to entitlements such as time out of the cell to exercise, medical services, mental health services, mail services, authorised study material, weekly gratuity and spends, phone calls, chaplaincy, social and official visits and visits with their lawyers.

Prisoners on DPP3 were allowed the opportunity to leave their cells as well as to socialise with other prisoners in the unit they were held, following an assessment by the Superintendent. Prisoners subject to DPP3 were held in different categories of units across the prison estate.

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — NEW STANDARD ENERGY

3226. Hon Robin Chapple to the minister representing the Minister for Mines and Petroleum:

I refer to New Standard Energy (NSE) and their failure to rehabilitate six petroleum wells (four drilled; two not drilled) in the Canning Basin, despite formal directions from the Department of Mining, Industry Regulation and Safety (DMIRS), leaving considerable liability to the Western Australian taxpayers, and I ask:

- (a) in light of the failure of DMIRS to ensure NSE was financially able and legally obliged to properly close and rehabilitate four petroleum wells drilled in the Canning Basin, south east of Broome: Gibb-Maitland-1, Nicolay-1, Lanagan-1, Lawford-1, and Lawford 1 Deepening, will the Minister guarantee that other would-be Canning Basin explorers, such as Black Mountain, Bennett Resources Pty Ltd and Theia Pty Ltd, will be required to place a security bond in cash with DMIRS that is sufficient enough to cover the full costs of closure and rehabilitation for each proposed well, prior to any drilling commencing:
 - (i) if no to (a), why not;
- (b) given that NSE has changed its company name several times, what was the company name at the time of drilling and completing each of the wells: Gibb-Maitland-1, Nicolay-1, Lanagan-1, Lawford-1, and Lawford 1 Deepening;
- (c) is the Minister aware that NSE was in a joint venture partnership with ConocoPhillips from September 2011 and at the time of drilling two of its Canning Basin wells;
- (d) is the Minister aware that NSE was in a financial arrangement with PetroChina from July 2013, valued at tens of millions of dollars;
- (e) has the Minister or DMIRS pursued either ConocoPhillips or PetroChina, each with billions of dollars in annual income, and requested their help cover NSE's liabilities in relation to the four unrehabilitated wells in the Canning Basin:
 - (i) if yes to (e), what was the result of the request; and
 - (ii) if no to (e), why not;
- (f) has DMIRS provided the Minister with a comprehensive risk and financial liability analysis for all the onshore petroleum wells currently located in the Kimberley and Canning Basin regions, including the 27 wells that are currently listed by the Department as being the legal responsibility of Buru Pty Ltd:
 - (i) if yes to (f), will the Minister provide a copy of the analysis; and
 - (ii) if no to (f), why not;

- (g) if such an analysis, referred to in (f), does not exist, why not, given DMIRS's disastrous experience with NSE;
- (h) will the Minister refuse to provide any future exploration or production licenses to any oil or gas company that has previously failed to cover the full costs of rehabilitation of wells for which they are wholly or partially responsible:
 - (i) if no to (h), why not; and
- (i) for the purposes of the regulatory role of DMIRS, what legal involvement and responsibilities does Buru Energy have in relation to NSE?

Hon Alannah MacTiernan replied:

- (a) I refer the Member to the *Financial Assurance Position Paper*, released in September. The paper can be accessed on the Hydraulic Fracture Stimulation Implementation website, hydraulicfracturing.wa.gov.au.
 - (i) The Department of Mines, Industry Regulation and Safety (DMIRS) does not have powers to require a security bond.
- (b) New Standard Exploration Pty Ltd drilled Lawford-1 and Lanagan-1. Gibb Maitland-1 and Nicolay-1 were drilled by New Standard Onshore Pty Ltd. Buru Energy Ltd deepened the Lawford-1 well, however New Standard Onshore Pty Ltd became the sole title holder of the exploration permit covering the site post deepening operations.
- (c) I am advised that New Standard Onshore Pty Ltd had a commercial relationship with ConocoPhillips (Canning Basin) Pty Ltd from 2011.
- (d) I am advised that New Standard Onshore Pty Ltd had a commercial relationship with Petrochina International Investment (Australia) Pty Ltd from 2013.
- (e) (i)–(ii) New Standard Onshore Pty Ltd is a wholly owned subsidiary of New Standard Energy Pty Ltd and is responsible for the rehabilitation of its sites. DMIRS has been dealing directly with New Standard Onshore Pty Ltd to ensure that rehabilitation is adequately completed.
- (f) (i)–(ii) I have not been provided with such an analysis. DMIRS, through its compliance planning program, undertakes risks assessments and compliance monitoring in accordance with the risk profiles of sites. This is the normal business activity of DMIRS as a regulator for this sector.
- (g) See answer (f).
- (h) The Minister may consider a company's compliance history in awarding resource tenure. The decisions on any specific application will need to take into account the particular circumstances at the time and done in accordance with the relevant legislation.
 - (i) Not applicable.
- (i) Buru Energy Ltd and New Standard Onshore Pty Ltd jointly held the title EP 417 prior to 17 October 2014, after which New Standard Onshore Pty Ltd were the sole title holder.

CORONAVIRUS — RESIDENTIAL TENANCIES

3227. Hon Nick Goiran to the minister representing the Minister for Commerce:

I refer to the Minister's response to question without notice 735, on 11 August 2020, and I ask:

- (a) how many applications have been made to the residential tenancies mandatory conciliation service since 11 August 2020;
- (b) of the accepted applications, how many have resulted in:
 - (i) agreement between the parties; and
 - (ii) no agreement between the parties; and
- (c) where agreement has been reached between the parties, how many agreements resulted in:
 - (i) rent being reduced; and
 - (ii) rent being deferred?

Hon Alannah MacTiernan replied:

- (a) Between 11 August and 6 October 2020, 432 applications were received by the residential tenancies mandatory conciliation service.
- (b) Of the 432 applications received, 42 have been finalised. Of these
 - (i) 28 have resulted in agreement between the parties; and
 - (ii) 14 have resulted in no agreement.

- (c) Of the 28 which resulted in agreement between the parties:
 - (i) two agreements have been made to reduce the rent; and
 - (ii) 17 agreements have been made to defer the payment of rent.

Additionally, five agreements have been reached which have resulted in rent being both deferred and reduced and a further four agreements did not relate to the payment of rent.

MINES AND PETROLEUM — NEW STANDARD ENERGY

3230. Hon Robin Chapple to the minister representing the Minister for Mines and Petroleum:

I refer to the activities of the petroleum exploration company known as New Standard Energy (NSE) Pty Ltd, also known as New Standard Onshore (NSO) Pty Ltd, and ask:

- (a) which company, or companies, currently legally hold Exploration Permits (EPs) 417, 443, 450, 451, 456 and 481 in the Canning Basin;
- (b) which company, or companies, legally held those same EPs in:
 - (i) 2008;
 - (ii) 2011;
 - (iii) 2014; and
 - (iv) 2017;
- (c) which company is currently legally responsible for each of the four petroleum exploration wells known as Lawford-1, Lanagan-1, Gibb-Maitland-1 and Nicolay-1;
- (d) what is the Minister's understanding of the relationship between New Standard Energy Pty Ltd and New Standard Onshore Pty Ltd;
- (e) are those companies still legally registered and operating in Western Australia;
- (f) what is the street address for each company named in (a) and (d);
- (g) on what dates in 2018 did the Department of Mining, Industry Regulation and Safety (DMIRS) issue NSE or NSO with Directions Notices in relation to its Woodward-1, Blatchford-1, Condon-1, Nicolay-1 and Gibb-Maitland-1 wells and sites:
 - (i) will the Minister table each of the Directions Notices referred to in (g); and
 - (ii) if no to (g)(i), why not;
- (h) what was the deadline for compliance action given for each of the Directions Notices referred to in (d);
- (i) since the Directions Notices, referred to in (d), were issued, has the company taken any on-ground action to comply with them:
 - (i) if yes to (i), what actions, against whom and when; and
 - (ii) if no to (i), why not;
- (j) since the deadline passed, has any further compliance enforcement action been undertaken in relation to those wells and sites referred to in (c) and (g):
 - (i) if yes to (j), what action, against whom and when; and
 - (ii) if no to (j), why not;
- (k) has the Department commenced prosecution under the *Petroleum and Geothermal Energy Resources Act 1967*, in relation to failure to comply with any of the Directions Notices issued to NSE or NSO:
 - (i) if yes to (k), what is the current status of the prosecution; and
 - (ii) if no to (k), why not;
- (l) given that the Department estimated in February 2019 that the cost of properly closing and rehabilitating the Nicolay-1 well and site was \$1.5 million, what is the current cost estimate for the rehabilitation of that well and site;
- (m) what is the Department's cost estimate for the closure and rehabilitation of the Lanagan-1, Lawford-1, Gibb-Maitland-1 wells and sites;
- (n) what is the Department's cost estimate for the rehabilitation of the Woodward-1, Blatchford-1 and Condon-1 sites;

- (o) what is the total cost estimate for closure and rehabilitation of all 4 wells and 7 sites referred to in (c) and (g); and
- (p) will the public end up bearing the cost of closing and rehabilitating all of these wells and sites:
 - (i) if no to (p), who will bear the cost of closing and rehabilitating all of these wells and sites?

Hon Alannah MacTiernan replied:

- (a) No companies currently have rights to explore for petroleum under those titles. Those titles have expired.
- (b) (i) 2008
New Standard Exploration Pty Ltd: EP 417, EP 443, EP 450, EP 451, EP 456.
Arc Energy Ltd: EP 443, EP 450, EP 451, EP 456.
- (ii) 2011
New Standard Onshore Pty Ltd: EP 417, EP 443, EP 450, EP 451, EP 456.
Buru Energy Ltd: EP 417.
- (iii) 2014
New Standard Onshore Pty Ltd: EP 417, EP 443, EP 450, EP 451, EP 456, EP 481.
Petrochina International Investment (Australia) Pty Ltd: EP 443, EP 450, EP 451, EP 456.
Conocophillips (Canning Basin) Pty Ltd: EP 443, EP 450, EP 451, EP 456.
- (iv) 2017
New Standard Onshore Pty Ltd: EP 417, EP 443, EP 450, EP 451, EP 456, EP 481.
- (c) The Lawford-1, Lanagan-1, and Gibb-Maitland-1 wells are all decommissioned. New Standard Onshore Pty Ltd has been directed to decommission Nicolay-1.
- (d) New Standard Onshore Pty Ltd is a wholly owned subsidiary of New Standard Energy Ltd.
- (e) Yes.
- (f) Please refer to relevant company websites for this information.
- (g) The Condon-1 direction was issued on 6 August 2018 and all other directions were issued on 3 September 2018.
 - (i) Yes. [See tabled paper no [4508](#).]
 - (ii) Not applicable.
- (h) Please refer to the tabled directions.
- (i) No.
 - (i) Not applicable.
 - (ii) The company advised DMIRS this was due to financial constraints.
- (j) No.
 - (i) Not applicable.
 - (ii) DMIRS continues to investigate these matters and the enforcement options available.
- (k) No.
 - (i) Not applicable.
 - (ii) DMIRS continues to investigate these matters and the enforcement options available.
- (l) No further cost estimates have been undertaken.
- (m) Specific cost estimates for these sites have not been confirmed.
- (n) Specific cost estimates for these sites have not been confirmed.
- (o) Specific total costs have not been estimated.
- (p) DMIRS continues to investigate these matters and the enforcement options available to ensure that the company undertakes the full rehabilitation activities.
 - (i) See answer above.

HEALTH — LIONS EYE INSTITUTE — FUNDING

3231. Hon Alison Xamon to the parliamentary secretary representing the Minister for Health:

- (1) In total, how much funding did the Western Australian Government give to the Lions Eye Institute in:
- (a) 2015–16;
 - (b) 2016–17;
 - (c) 2017–18;
 - (d) 2018–19; and
 - (e) 2019–20?
- (2) For each of the amounts in (1)(a) to (1)(e), will the Minister please provide a breakdown of what the funding was provided for?

Hon Alanna Clohesy replied:

I am advised:

- (1) (a) \$1,383,161
- (b) \$1,522,757
- (c) \$1,495,150
- (d) \$1,328,668
- (e) \$1,271,475
- (2) (a) WA Country Health Service (WACHS)
 Establishment and operation of the Mobile Eye Health Clinic travelling WA offering minor surgical procedures and treatment for eye conditions – \$400,000
 Prosthetics and Appliances – \$909
 Nursing – \$6,866
South Metropolitan Health Service (SMHS)
 Amniotic Membrane for Surgery – \$4,000 *
 Cornea Surgery – \$164,000 *
 Eye Consultation – \$47,000 *
 Prosthetic Eye Surgery – \$3,500 *
 Sclera Surgery – \$11,750 *
East Metropolitan Health Service (EMHS)
 Purchase of Prosthesis (Corneal or Sclera tissue) for operation (e.g. Corneal Transplant) – \$123,750
Clinical Excellence Division (CED), Department of Health (DOH)
 2015/16 Research Institute Support Grant (RIS) (Round 2) – \$246,483
 2015/16 Medical and Health Research Infrastructure Fund (MHRIF) (Round 19) – \$374,903
- (b) WACHS
 Mobile Eye Health Clinic travelling WA offering minor surgical procedures and treatment for eye conditions – \$400,000
 Regional Optometry Coordination Project for Aboriginal people across the Kimberley region – \$136,364
 Prosthetics and Appliances – \$500
 Nursing – \$4,120
SMHS
 Amniotic Membrane for Surgery – \$2,000 *
 Cornea Surgery – \$32,350 *
 Eye Consultation – \$12,000 *
 Prosthetic Eye Surgery – \$84,770 *
 Sclera Surgery – \$840 *

EMHS

Purchase of Prosthesis (Corneal or Sclera tissue) for operation (e.g. Corneal Transplant) – \$104,860

CED DOH

2016/17 RIS Grant (Round 3) – \$272,449

2016/17 MHRIF (Round 20) – \$351,765

Research Translation Projects (RTP) Grant (Round 10) Yu – Instalment 1 – \$120,739

(c)

WACHS

Mobile Eye Health Clinic travelling WA offering minor surgical procedures and treatment for eye conditions – \$400,000

Regional Optometry Coordination Project for Aboriginal people across the Kimberley region – \$136,364

Prosthetics and Appliances – \$13,540

Nursing – \$2,494

SMHS

Cornea Surgery – \$111,225 *

Eye Consultation – \$10,885 *

Prosthetic Eye Surgery – \$8,000 *

Sclera Surgery – \$4,720 *

EMHS

Purchase of Prosthesis (Corneal or Sclera tissue) for operation (e.g. Corneal Transplant) – \$155,915

CED DOH

2017/18 RIS Grant (Round 4) – \$230,259

2017/18 MHRIF (Round 21) – \$301,009

RTP Grant (Round 10) Yu – Instalment 2 – \$120,739

(d)

WACHS

Mobile Eye Health Clinic travelling WA offering minor surgical procedures and treatment for eye conditions – \$400,000

Regional Optometry Coordination Project for Aboriginal people across the Kimberley region – \$136,364

Prosthetics and Appliances – \$9,425

Nursing – \$7,015

SMHS

Amniotic Membrane for Surgery – \$8,000 *

Cornea Surgery – \$125,325 *

Eye Consultation – \$7,180 *

Sclera Surgery – \$2,950 *

EMHS

Purchase of Prosthesis (Corneal or Sclera tissue) for operation (e.g. Corneal Transplant) – \$131,410

CED DOH

2018/19 RIS Grant (Round 5) – \$212,698

2018/19 MHRIF (Round 22) – \$288,301

(e)

WACHS

Mobile Eye Health Clinic travelling WA offering minor surgical procedures and treatment for eye conditions – \$400,000

Regional Optometry Coordination Project for Aboriginal people across the Kimberley region – \$136,364

Prosthetics and Appliances – \$20,240

Nursing – \$1,121

SMHS

Cornea Surgery – \$109,500 *

Sclera Surgery – \$2,065 *

EMHS

Purchase of Prosthesis (Corneal or Sclera tissue) for operation (e.g. Corneal Transplant) – \$151,935

CED DOH

2019/20 RIS Grant (Round 6) – \$175,986

2019/20 MHRIF (Round 23) – \$274,264

DISABILITY SERVICES — VISABILITY — FUNDING

3232. Hon Alison Xamon to the Minister for Disability Services:

- (1) In total, how much funding did the Western Australian Government give to VisAbility in:
- (a) 2015–16;
 - (b) 2016–17;
 - (c) 2017–18;
 - (d) 2018–19; and
 - (e) 2019–20?
- (2) For each of the amounts in (1)(a) to (1)(e), will the Minister please provide a breakdown of what the funding was provided for?

Hon Stephen Dawson replied:

- (1)–(2) The funding allocated to VisAbility was for the provision of services to people with disability through:
- Block funding (therapy services to all age groups, grant funding, e.g. Pay Equity for the Social and Community Services Sector (SACS); and
 - Individualised funding (therapy, personal care, community access and respite services).

The breakdown between block funding and individualised funding is as follows:

| VisAbility Limited | Block Funding | Individuals | Total |
|---------------------------|----------------------|--------------------|--------------|
| 2015–16 | \$2,039,330 | \$320,761 | \$2,360,091 |
| 2016–17 | \$1,468,616 | \$543,951 | \$2,012,567 |
| 2017–18 | \$1,591,936 | \$1,233,128 | \$2,825,064 |
| 2018–19 | \$1,948,906 | \$617,542 | \$2,566,448 |
| 2019–20 | \$1,529,040 | –\$27,200 | \$1,501,840 |

The total reduction in 2019–20 from 2018–19 is due to individuals transitioning to the NDIS comprising block funding (\$420,000) and individualised funding (\$645,000).

The negative figure for individuals in 2019–20 is due to recovery of funding paid for WA NDIS clients that had transferred to the Australia-wide NDIS by 30 June 2019. Funds were recovered in the 2019–20 financial year.

